

# minutes

MEETING HELD ON **TUESDAY, 20 NOVEMBER 2012**

## TABLE OF CONTENTS

ITEM NO	TITLE	PAGE NO
	<b>DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS</b>	<b>1</b>
	<b>PUBLIC QUESTION TIME</b>	<b>2</b>
	<b>PUBLIC STATEMENT TIME</b>	<b>8</b>
	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	<b>8</b>
	<b>CONFIRMATION OF MINUTES</b>	<b>9</b>
C76-11/12	MINUTES OF COUNCIL MEETING HELD ON 23 OCTOBER 2012	9
	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>9</b>
	<b>DECLARATIONS OF INTEREST</b>	<b>11</b>
	<b>IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS</b>	<b>11</b>
	<b>PETITIONS</b>	<b>11</b>
	<b>REPORTS</b>	<b>12</b>
CJ220-11/12	DEVELOPMENT CODE VARIATION AND SUBDIVISION APPLICATION – SEPTEMBER 2012 – [07032]	12
CJ221-11/12	ACCOMMODATION FOR COMMUNITY SERVICE PROVIDERS IN THE CITY OF JOONDALUP – [01113]	16
CJ222-11/12	PROPOSED BUILDING ALTERATIONS AND CHANGE OF USE FROM SHOWROOM TO RESTAURANT AND TAKE AWAY FOOD OUTLET AT JOONDALUP GATE, LOT 13 (57) JOONDALUP DRIVE, EDGEWATER – [38480]	22
CJ223-11/12	PROPOSED SERVICE STATION REDEVELOPMENT AT LOT 706 (420) JOONDALUP DRIVE, JOONDALUP – [14362]	32
CJ224-11/12	PROPOSED SCHEME AMENDMENT – LOT 921 (98) ELLERSDALE AVENUE, WARWICK – [12353]	41
CJ225-11/12	EXECUTION OF DOCUMENTS – [15876]	48
CJ226-11/12	MINUTES OF EXTERNAL COMMITTEES – [41196, 03149]	50
CJ227-11/12	LOCAL GOVERNMENT ELECTIONS – [102009]	55

ITEM NO	TITLE	PAGE NO
CJ228-11/12	SETTING OF MEETING DATES FOR 2013 – [08122]	60
CJ229-11/12	ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JULY – 30 SEPTEMBER 2012 – [20560]	65
CJ230-11/12	LILBURNE PARK MANAGEMENT PLAN – [102082]	69
CJ231-11/12	SMALL BUSINESS CENTRE NORTH WEST METRO – FUNDING SUPPORT 2012/13 AND UPDATE ON RELOCATION REPORT – [35563]	74
CJ232-11/12	ADOPTION OF CITY OF JOONDALUP PEST PLANT LOCAL LAW 2012 – [102572]	83
CJ233-11/12	CITY OF JOONDALUP USE OF SOCIAL MEDIA – [102139]	89
CJ234-11/12	DRAFT PROPERTY MANAGEMENT FRAMEWORK – [101409, 43387, 46747, 63627, 101271, 101279, 101265, 23039, 89513]	98
CJ235-11/12	LIST OF PAYMENTS MADE DURING THE MONTH OF SEPTEMBER 2012 – [09882]	111
CJ236-11/12	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2012 – [07882]	114
CJ237-11/12	EXPENDITURE ON GOODS AND SERVICES OUTSIDE THE CITY – [100402, 101058]	117
CJ238-11/12	REPORT ON THE OPERATION OF THE CITY OF JOONDALUP CLOSED-CIRCUIT TELEVISION NETWORK – [09360]	122
CJ239-11/12	2012/13 SPORTS DEVELOPMENT PROGRAM – ROUND ONE – [58536]	132
CJ240-11/12	TENDER 022/12 PROVISION OF PRELIMINARY WORKS PRIOR TO ROAD RESURFACING – [102559]	137
CJ241-11/12	FAIRWAY CIRCLE PARKING CONTROL SIGNAGE – [101871, 05175, 11026]	144
CJ242-11/12	BURNS BEACH ROAD – TRAFFIC NOISE MONITORING – [37634, 04075]	148
	<b>STRATEGIC FINANCIAL MANAGEMENT COMMITTEE REPORTS – 24 OCTOBER 2012</b>	<b>153</b>
CJ243-11/12	PROGRESS REPORT ON THE PROPOSED DISPOSAL OF LOTS 642/643 (57) MARRI ROAD, DUNCRAIG – [63627, 27459]	153

ITEM NO	TITLE	PAGE NO
CJ244-11/12	20 YEAR STRATEGIC FINANCIAL PLAN – [52582]	160
CJ245-11/12	POTENTIAL DISPOSAL OF AREA OF LAND WITHIN CITY FREEHOLD LOT 549 (11) MOOLANDA BOULEVARD, KINGSLEY – [63627]	167
	<b>ART COLLECTION AND ADVISORY COMMITTEE REPORTS – 25 OCTOBER 2012</b>	<b>174</b>
CJ246-11/12	COMMISSIONING OF ARTWORK – [14158]	174
CJ247-11/12	COMMUNITY ART EXHIBITION – [101774]	181
CJ248-11/12	'INSIDE OUT BILLBOARD PROJECT' PUBLIC ART FOR CITY OF JOONDALUP – [102552]	189
CJ249-11/12	INVITATION ART AWARD – [101779]	198
	<b>ART COLLECTION AND ADVISORY COMMITTEE REPORTS – 5 NOVEMBER 2012</b>	<b>211</b>
CJ250-11/12	PUBLIC ARTWORK COMMISSION FOR CITY CENTRE, JOONDALUP – [102552]	211
	<b>CAPITAL WORKS COMMITTEE REPORTS – 6 NOVEMBER 2012</b>	<b>219</b>
CJ251-11/12	TOM SIMPSON PARK - ADDITIONAL FUND REQUIREMENT – [00468]	219
CJ252-11/12	2013/14 FACILITY REFURBISHMENT PROJECTS – ADMIRAL PARK CLUBROOMS – [08434, 08575, 11809]	224
CJ253-11/12	ENTRY STATEMENTS – [102315, 55541, 102623]	230
	<b>POLICY COMMITTEE REPORTS – 12 NOVEMBER 2012</b>	<b>235</b>
CJ254-11/12	REVIEW OF STATE ADMINISTRATIVE TRIBUNAL - MEDIATION AND REVISED DEVELOPMENT PROPOSALS POLICY – [101281]	235
CJ255-11/12	REVIEW OF ENVIRONMENTALLY SUSTAINABLE BUILDINGS IN THE CITY OF JOONDALUP POLICY – [21452]	239
CJ256-11/12	SUBDIVISION AND DWELLING DEVELOPMENT ADJOINING PUBLIC SPACE, PEDESTRIAN ACCESSWAYS AND UNIFORM FENCING - SUBDIVISION POLICIES – [57155, 44588, 00907]	244
CJ257-11/12	DEVELOPMENT REQUIREMENTS FOR WIND TURBINES AND SATELLITE DISHES – [102705, 81513]	249

<b>ITEM NO</b>	<b>TITLE</b>	<b>PAGE NO</b>
CJ258-11/12	CHILD CARE CENTRES POLICY REVIEW – [85510]	255
CJ259-11/12	DRAFT CONSULTING ROOMS POLICY – [102788]	260
CJ260-11/12	COMMUNITY FACILITIES – BUILT POLICY – MAJOR REVIEW – [101265]	264
CJ261-11/12	ASSET MANAGEMENT POLICY - MAJOR REVIEW – [101257]	272
C77-11/12	COUNCIL DECISION – EN BLOC RESOLUTION	278
	<b>REPORT OF THE CHIEF EXECUTIVE OFFICER</b>	<b>278</b>
	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>278</b>
C78-11/12	NOTICE OF MOTION - MAYOR TROY PICKARD - RESIDENT AND RATEPAYER GROUPS DONATION FOR INSURANCE PURPOSES	278
	<b>ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING</b>	<b>280</b>
	<b>CLOSURE</b>	<b>280</b>

## CITY OF JOONDALUP

MINUTES OF THE COUNCIL MEETING HELD IN THE COUNCIL CHAMBER,  
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY,  
20 NOVEMBER 2012

### DECLARATION OF OPENING

The Mayor declared the meeting open at 7.03pm.

### ANNOUNCEMENT OF VISITORS

#### Mayor:

TROY PICKARD

#### Councillors:

CR KERRY HOLLYWOOD	North Ward
CR TOM McLEAN, JP	North Ward
CR PHILIPPA TAYLOR	North-Central Ward
CR MIKE NORMAN	South-West Ward - <i>Deputy Mayor</i>
CR JOHN CHESTER	South-East Ward
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
MR NICO CLAASSEN	Director Infrastructure Services
MR BRAD SILLENCÉ	Manager Governance and Marketing
MR CHARLIE REYNOLDS	Acting Manager Infrastructure Services
MR MARK McCRORY	Acting Manager Marketing and Communications
MR JOHN BYRNE	Governance Coordinator
MRS DEBORAH GOUGES	Governance Officer
MRS LESLEY TAYLOR	Governance Officer

There were five members of the public and one member of the press in attendance.

**PUBLIC QUESTION TIME**

The following questions were taken on notice at the Ordinary Council Meeting held on 23 October 2012:

**Mr M Sideris, Mullaloo:**

*Re: Elected Members Strategic Weekend held February 2012 at Abbey Beach Resort, Busselton.*

*Q1 Provide a breakdown list of all items charged to individual room accounts of all attendees, room by room, attendee by attendee?*

*Q2 Provide the cost of all purchases of alcohol charged to individual room accounts, room by room, attendee by attendee?*

*Q3 Advise how many partners of elected members and attending staff had accommodation, meals and travel expenses subsidised by the City?*

*Q4 For the travel and coach hire cost stated to be \$ 4,099.03 provide the cost of motor vehicle (or other) travel expenses paid to each attendee?*

*A1-4 Information regarding the costs associated with the Elected Members Strategic Weekend has been previously supplied and in accordance with Section 5.95 of the Local Government Act 1995 no further breakdown will be provided as the questions would require a substantial commitment on the City's resources.*

The following questions were received prior to the Ordinary Council Meeting to be held on 20 November 2012:

**Mr T Argus, Connolly:**

*Re: Club Facilities for Cycling, Skating and Wheeled Sports.*

*Q1 The Northern Districts Combined Community Groups Association Inc enquires what initiatives the City envisages, in future planning for Club Facilities, for the Ten Cycling/Skating Wheeled Sports in the Northern Corridor that currently have no Club Facilities, namely:*

- 1 Criterium Cycling.*
- 2 Para (Hand) Cycling.*
- 3 Track Cycling.*
- 4 Mountain Bike Cycling.*
- 5 BMX Cycling.*
- 6 Community Social Cycling.*
- 7 Triathlon.*
- 8 Contemporary Skating (Roller Derby, Artistic, Speed, and Hockey disciplines; using Rollerskate, Rollerblade, Skateboard).*
- 9 Freestyle Skating (Freestyle, Vert, Streetscape, Extreme Games and Jam disciplines; using Skateboard, Rollerblade, Rollerskate, BMX bike and Apparatus).*
- 10 Training Facility for Clubs, Schools and Community Groups; a safe and controlled environment for novices and members of all ages.*

- A1 The City has not included within its five year Capital Works Program or its 20 year Strategic Financial Plan to provide facilities for such wheeled sports.
- Q2 *What engagement process with stakeholders will Council follow to duly consider the NDCCGA correspondence; dated Tuesday, 13 November 2012 regards a motion to council on Cycling/Skating Wheeled Sports Transport and Sport Infrastructure Initiatives?*
- A2 The City has previously met with members of the community relating to the provision of facilities for wheeled sports but have been unable to find a suitable outcome for provision of appropriate facilities.
- Q3 *There is land, formerly known as “Mindarie Lot 17” acquired by the former Shire of Wanneroo in conjunction with the City of Stirling and the City of Perth from Warren Anderson’s, Owsten Nominees, for \$4,000,000, primarily, for Refuse Disposal, but at that time, also proposed to eventually to be available, for Sporting Facility Development. As part sharers of the facility, will the current City of Joondalup Councillors be pursuing Future Sporting Facility Development on that Land?*
- A3 This site is owned by seven local governments comprising the Tamala Park Regional Council, is located in the City of Wanneroo and is leased to the Mindarie Regional Council for a refuse disposal facility. The lease doesn’t expire until 2032.

The City of Joondalup’s formal position is that:

*“TAMALA PARK*

*The City should plan to contribute funds for the development of future regional recreation facilities on the site in the longer term, subject to appropriate contributions by other member local governments of the Mindarie Regional Council”*

**Mr R Repke, Kallaroo:**

*Re: Item 24 – Disposal of Lot 642/643 Marri Road, Duncraig.*

Q1 *Should the City not keep real estate as a reserve for times of need?*

A1 With the exception of one site, the freehold land being examined for disposal has been in the City’s ownership for periods of between 23 and 41 years. With the ever increasing financial pressure on the City with regard to its service delivery it is considered that for major capital improvements such as the Joondalup Performing Arts and Cultural Facility, land disposal is a good option.

Q2 *Should the City not prefer to keep these lots and rent them to the Department of Education and earn a continuous lease fee, instead of having units for the elderly which might be rate exempt?*

A2 The City needs to be mindful of the whole of life costs with regard to its aging property portfolio. Lease fees received from the state government are minor in comparison to the financial implications of owning buildings that are 40 years old.

- Q3 *In line with Question 2, would it not make sense to offer a five plus five year contract subject to market rates?*
- A3 See A2 above – the City does obtain market valuations with regard to the lease rent to charge the Department of Education. The lease purpose and the age of the facility are taken into account in the valuer's methodology.
- Q4 *Has the City in the meantime (I have asked the question before) done research whether or not there is a demand for such units for aged persons and therefore is there not a risk that these units do not sell?*
- A4 The City engaged a consultant in 2012 to conduct research into the accommodation needs of the ageing population. The research identifies a shortage in the number of funded residential aged care beds and long waiting lists for existing aged unit accommodation, low care and high care facilities. This research does not support the notion that aged accommodation units will not sell once constructed.
- Q5 *Why is it that the recommendation says that the City does not see it as its role to provide long term strategic facilities for education? Did the City not say that it tries to convince Government offices to move to Joondalup to diversify income sources?*
- A5 Providing long term strategic facilities for education is seen as a Department of Education role and not part of the City's core business; the City's financial gain from lease agreements with the Department of Education is minor compared to the upkeep of the leased facilities.

Besides the potential financial gain derived from lease rentals with regard to development of commercial office space in the City, the additional benefits are seen as the enhancement of the City's commercial vitality and job creation.

**Mrs M Macdonald, Mullaloo:**

*Re: Notice of Motion – Mayor Troy Pickard – Resident and Ratepayer Groups – Donation for Insurance Purposes.*

Q1 *Given that this is a matter that would affect the budget, why is there no comment from officers?*

A1 The impact on the City's budget is nominal and therefore there is no significant impact or concerns to comment on.

*Re: CJ260-11/12 – Community Facilities – Built Policy – Major Review.*

Q2 *When hiring the Mullaloo Community Hall adjacent to the Mullaloo Surf Club will the resident hiring the premises be required to complete the form attached Appendix 32 of the agenda and if not why not?*

A2 As a condition of hire, all hirers of City buildings and facilities are required to complete and sign the City Buildings, Park, Reserves and Beaches Terms and Conditions of Hire form.

Re: *CJ251-11/12 – Tom Simpson Park – Additional Fund Requirement.*

Q3 *Given that the City is asking for approval for an additional amount of \$312,000 to complete the redevelopment of Tom Simpson Park, over 40% increase on the total project, and additional money was also needed to complete the upgrade to Oceanside Promenade, why is the City underestimating its projects by such large amounts?*

A3 The City is currently reviewing the way the Capital Works Program is delivered in terms of planning, design, costing and delivery. This will assist in reducing the amount of underestimation of expenditure for future capital works projects.

Q4 *Given that the Tom Simpson Park Redevelopment is currently in construction why wasn't the underestimation discovered before construction started when Councillors would have had the option of reconsidering the project based on the new cost which is over 1 million?*

A4 The original estimates were undertaken in June 2010 to enable funds to be allocated through the City's budgeting process. The original estimates were not quantity surveyed at the time to confirm the expenditure and since that time costs have increased.

Q5 *Why is it not a dishonest process to ask Council to reapprove relatively small projects that are greatly underestimated when they are in the construction phase?*

A5 The *Local Government Act 1995* requires that expenditure needs to be budgeted appropriately. A Council decision is required to re-allocate the amount of expenditure required to complete the Tom Simpson Park upgrade.

**Mr D Blackburn, Kingsley:**

Re: *Minutes of Strategic Financial Management Committee – 24 October 2012.  
Item 5 – Proposed Disposal of City Freehold Properties – Status Report.*

Q1 *What does "concept designs" mean in relation to the proposed disposal of Lot 971 (52) Creaney Drive, Kingsley?*

A1 Preliminary assessment of the options for development of the site.

Re: *CJ245-11/12 – Potential Disposal of Area of Land within City Freehold Lot 549 (11) Moolanda Boulevard, Kingsley.*

Q2 *Will a condition of sale or other means be considered to ensure that the existing large trees on this land are retained?*

A2 This is yet to be determined.

Re: *Draft Local Housing Strategy*

Q3 *The Department of Planning has assessed the strategy and requested that the City consider a number of issues and additional matters. If the consideration of these “number of issues and additional matters” results in amendments to the scope of the Housing Opportunity Areas, the R Codes assigned or alternations to the recommendation, shouldn’t the consultation as conducted by resident survey in 2010 be repeated?*

A3 Council will consider the most appropriate method of communicating any proposed changes to the draft Local Housing Strategy when any modifications to the draft Local Housing Strategy are formally considered by the Council.

Re: *CJ224-11/12 – Proposed Scheme Amendment – Lot 921 (98) Ellersdale Avenue, Warwick*

Q4 *During the consultation planned with the surrounding landowners, will they be made aware of the fact that the scheme amendment was requested to facilitate a major re-development by the Bethanie Group as shown at Appendix 5, Attachment 3.*

A4 If the proposed scheme amendment is adopted by Council for the purpose of advertising, information on the proposed scheme amendment will be provided in the letter to surrounding landowners. In addition, the scheme amendment documents that will be available for viewing during the advertising period will provide more detailed information, based on the information within the current Council report. The documents will be available on the City’s website and at the City’s administration centre.

**Mr M Sideris, Mullaloo:**

Re: *Elected Members Strategic Weekend held February 2012 at Abbey Beach Resort, Busselton.*

*Further to previous questions related to costs associated with the Elected Members Strategic Weekend held February 2012 at Abbey Beach Resort, Busselton.*

*I resubmit the following questions as they have not been answered and given that section 5.95 of the Act does not provide an exemption as claimed by the City.*

Q1 *Provide a breakdown list of all items charged to individual room accounts of all attendees, room by room, attendee by attendee?*

A1 An itemised list of room charges cannot be provided as it does not exist.

Q2 *Provide the cost of all purchases of alcohol charged to individual room accounts, room by room, attendee by attendee?*

A2 An itemised list of room charges cannot be provided as it does not exist.

Q3 *Confirm that NO alcohol was charged to individual room accounts of any attendees and subsequently paid for on the Credit Card 5163 2531 0020 1133.*

A3 Refer to response to question 2. Some costs associated with the weekend were charged to Credit Card 5163 2531 0020 1133.

Q4 *Advise what "substantial commitment on the City's resources" are required when the questions previously submitted relate to specific credit card charges, for a specific event paid for by ratepayers, and that all credit card charges must be accompanied by sufficient evidence to substantiate the claimed expense, as required by the Act and its supporting Regulations and that supporting evidence is available either in the City's document record system or electronically in the City's financial management system records.*

A4 Substantial resources would be required for officers to research the individual purchases associated with the Elected Member Strategic Weekend.

**Mr A Hill, Burns Beach:**

Re: *Burns Beach Structure Plan*

Q1 *Burns Beach Structure Plan is posted on the City of Joondalup website. Please confirm whether the Developer (PEET) is required to comply with this Structure Plan?*

A1 The provisions of the structure plan apply to development within the structure plan area, regardless of who is undertaking that development. The developer is required to adhere to the structure plan as are individual landowners and builders.

Q2 *Are there any current circumstances under which the Developer (PEET) is permitted to undertake activities (e.g. advertising lots for sale, selling lots, or approving construction of buildings) that are not in compliance with the current approved Burns Beach Structure Plan?*

A2 The assessment of planning applications and building permits is undertaken by the City in accordance with the provisions of the structure plan. The circumstances surrounding the marketing and sale of lots is not controlled by or within the jurisdiction of the City of Joondalup.

Q3 *Please confirm whether City of Joondalup Department of Planning and Community Development has responsibility for ensuring that the Developer (PEET) is in compliance with the approved Structure Plan?*

A3 The City of Joondalup Planning and Community Development Directorate assesses all development proposals in accordance with the provisions of the Burns Beach Structure Plan.

Re: *Organisational Structure Plan*

Q4 *Referring the Organisational Structure posted on the City of Joondalup website, please confirm that the City of Joondalup Department of Planning and Community Development is accountable to the City of Joondalup Chief Executive Officer?*

A4 Staff employed within the City of Joondalup's Planning and Community Development Directorate are accountable to the Chief Executive Officer.

Q5 *Is the City of Joondalup Chief Executive Office accountable to City of Joondalup Council?*

A5 Yes.

**The following questions were submitted verbally at the Council meeting:****Mr T Argus, Connolly:**

*Re: Club Facilities for Cycling, Skating and Wheeled Sports.*

Q1 *As part of the infrastructure program for the City of Joondalup can I please ask how much money was set aside for wheeled sports which includes cycling and skating infrastructure for club facilities and also for transport network facilities?*

A1 Mayor Pickard advised that this question would be taken on notice.

**PUBLIC STATEMENT TIME****Mr K Pearce, Joondalup:**

*Re: Draft Property Management Framework.*

Mr Pearce spoke in relation to Item CJ234-11/12 Draft Property Management Framework and wished to thank Elected Members for allowing him to make a deputation at the Briefing Session held 13 November 2012 and taking into consideration his concerns.

**Mr McLennan, Iluka:**

*Re: Notice of Motion - Mayor Troy Pickard - Resident and Ratepayer Groups Donation for Insurance Purposes.*

Mr McLennan spoke on behalf of the Iluka Homeowners Association in support of Item 11 - Notice of Motion - Residents and Ratepayers Groups Donation for Insurance Purposes.

**Mr T Argus, Connolly:**

*Re: Club Facilities for Cycling, Skating and Wheeled Sports.*

Mr Argus spoke in relation to club facilities and infrastructure for cycling, skating and wheeled sports within the City of Joondalup.

**APOLOGIES AND LEAVE OF ABSENCE****Leave of Absence previously approved**

Cr Christine Hamilton-Prime	1 to 25 November 2012 inclusive.
Cr Sam Thomas	12 to 24 November 2012 inclusive.
Cr Geoff Amphlett, JP	14 to 23 November 2012 inclusive.
Cr Liam Gobbert	20 to 28 November 2012 inclusive.
Cr Teresa Ritchie	27 November to 4 December 2012 inclusive.

**CONFIRMATION OF MINUTES****C76-11/12****MINUTES OF COUNCIL MEETING HELD ON 23 OCTOBER 2012**

**MOVED Cr Taylor, SECONDED Cr McLean that the Minutes of the Council meeting held on 23 October 2012 be CONFIRMED as a true and correct record.**

**The Motion was Put and****CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

**ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION****City's Summer Events Calendar**

Mayor Pickard announced that the City's popular summer events calendar has started and that many thousands of local residents have already enjoyed some outstanding free entertainment.

Mayor Pickard informed the City's first Music in the Park concert was held at Mawson Park in Hillarys and that the Sunday Summer markets were held on the weekend.

Mayor Pickard stated the City's summer events calendar will run until the end of March and offers free family-friendly events to residents at a range of different locations across the City.

Mayor Pickard advised the markets will continue to run on Sundays between 12.00 noon and 4.00pm at the corner of Boas Avenue and McLarty Avenue in the City Centre until 16 December 2012.

Mayor Pickard indicated the second free summer concert will be held at Chichester Park in Woodvale on Saturday, 8 December 2012 and will feature Ash Grunwald.

Mayor Pickard announced that young families would be able to experience art and culture from around the globe without leaving Joondalup when the City's popular annual Little Feet Festival returns on Sunday, 2 December 2012.

Mayor Pickard advised that this year's festival will be held between 1.00pm and 5.00pm at the Edith Cowan University Joondalup campus near the Pines Picture Garden.

Mayor Pickard acknowledged that over the years the Little Feet Festival has grown to become the City's premier entertainment event for children, with families returning year after year to experience the action-packed program of events on offer, and believed that this year's around the world theme is sure to prove popular.

Mayor Pickard advised that information on all summer events is available on the City's website at [www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au).

### **City Wins Prestigious Australian Business Excellence Award**

Mayor Pickard announced that the City of Joondalup has won the 2012 Australian Business Excellence Award in the Category of Strategy and Planning.

Mayor Pickard advised that the National Awards are presented annually to recognise organisations that demonstrate best practice in the area of business planning excellence.

Mayor Pickard stated that the judging process included a two-day visit from an expert evaluation panel that reviewed the City's planning and reporting systems, and interviewed a number of City employees and stakeholders.

Mayor Pickard announced that the judges were impressed with the City's strategic planning processes and its ability to action those plans and provide outstanding outcomes for its community.

Mayor Pickard advised that the City's recently endorsed Strategic Community Plan 2012 – 2022 was highly praised by the judges who noted that the involvement of the community and key stakeholders in the development of the plan was evidence of the City's excellent strategic planning processes.

### **Annual General Meeting of Electors**

Mayor Pickard announced that the City's Annual General Meeting of Electors for 2012 will be held on Tuesday, 4 December 2012 in the Council Chambers.

Mayor Pickard indicated the starting time for the Annual General Meeting of Electors will be 5.30pm and that the meeting will give electors an opportunity to ask questions about the City's performance in 2011-12.

Mayor Pickard noted that the City's Annual Report will be received, together with the Annual Financial Statements and Auditor's Report.

Mayor Pickard encouraged members of the community to attend the Annual General Meeting of Electors as he believed it is a great opportunity to see what was achieved by the City in the last financial year.

## DECLARATIONS OF INTEREST

### Disclosures of interest that may affect 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>Cr Michael Norman.</b>
<b>Item No/Subject</b>	Item CJ230-11/12 - Lilburne Park Management Plan.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Norman made a submission on behalf of the Joondalup Community Coast Care Forum.

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ239-11/12 - 2012/13 Sports Development Program – Round One.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Pickard is patron of the Joondalup District Cricket Club.

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

CJ245-11/12                      Potential Disposal of Area of Land within City Freehold Lot 549  
(11) Moolanda Boulevard, Kingsley

Mayor Pickard indicated that unless there was any objection from Elected Members or that they wished to discuss certain aspects of confidentiality around the report, the confidentiality restriction would be lifted.

No indication was received.

## PETITIONS

Nil.

## REPORTS

### **CJ220-11/12 DEVELOPMENT, CODE VARIATION AND SUBDIVISION APPLICATIONS – SEPTEMBER 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 - September 2012 Attachment 2 Monthly Subdivision Applications Processed - September 2012

---

## PURPOSE

For Council to note 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 September 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 delegations be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 15 May 2012 (CJ075-05/12 refers), Council considered and adopted the most recent Town Planning Delegations.

## DETAILS

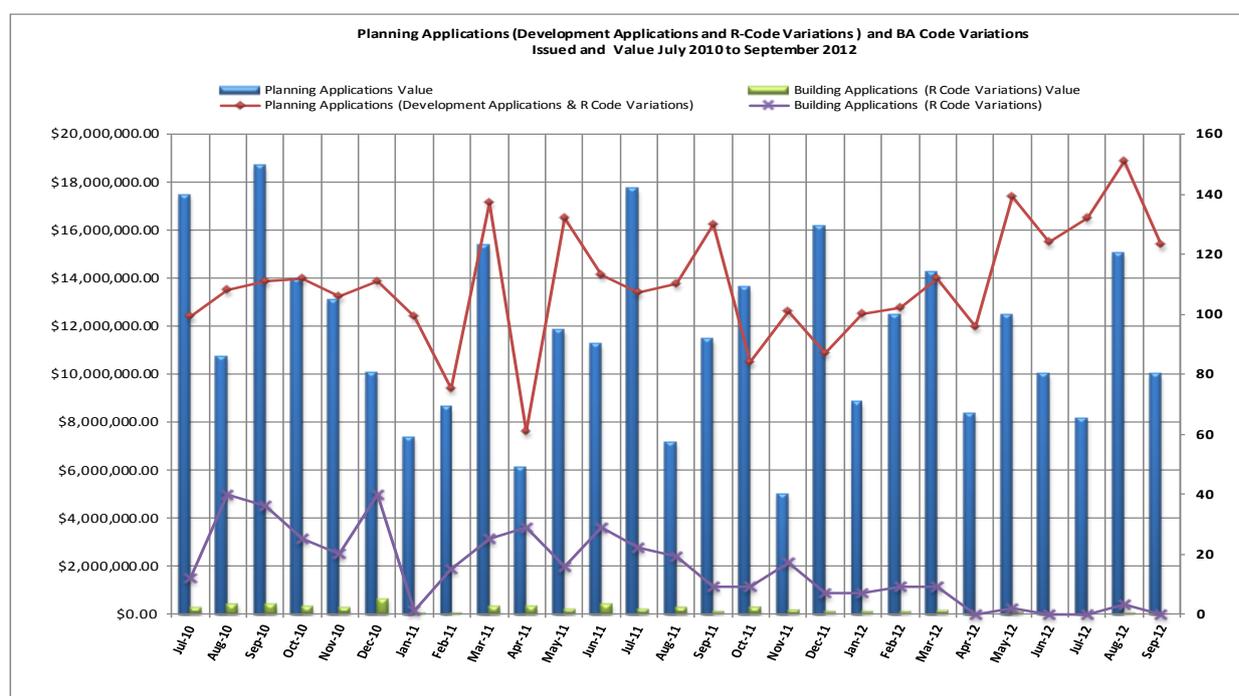
The number of applications determined under delegated authority during September 2012, is shown below:

Approvals determined under delegated authority – September 2012		
Type of Approval	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	123	\$ 10,000,348
Building applications (R – Codes applications)	0	\$ 0
<b>TOTAL</b>	<b>123</b>	<b>\$ 10,000,348</b>

The number of development applications received during September was 126. (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 September was 172. Of these, 45 were pending additional information from applicants, and 30 were being advertised for public comment.

In addition to the above five building applications and 303 building permits were issued during the month of September with an estimated construction value of \$21,829,677.



Subdivision approvals processed under delegated authority for September 2012		
Type of approval	Number	Potential additional new lots
Subdivision applications	3	3
Strata subdivision applications	1	1

**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.

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

**Legislation:** Not Applicable.

**Strategic Community Plan**

**Key Theme:** Quality Urban Environment.

**Objective:** Quality Built Outcomes.

**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 123 applications were determined for the month of September with a total amount of \$40,744 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 123 development applications determined during September 2012 consultation was undertaken for 64 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 September 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 Mayor Pickard, SECONDED Cr Hollywood 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 CJ220-11/12 during September 2012; and**
- 2 Subdivision applications described in Attachment 2 to Report CJ220-11/12 during September 2012.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf131112.pdf](#)*

## **CJ221-11/12 ACCOMMODATION FOR COMMUNITY SERVICE PROVIDERS IN THE CITY OF JOONDALUP**

---

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	01113, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Location Plan

---

### **PURPOSE**

For Council to be informed about the accommodation needs of community service providers in the City and to provide Council with information regarding a proposed extension to Joondalup Lotteries House in response to a Notice of Motion.

### **EXECUTIVE SUMMARY**

At the Council Meeting in February 2012, a Notice of Motion was carried (C10-02/12 refers) requesting a report to investigate the potential expansion of Joondalup Lotteries House in order to cater for the growth of non-government community service organisations in the City of Joondalup.

Previous to the Notice of Motion, in March 2010, the Management Committee of Joondalup Lotteries House had identified an unmet demand for accommodation at Joondalup Lotteries House and the need for a crèche to support the services provided by existing tenants. The Management Committee had already held preliminary discussions with the City as the owner and lessor of the building seeking support to extend the building.

Joondalup Lotteries House Management Committee has formed a sub-committee to conduct research into community need, develop a Project Plan and seek grant funding for the extension to Joondalup Lotteries House. In October 2011, the City appointed the Manager Community Development and Library Services to chair the sub-committee in order to ensure a collaborative approach to the project and to see that the City's best interests are represented.

This report provides an interim status report and further updates will be provided as the project progresses.

### **BACKGROUND**

<b>Suburb/Location:</b>	Joondalup CBD
<b>Owner:</b>	City of Joondalup
<b>Zoning:</b>	<b>DPS:</b> Centre
	<b>MRS:</b> Central City Area
<b>Site Area:</b>	1 hectare
<b>Structure Plan:</b>	Joondalup City Centre Development Plan Draft Joondalup City Centre Structure Plan and Manual

In February 2012, Council resolved (C10-02/12 refers):

*That the Chief Executive Officer prepare a report for consideration at a future Council meeting investigating the potential expansion of Joondalup Lotteries House in order to cater for the growth of non-government organisations within the City of Joondalup.*

Joondalup Lotteries House was completed in April 1999 with funding received from Lotterywest. The City is the owner of the building and leases it to the Joondalup Lotteries House Management Committee under a 25 year lease agreement. The terms and conditions of this lease agreement represent the City's long term commitment and legal responsibility to Lotterywest.

The 2012/13 rent for all tenants is \$13.10 per square metre. This is a subsidised rate calculated to cover the costs associated with running the building and ensure affordability for the not-for-profit groups that are accommodated.

The management of Joondalup Lotteries House is vested in a community-based Management Committee which is comprised of tenant representatives, community volunteers and a City officer. The Management Committee has provided strong direction to the focus of Joondalup Lotteries House and ensured the building has been well maintained. In 2005, the Committee implemented a project to improve facilities and services which included upgrading technology, provision of additional furniture and equipment, updating signage, external painting and implementation of occupational health and safety training and procedures.

## **DETAILS**

Joondalup Lotteries House is located on portion of Lot 496 and is one of the major community infrastructure facilities in the area. The aim of Joondalup Lotteries House is to provide secure, affordable accommodation for community organisations that are involved in delivering and/or supporting not-for-profit community services to the residents of the northern suburbs.

The current tenants of Joondalup Lotteries House are: Relationships Australia; Women's Healthworks; Nutrition Australia; Youth Futures WA; Citizen's Advice Bureau; North Metropolitan Community Drug Service, Foundation Housing; PEP Community Services and Joondalup Netball Association.

The Joondalup Lotteries House Management Committee is responsible for:

- Setting occupancy fees;
- Development and implementation of Tenant Lease Agreements;
- Responsible financial management;
- Managing building maintenance; and
- Occupational safety and health for all tenants, users and visitors.

## **Issues and options considered:**

In the current economic and social climate there is a growing trend towards the delivery of community services by non-government entities. As Joondalup is central and easily accessible by public transport, it is considered a fitting destination for the provision of essential family support services. There are three situations that are creating demand for accommodation for non-government organisations within the City of Joondalup:

- 1 Growth of the northern corridor is resulting in demands for a diverse range of new community services. Some of these services are provided in closer proximity to Perth however the demand is now increasing in the northern metropolitan corridor. A number of service providers are consequently looking to expand into the Cities of Joondalup and Wanneroo.
- 2 Existing service providers within the City of Joondalup have the capacity to deliver more services however they are restricted from doing so by a lack of accommodation.
- 3 Existing service providers in closer proximity to Perth are finding commercial rents are beyond their financial capacity and are looking to relocate to more affordable office accommodation.

When the Joondalup Lotteries House Management Committee identified unmet needs in the community, it considered a number of options for potential expansion. Options included extending the floor space outwards in a southerly direction, adding one floor to the building and extending both floors of the building.

When considering the expansion of Joondalup Lotteries House, the Management Committee identified that office accommodation, training rooms and crèche facilities were the key spaces that would need to be included in an extension to the building.

While the potential expansion of the Joondalup Lotteries House has been under consideration by the Management Committee for some time, it is only since December 2011 that City officers have become more involved in the project. This involvement has included chairing the Joondalup Lotteries House expansion sub-committee and providing assistance with investigating options. The work of the sub-committee is not occurring in isolation of the work being done by the City to investigate the potential development of the lot upon which Joondalup Lotteries House is located for the purpose of a multi-storey commercial office development.

The expansion of Joondalup Lotteries House project is still in its formative stages and more work is required before solutions are identified and external funding sourced (such as Lotterywest). Further work is required in order to clearly establish the accommodation needs of current and prospective community service providers. Alternatives to extending the Joondalup Lotteries House are being considered. These include facilitating discussions with the Department of Housing and Works who own Lot 9000 in Joondalup with a view to expanding the site's suitability to accommodate community service organisations and investigating the possibilities of finding another site in the city centre close to public transport.

Of particular interest is the news that Community Vision Inc and Creative Therapies Activities have recently received Home and Community Care (HACC) funding to jointly conduct research into accommodation options in the northern region. The outcomes of the scoping project will be useful when considering future directions for Joondalup Lotteries House.

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

**Legislation:** Not Applicable.

**Strategic Community Plan**

**Key Theme:** Community Wellbeing.

**Objective:** Quality Facilities.

**Policy:**

Council Policies that may relate to the extension of Joondalup Lotteries House are:

- Community Development; and
- Environmentally Sustainable Buildings in the City of Joondalup.

The City Policy that may relate to the extension of Joondalup Lotteries House is:

- Asset Management.

**Risk Management Considerations:**

If the City and the Joondalup Lotteries House Management Committee do not consider how to manage demands for affordable accommodation into the future, not-for-profit groups will struggle to pay increasing commercial rents and may not have the capacity to offer the range of services needed in the northern metropolitan corridor. This could result in City of Joondalup residents not having access to a diverse range of community services offered by non-government organisations.

**Financial/Budget Implications:**

Any extension to the current Joondalup Lotteries House building will be dependent on the availability of funding from Lotterywest and/or other external sources and the continued support of the City with regard to the use of the land. Until a final concept design is developed, the actual cost of any extension project is unknown. As construction costs can range from \$2,500 to \$3,000 per square metre, it is possible that the cost will be between \$1.5 million and \$2 million.

It is possible that in the future, the Joondalup Lotteries House Management Committee may approach the City to make a financial contribution to the preliminary design elements and/or the construction of an extension to the Joondalup Lotteries House. There is no funding identified for this purpose in the City's 2012/13 budget.

**Regional Significance:**

The provision of community services in the Central Business District of Joondalup has the potential to meet the needs of both City of Joondalup residents as well as the bordering City of Wanneroo residents because of its access to public transport and its proximity to other services such as retail and commercial.

**Sustainability Implications:**

The proposal to extend Joondalup Lotteries House will have a positive effect on the provision of family support and other community services in the region. It is important that people in need have access to support services that are affordable and easy to access. As Joondalup Lotteries House is on the bus and train line and close to other important agencies such as Centrelink, Department of Child Protection, Disability Services Commission, the Family Relationship Centre, Medicare and the Joondalup Courthouse, it is considered to be extremely well located.

It is a requirement from the City's perspective to ensure that the needs of the community are being addressed within its economic means. As the Joondalup Lotteries House Management Committee will take responsibility for sourcing external funding and has already demonstrated diligence with the upgrade and maintenance of the existing building over the past 10 years, a sound commitment towards sustainability has been established.

**Consultation:**

Since December 2011, when the Joondalup Lotteries House Management Committee established a sub-committee to work on the proposal to extend the building, some consultation has been done with a small number of existing non-government organisations in the City to ascertain accommodation requirements. This work has resulted in a limited number of responses so the City is now approaching a broader range of non-government organisations and community groups to establish accommodation needs within Joondalup and parts of Wanneroo. This will be done via letter and survey to community organisations within the City's database to ascertain the type of accommodation needed, capacity to pay, compatibility of co-location with other services and external requirements such as car parking.

It is anticipated that the initial information obtained by the sub-committee and the results of the consultation being undertaken by the City, will confirm the unmet demand and provide a better indication of the types of accommodation required. The responses to the survey will also inform the type of expansion to Joondalup Lotteries House that is needed to accommodate an increased number of non-government organisations to deliver more community services within the City.

**COMMENT**

It is important that people in need have a place to go where they can find services and support at a cost that is within their means. In providing affordable rent, Joondalup Lotteries House has offered accommodation for organisations that provide family support, youth accommodation, alcohol and drug services, health clinics, employment support and citizens advocacy.

An expansion to the Joondalup Lotteries House building or successful identification of suitable alternative accommodation will in turn give not-for-profit groups and agencies the ability to offer a greater level of service to the community.

The City has a significant interest in this project from a number of angles:

- 1 The City is the current landowner of the site and the existing Joondalup Lotteries House building;
- 2 The City has a responsibility to ensure that relevant services are available to its residents;
- 3 The City has the opportunity to facilitate this service delivery being undertaken by the non-government community sector; and
- 4 The City is keen to drive the development of the Joondalup City Centre.

This report is provided as background and an update on actions taken to date with this project, which is very much in its formative stages. It is intended that further updates will be provided to Council as the project progresses.

### **VOTING REQUIREMENTS**

Simple Majority.

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

- 1 **NOTES** the information provided in Report CJ221-11/12 relating to the accommodation needs of community services organisations and the proposal to extend Joondalup Lotteries House; and
- 2 **REQUESTS** that the Chief Executive Officer provide further reports to Council as this project progresses.

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf131112.pdf](#)

## **CJ222-11/12 PROPOSED BUILDING ALTERATIONS AND CHANGE OF USE FROM SHOWROOM TO RESTAURANT AND TAKE AWAY FOOD OUTLET AT JOONDALUP GATE, LOT 13 (57) JOONDALUP DRIVE, EDGEWATER**

<b>WARD:</b>	North-Central	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER:</b>	38480, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Location plan
	Attachment 2	Development plans
	Attachment 3	Environmentally sustainable design checklist

---

### **PURPOSE**

For Council to determine an application for building alterations and a change of use from Showroom to Restaurant and Take Away Food Outlet at Joondalup Gate, Lot 13 (57) Joondalup Drive, Edgewater.

### **EXECUTIVE SUMMARY**

An application for planning approval has been received for building alterations and a change of use from Showroom to Restaurant and Take Away Food Outlet at Joondalup Gate, Lot 13 (57) Joondalup Drive, Edgewater.

The building alterations include internal partitions to convert a single tenancy to three tenancies, additional glazing and glass roof cover to areas that will be used for outdoor seating.

The subject site adjoins Joondalup Drive to the east and Mitchell Freeway to the west, and is commonly referred to as Joondalup Gate. The subject tenancy is located to the north of George Grey Place and east of the Edgewater Train Station car park. The surrounding tenancies are showrooms.

The site is zoned 'Urban' under the Metropolitan Region Scheme (MRS), and 'Business' under District Planning Scheme No. 2 (DPS2). Restaurant and Take Away Food Outlet are both permitted 'P' uses under DPS2.

The development is required to be assessed against the requirements of DPS2, with regard also to be given to the draft Joondalup City Centre Structure Plan (JCCSP) as a 'seriously entertained planning proposal'. Under the draft JCCSP the site is located within 'The Gateway' district. Under the draft JCCSP the provisions specific to the district are the same as those for the 'Business' zone under DPS2. The development is considered to meet all requirements of DPS2 with the exception of car parking. In accordance with DPS2 a total of 783 bays are required for the overall Joondalup Gate site, with 599 bays provided.

The proposal was not advertised as the land uses are permitted and the car parking shortfall is considered to have no adverse effect on any surrounding properties.

It is considered that the car parking provision for the site is adequate to service the existing and proposed development, and it is therefore recommended that the application be approved subject to conditions.

## BACKGROUND

**Suburb/Location:** Lot 13 (57) Joondalup Drive, Edgewater  
**Applicant:** TPG Town Planning and Urban Design  
**Owner:** Joondalup Gate Pty Ltd  
**Zoning:** **DPS:** Business  
**MRS:** Urban  
**Site Area:** 46,609m<sup>2</sup>  
**Structure Plan:** Draft Joondalup City Centre Structure Plan (JCCSP)

The subject site adjoins Joondalup Drive to the east and Mitchell Freeway to the west, and is commonly referred to as Joondalup Gate. The subject tenancy is located to the north of George Grey Place and east of the Edgewater Train Station car park. The surrounding tenancies are showrooms.

The entire site (Lot 13) comprises various buildings identified as C2, C3, C4 (proposed location of the restaurants and take away food outlet), C8, N1, N2 and N3. These buildings vary in size and contain multiple showroom tenancies (Attachment 1 refers).

In June 2003 the City approved a reduced car parking requirement for the addition of buildings C3 and C4 of one bay per 50m<sup>2</sup> net lettable area (NLA). This equated to a shortfall of 107 car bays for the total development.

In September 2005, Council approved minor extensions to buildings C4 and N1 of 96m<sup>2</sup>, with no further requirement for parking. This resulted in a shortfall of 111 bays for the site.

In October 2008 the City approved a change of use application for the site for a Showroom and Take Away Food Outlet (change from Showroom). This resulted in an approved shortfall of an additional three bays, increasing the overall shortfall for the site to 114 bays.

In February 2010 Council approved a single storey showroom development, which included an additional 3,384m<sup>2</sup> NLA and 75 car bays. Notwithstanding the additional car parking provided, this development resulted in an overall shortfall for the site of 152 bays. Council in determining that application was satisfied that the provision of 666 bays was adequate. It is noted that the development approved by Council in February 2010 was not constructed, and the approval has subsequently lapsed.

In March 2010, Council approved a change of use at the site for a Liquor Store and in determining the application was satisfied that a shortfall of 163 bays was appropriate.

In June 2010, Council approved a change of use to Medical Centre (Blood Donor Centre), which is currently operating from the site. As the Liquor Store and single storey showroom development had recently been approved and had not commenced operating from the site, the car parking was based on land uses currently operating. This resulted in a shortfall of 115 bays across the site. Council also noted that in the event that the Liquor Store and single storey showroom development commenced operating from the site that the car parking provided on-site would still be adequate.

The development approval for the Liquor Store lapsed prior to development commencing. A new application was lodged with the City which included a slight reduction in the net lettable area. As the car parking shortfall was less than a car parking shortfall previously approved by Council (shortfall of 163 bays was supported for the original Liquor Store application), this application was approved under Delegated Authority in June 2012, with a shortfall of 161 bays considered appropriate.

The land uses approved for the site currently requires 760 bays, with 599 provided on-site, being a shortfall of 21.1%.

## DETAILS

The applicant seeks approval for building alterations and change of use from Showroom to Restaurant and Take Away Food Outlet for an existing single tenancy in building C4. Modifications to the building include:

- Internal reconfiguration to create three tenancies, including two restaurants (one to be Aroma Cafe), and a take away food outlet (Subway);
- Additional glazing to the north east and north west facades;
- Clear awning and roof cover for the areas to be used for outdoor seating areas;
- A new loading bay to the rear of the tenancies; and
- New enclosed bin store and grease trap.

The development plans are provided in Attachment 2.

The proposed development is considered to meet all requirements of DPS2 and the draft JCCSP with the exception of car parking.

Car parking for the site has been calculated in accordance with Table 2 of DPS2. The table below sets out the car parking requirements for the site.

Building Number (NLA)	Land Use	Car Bays Required by DPS 2
C2 (3436m <sup>2</sup> )	Showroom (1:30m <sup>2</sup> NLA)	114.53
C3 (1750m <sup>2</sup> )	Showroom (1:30m <sup>2</sup> NLA)	58.33
C4 (1552m <sup>2</sup> )	Showroom (1:30m <sup>2</sup> NLA) (1146m <sup>2</sup> )	38.2
	Restaurant (greater of 1:5m <sup>2</sup> dining room or one per four guests) (160m <sup>2</sup> dining room or 128 seats)	32
	Take Away Food Outlet (one per four guests in seated area plus seven per 100m <sup>2</sup> NLA) (60m <sup>2</sup> seated area and 12 seats)	7.2

<b>Building Number (NLA)</b>	<b>Land Use</b>	<b>Car Bays Required by DPS 2</b>
C8 (5537m <sup>2</sup> )	Showroom (1:30m <sup>2</sup> NLA)	184.57
N1 (2857m <sup>2</sup> )	Showroom (1:30m <sup>2</sup> NLA)	95.23
N2 (3209m <sup>2</sup> )	Showroom (1:30m <sup>2</sup> NLA) (1915m <sup>2</sup> ) Liquor Store (7:100m <sup>2</sup> NLA) (1294m <sup>2</sup> )	63.8 90.6
N3 (2530m <sup>2</sup> )	Showroom (1:30m <sup>2</sup> NLA) (2052m <sup>2</sup> ) Medical Centre (5 per practitioner)	68.4 30
TOTAL bays required		782.86 (783)
TOTAL bays provided		599
Shortfall		183.86 (184) (24.5%)
Shortfall previously supported by Council for the site		163 (21.3%)

As outlined above, a car parking shortfall of 184 bays is proposed, being a shortfall of an extra 21 bays than that previously approved by Council for the site.

#### **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 Community Plan/Policy Implications**

**Legislation**                      *City of Joondalup District Planning Scheme No. 2 (DPS2).*

Restaurant and Take Away Food Outlet are Permitted ('P') uses within the Business Zone. A 'P' use means:

*"A Use Class this is permitted but which may be subject to any conditions that the Council may wish to impose in granting its approval."*

The proposed development includes variations to a number of on-site car parking bays required under DPS2. Clause 4.5.1 and 4.8.2 of DPS2 give Council discretion to consider variations.

#### **4.5 Variations to Site and Development Standards and Requirements**

*4.5.1 Except for development in respect of which the Residential Design 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.*

#### 4.8 *Car Parking Standards*

4.8.1 *The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS 2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the Council.*

4.8.2 *The number of on-site car parking bays to be provided for specified development shall be in accordance with Table 2. Where development is not specified in Table 2 the Council shall determine the parking standard. The Council may also determine that a general car parking standard shall apply irrespective of the development proposed in cases where it considers this to be appropriate.*

In exercising discretion, the matters listed under Clause 6.8 require consideration.

#### 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) *Interest of proper and orderly 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 and wishes of any public or municipal authority received as part of the submission process;*
- (i) *The comments and wishes of any objectors to or supporters of the application;*
- (j) *Any previous decision made by 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 Community Plan**

**Key Theme:** Quality Urban Environment.

**Objective:** Quality Built Outcomes.

### **Policy**

Environmentally Sustainable Buildings in the City of Joondalup.

### **Risk Management Considerations:**

The proponent has the 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 a fee of \$278, excluding GST, to cover all costs associated with the application.

### **Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The applicant has completed the City's Environmentally Sustainable Design Checklist to the extent that it is applicable to the change of use and building alterations. The completed checklist is provided as Attachment 3 to Report CJ222-11/12.

As set out in the checklist the applicant is proposing to provide ten bicycle parking spaces adjacent to the bin store. The applicant has also stated that they are not intending on proposing end of trip facilities (showers) due to the fact that it is an existing building, proximity to train station and availability of adequate parking.

**Consultation:**

Public comments were not sought as it was considered that the proposal would not result in any significant adverse effect on surrounding landowners. This is primarily on the basis that the nearest residential property is approximately 70 metres away and is separated from the site by Joondalup Drive. It is considered that the car parking shortfall will not adversely impact on these properties. It is noted that the land uses are permitted land uses under DPS2 and therefore the proposal cannot be refused on the basis of the land use being inappropriate.

**COMMENT**

The applicant proposes to convert an existing showroom tenancy into three tenancies which will be occupied by two restaurants and a take away food outlet. Alterations to the building are also proposed, including additional glazing to the north east and north west facade, and an awning and glass roof to an outdoor seating area. All external alterations will be finished in colour and design which complements the existing development and a pedestrian path will be maintained between the tenancies and area to be used for outdoor seating. It is considered that the restaurants, take away food outlets and outdoor seating will assist in activating both the internal streetscape of Joondalup Gate and also Joondalup Drive, and is considered to be a positive addition to the site.

The development has been assessed against the requirements of DPS2 and the draft JCCSP, and is considered to meet all of these requirements with the exception of car parking.

In accordance with DPS2 a total of 783 bays are required for the site, with 599 bays provided. It is noted that the number of additional bays required as a result of this development is 21.

Council is required to determine whether the 599 bays on-site are sufficient to service the proposed development. The options available to Council are:

- 1 Determine that the provision of 599 car parking bays is appropriate;
- 2 Determine that the provision of 599 car parking bays is not appropriate; or
- 3 Determine that a cash-in-lieu payment of \$25,929 per bay is required for the shortfall in parking. This would equate to \$544,509 for the 21 bay increase in the existing shortfall as a result of this development.

A parking survey provided by the applicant in 2009 indicates an underutilisation of the car parking on the site. This survey indicated that at 12.00pm on Saturday, 10 October 2009 a total of 179 vehicles were on the site, which is considered to be one of the peak trading times for showrooms. Aerial photography taken at various times through 2012 has also indicated a similar underutilisation of car parking. The proposed land uses will contribute to the reciprocity of land uses across the site and given the current underutilisation, the on-site car parking provision is considered appropriate.

In determining previous applications for the site Council has considered that a car parking standard of one bay per 50m<sup>2</sup> is appropriate for some of the showroom land uses on the site. This was on the grounds of parking surveys, the large lot size and reciprocity of land uses. Applying the standard of one bay per 50m<sup>2</sup> to the showroom components of the site, the car parking requirement would be 534 bays on-site, therefore being a 65 bay surplus across the site. In addition to this, the current underutilisation also demonstrates that the car parking provision for the site will be adequate to service the development.

It is noted that a number of bays on site are regularly used by commuters accessing Edgewater Train Station and other long-term users. There are approximately 100-120 bays immediately to the north of the building the subject of this application that appear to be utilised in this manner. Part three of the recommendation below has been included in an effort to ensure that the landowner understands that Council's decision is made on the basis that the amount of parking provided on-site is appropriate to service the users of the development. It is suggested that the landowner be strongly encouraged to restrict the amount of commuter and long-term parking that is occurring on site.

It is not considered appropriate in this instance to request a cash-in-lieu payment for the shortfall in car parking given that it is unlikely that in the immediate future there will be the ability to provide public car parking in the immediate locality of the development.

### Signage

While the applicant has indicated there will be signage panels on the building, no further detail has been provided. Should the development be approved an advice note will be included advising the applicant that the signage does not form part of this approval, and that any signage will be subject to further development approval from the City.

### Conclusion

The proposed land use and car parking shortfall are considered appropriate in this instance and will not have an adverse impact on the operations of Joondalup Gate or Joondalup Drive. It is considered that the land uses and outdoor seating areas will assist in activating both the internal streetscape of Joondalup Gate and Joondalup Drive, therefore being a positive addition to the site.

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

## **VOTING REQUIREMENTS**

Simply Majority.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1 EXERCISES discretion under clauses 4.5.1 and 4.8.2 of the *City of Joondalup District Planning Scheme No. 2* and determines that a car parking provision of 599 bays in lieu of 783 bays is appropriate in this instance;**
- 2 APPROVES the application for planning approval dated 28 September 2012, submitted by TPG, on behalf of the owners, Joondalup Gate Pty Ltd, for building alterations and change of use from showroom to restaurant and take away food outlet at Lot 13 (57) Joondalup Drive, Edgewater, subject to the following conditions:**
  - 2.1 This decision constitutes planning approval only and is valid for a period of two years from the date of this letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;**
  - 2.2 The seating for the restaurants (including outdoor seating) shall not exceed 128 seats cumulatively;**
  - 2.3 The seating for the take away food outlet (including outdoor seating) shall not exceed 12 seats;**
  - 2.4 All stormwater shall be collected on-site and disposed of in a manner acceptable to the City;**
  - 2.5 Any bicycle parking facilities provided shall be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of construction;**
  - 2.6 Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) within the vicinity of the development, and shall:**
    - 2.6.1 Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;**
    - 2.6.2 Provide all details relating to paving, treatment of verges and tree planting in the car park;**
    - 2.6.3 Show spot levels and/or contours of the site;**
    - 2.6.4 Be based on water sensitive urban design principles to the satisfaction of the City;**
    - 2.6.5 Be based on Designing out Crime principles to the satisfaction of the City; and**
    - 2.6.6 Show all irrigation design details;**
  - 2.7 Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City;**
  - 2.8 No obscure or reflective glazing to the tenancies is permitted;**

- 3 ADVISES the landowner that the shortfall in car parking has only been supported because the Council considers there is adequate parking on site to service the parking needs of customers and staff of existing and approved land uses on the site. The Council strongly recommends that the landowner takes all necessary steps to appropriately manage the use of parking on the site by restricting the use of the car parking by railway commuters or any other long term users.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf131112.pdf](#)*

## **CJ223-11/12      PROPOSED SERVICE STATION REDEVELOPMENT AT LOT 706 (420) JOONDALUP DRIVE, JOONDALUP**

<b>WARD:</b>	North	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER:</b>	14362, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Location plan
	Attachment 2	Development plans
	Attachment 3	Environmentally sustainable design checklist

---

### **PURPOSE**

For Council to determine an application for the partial redevelopment of a service station at Lot 706 (420) Joondalup Drive, Joondalup.

### **EXECUTIVE SUMMARY**

The City has received an application for partial redevelopment of a service station located at Lot 706 (420) Joondalup Drive, Joondalup, more commonly known as the Lakeside Joondalup Shopping Centre.

The proposed redevelopment involves the demolition of the existing retail building which will be replaced with a larger building; modification of the existing canopy that covers the fuel pumps; reconfiguration of the existing car-parking area and new signage.

The site is subject to the provisions of both the Western Business District of the Joondalup City Centre Development Plan and Manual (JCCDPM) and the provisions of the Central Core – Special Control Area of the draft Joondalup City Centre Structure Plan (JCCSP). The proposal generally meets the requirements of both documents, with the exception of glazing of the building façade under the JCCDPM.

The proposal is also subject to an assessment against the objectives of Council's signs policy. The proposed signs are considered to be 'monolith signs' and therefore do not have any specific criteria applicable. However, the signs are proposed as replacements for similar, existing signs and are considered to satisfy the relevant objectives of the policy and the City's *District Planning Scheme No. 2 (DPS2)*.

The configuration of the existing development on-site, together with the nature of the land use make it difficult for all aspects of the JCCDPM to be satisfied. It is noted that the existing development and other adjacent developments fronting Joondalup Drive are also not consistently reflective of these development standards.

It is considered that the variation being sought, when viewed within the context of the surrounding area is appropriate for this site and will have no significant adverse effect on the site or the surrounding locality.

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

## BACKGROUND

**Suburb/Location:** Lot 706 (420) Joondalup Drive, Joondalup  
**Applicant:** Planning Solutions  
**Owner:** Lend Lease  
**Zoning:** **DPS:** Centre  
**MRS:** Central City Area  
**Site Area:** 23.78ha  
**Structure Plan:** Joondalup City Centre Development Plan and Manual; and draft Joondalup City Centre Structure Plan

The service station is located in the north-west corner of the Lakeside Joondalup Shopping Centre site. The shopping centre site is bounded to the west by Joondalup Drive and to the south by Collier Pass. To the north, the site is adjoined by several commercial and fast food developments that, while located on separate properties, visually form part of the shopping centre area. To the east, the site adjoins McLarty Avenue and Grand Boulevard. The service station itself is accessible directly from an internal shopping centre roadway off Joondalup Drive to the west, and also from Dwyer Turn to the east (Attachment 1 refers).

Planning approval was granted in 1995 for the current service station development. That development consisted of a retail building, a centrally located fuel dispenser canopy, a car wash on the northern portion of the site, a vehicle repair workshop adjacent to the south-eastern boundary and an LPG tank located within the north-eastern end of the site. Approval was also granted for 21 car parking bays and a number of signs.

## DETAILS

The applicant seeks approval for the demolition of the existing retail building on site, which is proposed to be replaced by a new retail shop and associated ancillary features. Modifications to the development in addition to the new retail building are proposed to include:

- The addition of car bays to the front of the proposed retail building;
- Realignment of the car wash entry lane and new kerbing;
- Replacement of the existing five fuel pumps;
- Replacement of existing price signs with LED digital price display panels;
- Replacement of existing street promotional signage; and
- Signage on the building fascia.

The modifications will result in a total of five additional car bays being provided on the site.

The existing car wash, vehicle repairs workshop and roof canopy over the fuel pumps are not proposed to be altered as a part of this application. The development plans are provided as Attachment 2 to Report CJ223-11/12.

The proposal has been assessed against the requirements applicable to the Western Business District under the JCCDPM. The development satisfies all relevant aspects of the JCCDPM, with the exception of glazing of the ground floor facade as outlined in the table below:

Requirement	Comment
B 1.5 Ground floor facade	
Window display glazing at ground floor level should be maximised and set within a visually solid, framed facade. The horizontal dimension of the glazing shall comprise at least 75% of the total building frontage. Window sill heights should be at or close to the street or car park level. Obscured or reflective glazing shall not be generally be used at ground floor level.	60% of the horizontal measurement of the building facade is glazed.  Windows and glass doors are set at ground floor level.

In addition to the requirements of the JCCDPM, due regard is to be given to the draft JCCSP which is considered a “seriously entertained planning proposal.” Under the draft JCCSP, the site is subject to the provisions of the Central Core district – Lakeside Special Control Area, this application satisfies all provisions under the draft JCCSP.

Whilst the service station is located on the broader shopping centre site, car parking has been calculated for the service station only, and these calculations have been done in accordance with the standards set out in DPS2. The proposed development results in the need for 30 bays, with a total of 36 being provided on-site including 26 marked bays and 10 bays adjacent to fuel pumps.

The applicant also seeks approval to upgrade three of the four existing pylon-type signs on site. Existing price signs located adjacent to the Joondalup Drive boundary and adjacent to the internal car park road will be upgraded with angled price signs. In addition the existing street promo sign also located to the Joondalup Drive frontage will be upgraded (Attachment 2 refers).

These signs have been considered in the context of Council’s “Signs” policy. The proposed replacement signs are considered to be ‘monolith signs’ and therefore not have any specific requirements under the policy. As such, the proposed signs have been assessed against the objectives of the “Signs” policy and the objectives for signage under DPS2.

#### **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 Community Plan/Policy Implications**

##### **Legislation**

Development within this area is controlled by the provisions of DPS2 and the JCCDPM.

The application includes a variation to the glazing component of the JCCDPM. Clause 4.5 of DPS2 gives Council discretion to consider this variation.

#### 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:*

- (c) Consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1; and*
- (d) 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:*

- (c) Approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
- (d) 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.*

In exercising discretion under clause 4.5, the matters listed under clause 6.8 require consideration:

#### 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 Community Plan**

**Key Theme:** Quality Urban Environment.

**Objective:** Quality Built Outcomes.

### **Policy**

Council Policy – Signs.

The objectives of the policy are:

- 1 To provide guidance on the design and placement of signs located within the City of Joondalup.
- 2 To protect the quality of the streetscape and the amenity of adjoining and nearby residents by minimising the visual impact of signs.
- 3 To encourage signs that are well designed and positioned, appropriate to their location, which enhance the visual quality, amenity and safety of the City of Joondalup.
- 4 To facilitate a reasonable degree of signage to support business activities within the City of Joondalup.
- 5 To complement the provisions for signs as specified in the City of Joondalup's Signs Local Law (1999).

### **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 *Planning and Development Act 2005*.

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

The applicant has paid the fees of \$1,600 (excluding GST) to cover all costs with assessing the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The applicant has completed the City's Environmentally Sustainable Design Checklist for the development. The completed checklist is provided as Attachment 3 to Report CJ223-11/12.

The applicant has not provided information regarding the provision of bicycle parking or end of trip facilities for the development. However condition 3.9 has been included in the recommendation below to ensure that any bicycle parking that is provided is constructed in accordance with Australian Standards. The following advice note will also be added to the decision letters in the event that Council resolves to approve the development.

In relation to condition 3.9, the applicant and developer are strongly encouraged to consider the need for the provision of suitable amounts of shaded, secure, bicycle parking areas and end-of-trip facilities on the site.

**Consultation:**

The proposal has not been advertised as it is considered that the development satisfies the relevant requirements of DPS2, the JCCDPM and the draft JCCSP. Additionally it is considered that the glazing variation to the JCCDPM will not have a significant impact on the amenity of the locality.

The proposed development was not referred to the Joondalup Design Reference Panel (JDRP) for feedback on the basis that the development is essentially a refurbishment of the existing development on site. As such it is considered that the impact on the streetscape and the amenity of the surrounding locality will not be markedly different from that of the current development.

**COMMENT**

The applicant seeks approval for modifications to the existing service station located at Lakeside Joondalup Shopping Centre. The construction of a new retail building and reconfiguration to the existing car parking and ancillary structures has been assessed against the requirements of both the JCCDPM and the draft JCCSP in addition to the City's DPS2 and signs policy.

The development generally complies with all requirements of those documents with the exception of the requirement for ground floor facade glazing set out in the JCCDPM.

The JCCDPM sets out that the horizontal dimension of glazing at the ground floor level is required to achieve a minimum of width of 75%. This development proposes glazing to 60% of the width of the new retail building facade.

The nature of the existing land use and the manner in which the development site is configured do not provide substantial need, or opportunity for pedestrian interaction. It is considered that the glazing provided is sufficient to allow for visual interaction from the site onto Joondalup Drive and to provide surveillance over the area where the fuel pumps and most other facilities are located in accordance with designing out crime principles.

The applicant also proposes to replace three out of the four pylon-type signs that are existing on site, with monolith signs as part of the rebranding to the site. These signs will replace existing signage which has been located on the site for some considerable time.

The proposed signs have been assessed against the objectives of Council's signs policy and the signage objectives contained in DPS2 and are considered to be commensurate with the approved land use, with the rebranding of the station, and have minimal impact upon the amenity of the surrounding area.

### Conclusion

The proposed development complies with the requirements of the JCCDPM and draft JCCSP with the exception of the glazing requirements of the JCCDPM as discussed above. It is considered that this variation, when viewed in the context of the surrounding area and in relation to the approved land use for the site, is appropriate and will not have a significant adverse impact upon the amenity of the surrounding locality.

It is recommended that the proposal be approved subject to conditions.

### **VOTING REQUIREMENTS**

Simple Majority.

### **OFFICER'S RECOMMENDATION**

That Council:

- 1 EXERCISES discretion under Clause 4.5.1 of the *City of Joondalup District Planning Scheme No. 2* and determines that a ground floor glazing width of 60% of the south-western building facade in lieu of 75% is appropriate in this instance;
- 2 APPROVES the application for planning approval, dated 4 July 2012, submitted by Planning Solutions, the applicant on behalf of the owner, Lend Lease for service station additions at Lot 706 (420) Joondalup Drive, Joondalup, subject to the following conditions:
  - 2.1 This decision constitutes planning approval only and is valid for a period of two years from the date of this letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;
  - 2.2 The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City;
  - 2.3 An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of construction;

- 2.4 All construction works shall be contained within the property boundaries;
- 2.5 Where signs are illuminated, low level illumination shall be used only;
- 2.6 The lights or illuminated parts of any signs must not flash, pulsate or chase;
- 2.7 The sign must not include fluorescent, reflective or retro reflective colours;
- 2.8 The signage is to be established and thereafter maintained to a high standard to the satisfaction of the City;
- 2.9 Any bicycle parking facilities provided shall be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of construction; and

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

- 1 EXERCISES discretion under Clause 4.5.1 of the *City of Joondalup District Planning Scheme No. 2* and determines that a ground floor glazing width of 60% of the south-western building facade in lieu of 75% is appropriate in this instance;**
- 2 APPROVES the application for planning approval, dated 4 July 2012, submitted by Planning Solutions, the applicant on behalf of the owner, Lend Lease for service station additions at Lot 706 (420) Joondalup Drive, Joondalup, subject to the following conditions:**
  - 2.1 This decision constitutes planning approval only and is valid for a period of two years from the date of this letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;**
  - 2.2 The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City;**
  - 2.3 An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of construction;**
  - 2.4 All construction works shall be contained within the property boundaries;**

- 2.5 Where signs are illuminated, low level illumination shall be used only;
- 2.6 The lights or illuminated parts of any signs must not flash, pulsate or chase;
- 2.7 The sign must not include fluorescent, reflective or retro reflective colours;
- 2.8 The signage is to be established and thereafter maintained to a high standard to the satisfaction of the City;
- 2.9 Any bicycle parking facilities provided shall be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of construction; and
- 2.10 The side and rear walls of the proposed retail store shall be suitably articulated through the use of varied and appropriate colours and materials. Details of the proposed colours and materials shall be submitted to the City for approval prior to the commencement of construction.

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf131112.pdf](#)*

**CJ224-11/12      PROPOSED SCHEME AMENDMENT - LOT 921 (98)  
ELLERSDALE AVENUE, WARWICK**

<b>WARD:</b>	South	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER:</b>	12353, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Location plan
	Attachment 2	Consultation plan
	Attachment 3	Concept plan
	Attachment 4	Scheme amendment process flow chart

---

**PURPOSE**

For Council to consider initiating an amendment to the *City of Joondalup District Planning Scheme No. 2 (DPS2)* to amend the residential density code of Lot 921 Ellersdale Avenue, Warwick, from R20 to R80 and restrict the permitted uses to Aged Persons' Dwellings, Retirement Village and Nursing Home.

**EXECUTIVE SUMMARY**

An application has been received proposing an amendment to DPS2 to increase the residential density code of Lot 921 (98) Ellersdale Avenue, Warwick from R20 to R80 and restrict the uses on the site to Aged Persons' Dwellings, Retirement Village and Nursing Home. This would be achieved by amending DPS2 to include the subject lot and land uses in Schedule 2 – Section 2 – Restricted Uses.

The site has been developed for a nursing home, hostel and aged persons dwellings. At the time of development the Residential Design Codes did not exist and therefore were not applied. However the development is at an intensity which is approximately equivalent to the R80 density.

The site is located within a Housing Opportunity Area under the City's draft Local Housing Strategy however a residential density increase has not been allocated for this site.

Given the current use of the site and its proximity to the Warwick Shopping Centre, which has a substantial range of services which will continue to meet the needs of the residents, it is considered the proposed residential density and uses of the site are appropriate.

The proposal is also consistent with the objectives and recommendations of the City's Positive Aging Plan 2009-2012 and the draft Local Housing Strategy.

As such, it is recommended that the amendment to DPS2 be initiated for the purposes of public advertising.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 921 (98) Ellersdale Avenue, Warwick
<b>Applicant:</b>	J Hollenberg (Bethanie Group Inc)
<b>Owner:</b>	The Bethanie Group Inc
<b>Zoning:</b>	<b>DPS:</b> Residential
	<b>MRS:</b> Urban
<b>Site Area:</b>	16,255m <sup>2</sup>
<b>Structure Plan:</b>	Not Applicable.

Lot 921 is located on the corner of Erindale Road and Ellersdale Avenue, Warwick. The lots immediately adjacent to the western boundary have been developed as single and grouped dwellings at R20 and R40 densities. To the north is a site zoned 'Public Use' which consists of the Department of Health Family Clinic and Dental Centre. To the south of the site is commercial development which includes uses such as a car wash, vehicle repair centre and the Warwick Shopping Centre.

The subject site is within Housing Opportunity Area 1 under the City's draft Local Housing Strategy and while there is a density increase proposed for the surrounding properties, there is currently no increased residential density allocated for the subject site, which will be rectified before the draft Local Housing Strategy is presented back to Council.

The former City of Wanneroo issued building licences for aged persons units, nursing home and hostel on the site in 1980 and 1981. This was prior to the Residential Design Codes being developed and as such they were not applied to the development. The existing development would have been assessed against the relevant scheme requirements of Town Planning Scheme 1.

## DETAILS

A proposal has been received to amend DPS2 to increase the residential density code of Lot 921 Ellersdale Avenue, Warwick from R20 to R80, and restrict the uses on site to Aged Persons' Dwellings, Retirement Village and Nursing Home. This would be achieved by amending DPS2 to include the subject lot and land uses in Schedule 2 – Section 2 – Restricted Uses.

It is intended that the recoding will formalise the density at which the site has been developed. The land uses of Retirement Village and Nursing Home already operate on site in the form of the previously approved nursing home and hostel as well as aged persons' dwellings as follows:

- 66 villas (aged persons' dwellings) consisting of 34, one bedroom villas and 32, two bedroom villas;
- 31 low care beds in the hostel; and
- 38 high care beds in the nursing home.

The applicant has indicated the hostel and nursing home occupy approximately 6,000m<sup>2</sup> of the overall site with the remaining 10,255m<sup>2</sup> of the site developed with aged persons' dwellings. The intensity of the development is approximately equivalent to a density of R80 which prescribes a minimum site area of 125m<sup>2</sup> per multiple dwelling.

The Bethanie Group advises that it has identified the Warwick site for long term future redevelopment into apartment style accommodation units (approximately two to three storeys) which are adaptable (for example the installation of electrical controls, taps, shelves at levels to suit people in wheelchairs) and capable of having care services delivered. The group are in the process of constructing a new aged care facility in Gwelup (City of Stirling). It is anticipated that the Stirling facility would be available to transfer residents to, while the Warwick site is being redeveloped.

In support of the proposal, the applicant states:

- The existing buildings were constructed over 30 years ago and therefore it is becoming challenging to ensure the facilities are meeting the certification standards, additionally the need for significant maintenance is costly. As such redevelopment of the site is likely to be required.
- Effectively the scheme amendment is formalising what already occurs on site. The proposed restricted uses of Retirement Village, Nursing Home and Aged Persons' Dwellings are discretionary uses within the residential zone, but are recognised as being compatible uses within the existing residential fabric.
- The proposal is consistent with the objectives of the residential zone, one of which is to 'provide the opportunity for aged persons housing in most residential areas in recognition of an increasing percentage of aged residents within the City'.
- The proposal is also consistent with the City's Positive Ageing Plan 2009-2012 and draft Local Housing Strategy in regard to the recommendations of supporting initiatives that provide housing for people as they age and keeps people integrated in and connected with the community and providing incentives for developing aged or dependent persons' dwellings.
- For the future development of the site, car bays will be provided in accordance with the R-Code and scheme requirements, however as the car ownership levels of the residents are usually less than one vehicle per dwelling there would be minimal impact as a result of vehicle movements to and from the site.

The applicant has provided a concept site plan of the potential future development (Attachment 4 refers). However, this plan is indicative only.

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

The issues associated with the proposed amendment are:

- Suitability of the proposed increase in residential density.

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

- Support the initiation of the proposed amendment for the purpose of public advertising;
- Support the initiation of the proposed amendment with modifications, for the purpose of advertising; or
- Not support the initiation of the proposed amendment for the purpose of public advertising.

## Legislation/Strategic Community Plan/Policy Implications

### Legislation

#### Planning and Development Act 2005

Part 5 of the *Planning and Development Act 2005* enables local government to amend a Local Planning Scheme 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 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.

#### District Planning Scheme No. 2 (DPS2)

The following clauses of the DPS2 relate to the 'Residential' zone and restricted uses and as such require consideration:

### **3.14 The Residential Zone**

*The Residential Zone is intended primarily for residential development in an environment where high standards of amenity and safety predominate to ensure the health and welfare of the population.*

*Residential development is provided for at a range of densities with a variety of housing to meet the needs of different household types. This is done through application of the Residential Design Codes (R codes), and the allocation of a residential density code to an area of land.*

*Cultural and recreational development may be located where the Council considers the same to be appropriate in residential neighbourhoods within the Residential Zone.*

*The objectives of the Residential Zone are to:*

- a maintain the predominantly single residential character and amenity of established residential areas;*
- b provide the opportunity for grouped and multiple dwellings in selected locations so that there is a choice in the type of housing available within the City; and*
- c provide the opportunity for aged persons housing in most residential areas in recognition of an increasing percentage of aged residents within the City.*

### 3.16 Restricted Uses (Schedule 2 –Section 2)

*Notwithstanding anything contained in the Zoning Table, the land specified in Section 2 of Schedule 2 may only be used for the specific use or uses that are listed subject to the conditions set out in Schedule 2 with respect to that land.*

#### Draft Local Planning Strategy and Local Housing Strategy

In developing the City's draft Local Planning Strategy, it was identified there is a need to support the objectives of 'ageing in place'. One way of addressing this is through the preparation of the City's draft Local Housing Strategy which includes recommendations to develop additional density bonuses for aged persons' housing and to review the City's policy 'Height and Scale of Buildings within Residential Areas' to accommodate large scale aged persons' accommodation.

#### **Strategic Community Plan**

**Key Theme:** Quality Urban Environment.

**Objective:** Quality Built Outcomes.

#### **Policy**

Not Applicable.

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

Not Applicable.

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

The applicant has paid fees of \$5,764.81 (including GST) to cover all costs with assessing the request, public consultation and document production.

#### **Regional Significance:**

Not Applicable.

#### **Sustainability Implications:**

The proposed scheme amendment would ensure aged persons' accommodation is retained near existing facilities and infrastructure in an established suburb, allowing for people to age in place.

#### **Consultation:**

Should Council initiate the proposed amendment, it is required to be advertised for public comment for a period of 42 days. Advertising will be conducted as follows:

- Landowners of 54 surrounding properties will be notified in writing (Attachment 2 refers);
- A notice will be placed in the Joondalup Community Newspaper and The West Australian Newspaper;

- A sign will be placed on the site; and
- A notice and documents will be placed on City's website.

## **COMMENT**

The subject site currently accommodates a nursing home and hostel as well as aged persons' dwellings. The applicant seeks to amend DPS2 by recoding the site from R20 to R80 and restrict the uses on site to Aged Persons', Dwelling, Retirement Village and Nursing Home. The proposal would allow the site to be redeveloped in the future while allowing for a similar number of dwellings or beds available for aged persons to be retained.

### Suitability of the proposed amendment

The proposed scheme amendment is considered to have merit as:

- The site already accommodates aged persons' accommodation in different forms similar to that intended for the future redevelopment of the site.
- The site is in walking distance to a commercial centre which has a range of services which will continue to meet the needs of the residents.
- The proposal is consistent with the City's approach to providing aged persons' accommodation within the City, as reflected in the recommendations of the City's draft Local Housing Strategy and Positive Aging Plan 2009-2012.

In addition to the above points, any future application for development on the site will be assessed in accordance with DPS2, the Residential Design Codes and any relevant policies. Through this process, consideration will be given to any potential impacts the development may have on the surrounding properties.

### Traffic Impacts

It is anticipated that future development of the site will be of a similar scale to the existing development. Presently there are no known traffic issues or concerns regarding the current development. In the event that the site is recoded to R80, it is likely that a traffic impact assessment will be required to be carried out prior to the approval of development, to identify any potential traffic issues.

Notwithstanding, it is anticipated that the development of any form of aged persons' accommodation on the site is not likely to significantly increase traffic given the driving habits of the residents and staff. As the residents and staff tend to enter and exit the site during off peak times and that not all of the residents drive, the impact of vehicle movements from the site would be considerably less than if the site was developed, for example, as multiple dwellings at a density of R80.

Given the above, it is recommended that the amendment to DPS2 be initiated for the purposes of public advertising, after which further consideration can be given to the proposal.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Mayor Pickard, **SECONDED** Cr Hollywood that Council:

Pursuant to Part 5 of the *Planning and Development Act 2005*, **CONSENTS** to initiate Amendment No. 69 to the *City of Joondalup District Planning Scheme No. 2* to:

- 1 Recode Lot 921 (98) Ellersdale Avenue, Warwick from R20 to R80; and
- 2 Include Lot 921 (98) Ellersdale Avenue, Warwick in Schedule 2 – Section 2 – Restricted Uses – Retirement Village and Nursing Home as follows:

NO.	STREET/LOCALITY	PARTICULARS OF LAND	RESTRICTED USE
2-3	98 Ellersdale Avenue, Warwick	Lot 921	Aged Persons Dwelling Retirement Village Nursing Home

for the purpose of public advertising for a period of 42 days.

The Motion was Put and **CARRIED (9/0)** by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf131112.pdf](#)

**CJ225-11/12 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 4 September 2012 to 23 October 2012	

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 4 September 2012 to 23 October 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.

*It is recommended that Council NOTES the Schedule of Documents covering the period 4 September 2012 to 23 October 2012, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ225-11/12.*

**DETAILS**

During the period 4 September 2012 to 23 October 2012, 16 documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Establishment Agreement - Amendment Agreement	1
Section 70A Notification	5
Withdrawal of Caveat	3
Consent Form	1
Deed	6

Details of these documents are provided in Attachment 1 to Report CJ225-11/12.

**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 Council for information (Attachment 1 refers).

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Mayor Pickard, **SECONDED** Cr Hollywood that Council **NOTES** the Schedule of Documents covering the period 4 September 2012 to 23 October 2012, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ225-11/12.

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf131112.pdf](#)

**CJ226-11/12 MINUTES OF EXTERNAL COMMITTEES****WARD:** All**RESPONSIBLE DIRECTOR:** Mr Jamie Parry  
Governance and Strategy**FILE NUMBER:** 101515, 41196, 03149**ATTACHMENTS:** Attachment 1 Minutes of the Mindarie Regional Council – 20 September 2012  
Attachment 2 Minutes of the Tamala Park Regional Council – 11 October 2012  
Attachment 3 Minutes of the Mindarie Regional Council – 25 October 2012*(Please Note: These minutes are only available electronically)***PURPOSE**

For Council to note the minutes of external committees.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Mindarie Regional Council meeting held on 20 September 2012;
- Tamala Park Regional Council meeting held on 11 October 2012; and
- Mindarie Regional Council meeting held on 25 October 2012.

**DETAILS****Mindarie Regional Council – 20 September 2012**

An Ordinary Meeting of the Mindarie Regional Council was held on 20 September 2012.

Cr Russ Fishwick and Cr Kerry Hollywood are Council's representatives on the Mindarie Regional Council.

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

**5.4 CONTAINER DEPOSIT SCHEME (CDS)**

It was resolved by Mindarie Regional Council as follows:

*“That:*

*That the MRC will support Member Councils that decide to implement a CDS, primarily by way of educational support in promoting their position to schools and the community and by assisting in the organising and running of events and activities within a Member Council’s area.”*

### **Tamala Park Regional Council – 11 October 2012**

An Ordinary Meeting of the Tamala Park Regional Council was held on 11 October 2012.

Cr Geoff Amphlett and Cr Tom McLean are Council’s representatives on the Tamala Park Regional Council.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the Tamala Park Regional Council meeting:

#### **9.8 Sales Village Business Case**

It was resolved by Tamala Park Regional Council as follows:

- “1 *RECEIVE the Sales Village 1 & 2 Business Case (July 2012), submitted by the Satterley Property Group.*
- 2 *APPROVE the Phase 1 & 2 Sales Village designs contained within the Sales Village 1 & 2 Business Case, subject to the risk assessment matters concerning the children’s play area being resolved to the satisfaction of the Management Committee, subject to the deletion of reference to Lots 115 & 116 remaining vacant to maintain sightlines to display villages.*
- 3 *APPROVE the sale and leaseback from purchasers of Lots 170 - 174 by the Sales Procedure – Private Purchaser Lots Strategy, September 2011, approved by the Council at its meeting held on 13 October 2011, subject to the requirements of section 3.59 of the Local Government Act (1995).*
- 4 *APPROVE the preparation of a business plan in accordance with section 3.59 of the Local Government Act (1995), for lots 170 – 174 for the purposes of a leaseback for the Catalina Sales Village.*
- 5 *REQUEST the Satterley Property Group to provide recommendations on rebates, building incentives and commercial terms for lots 170 – 174 sold by the Sales Procedure – Private Purchaser Lots Strategy, September 2011.*
- 6 *APPROVE the sale of Lots 115 – 121 as builder allocation lots by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 the Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.*
- 7 *REQUEST the Satterley Property Group to revise the Sales Village 1 & 2 Business Case, to reflect modifications detailed in items 2 above.*
- 8 *REQUEST the Satterley Property Group to provide recommendations for design guidelines and incentives to achieve high quality built form product on Lots 115 – 121.”*

### 9.9 Public Art Strategy

It was resolved by Tamala Park Regional Council as follows:

- “1 RESOLVE to present the Phase 1 Public Art Plan to the Management Committee, in the form of functional public amenities and street furniture reflecting the themes and narratives of the Public Art Strategy.
- 2 REQUEST the Satterley Property Group provide a Public Art Implementation Plan to the satisfaction of the Management Committee for the delivery of public art within Phase 1.
- 3 REQUIRE the Satterley Property Group to undertake a review of the public art outcomes of the Phase 1 area following completion and report to the Council.
- 4 REQUEST the Satterley Property Group to examine options for a feature public art work within Phase 1, including alternative funding options.
- 5 RESOLVE to accept the Artsource recommendation for the Phase 1 Public Art Implementation Plan of 5% of the landscape budget being directed toward street furniture and public art.”

### Mindarie Regional Council – 25 October 2012

An Ordinary Meeting of the Mindarie Regional Council was held on 25 October 2012.

Cr Russ Fishwick and Cr Kerry Hollywood are Council’s representatives on the Mindarie Regional Council. On this occasion Mayor Pickard was nominated by Council to be the City’s representative while Cr Fishwick was on leave.

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

### 9.3 Review of Council Members’ Fees, Allowances and Expenses

It was resolved by Mindarie Regional Council as follows:

- “1 Approves the following increase to the Fees, Allowances and Expenses for council members as follows:

<i>Changes to the Mindarie Regional Council Fees, Allowances and Expenses</i>						
<i>Member Type</i>	<i>Fees</i>		<i>Allowances</i>		<i>Expenses (Technology)</i>	
<i>Chairperson</i>	<i>Current</i>	<i>Proposed</i>	<i>Current</i>	<i>Proposed</i>	<i>Current</i>	<i>Proposed</i>
	\$13,000	\$14,000	\$6,000	\$8,000	\$1,000	\$1,000
<i>Deputy Chairperson</i>	\$6,000	\$7,000	\$1,500	\$2,000	\$1,000	\$1,000
<i>Council Members</i>	\$6,000	\$7,000			\$1,000	\$1,000

<i>Changes to the Mindarie Regional Council Fees, Allowances and Expenses</i>						
<i>Member Type</i>	<i>Fees</i>					
<i>Deputy Member</i>	<i>Current</i>	<i>Proposed</i>				
	<i>\$140 per meeting</i>	<i>\$140 per meeting</i>				
<b>TOTAL VALUE OF INCREASE</b>					<b>\$10,500</b>	

- 2 *Acknowledges the shortfall of \$32,000 (based on the revised rates proposed in (1) Above) in the 2012/13 Budget in the council member area due to the Budget being developed in anticipation of the withdrawal of the City of Stirling being settled prior to the end of the 2011/12 financial year.*
- 3 *The increase in Fees and Allowances detailed in (1) above and the shortfall detailed in (2) above amounting to \$42,500 be funded in the Half Yearly review.*
- 4 *The increases detailed in (1) above be effective from the 1 July 2012.”*

#### **9.4 RRFA Performance Measures – Compost Management**

It was resolved by Mindarie Regional Council as follows:

*“That Council agree to suspend the fee abatement mechanism relating to the Compost Quality KPI until the Ordinary Council Meeting of 6 December 2012 to allow the parties time to address the compost quality issues and the MRC administration to report back to Council.”*

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

**Legislation:** Not Applicable.

#### **Strategic Community Plan**

**Key Theme:** 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 Mayor Pickard, SECONDED Cr Hollywood that Council NOTES the minutes of the:**

- 1 Mindarie Regional Council held on 20 September 2012 forming Attachment 1 to Report CJ226-11/12;**
- 2 Tamala Park Regional Council held on 11 October forming Attachment 2 to Report CJ226-11/12; and**
- 3 Mindarie Regional Council held on 25 October 2012 forming Attachment 3 to Report CJ226-11/12.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix refers*

*To access this attachment on electronic document, click here: [Externalminutes131112.pdf](#)*

**CJ227-11/12 LOCAL GOVERNMENT ELECTIONS**

---

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	102009, 101515
<b>ATTACHMENTS:</b>	Nil

---

**PURPOSE**

For Council to consider whether the Local Government Elections up until the end of 2017 will be postal elections, as well as to consider appointing the WA Electoral Commissioner to conduct all elections on the City's behalf.

**EXECUTIVE SUMMARY**

Local Government Elections are held on the third Saturday in October every two years with the next election scheduled to occur in 2013. Local government elections must be conducted in accordance with the *Local Government Act 1995* and associated Regulations.

The City recently received advice from the Western Australian Electoral Commissioner that he was prepared to be responsible for the City's Local Government Elections and any other polls that may be required until the end of 2017. In accordance with the *Local Government Act 1995*, Council is now required to confirm whether the Electoral Commissioner is to be responsible for the Local Government Elections up until this date as well as to determine the voting method to be used in any elections held between now and 31 December 2017.

*It is therefore recommended that Council:*

- 1 *NOTES the WA Electoral Commissioner has agreed in writing to be responsible for the City of Joondalup Local Government Elections and any other polls until 31 December 2017;*
- 2 *In accordance with Section 4.20(4) of the Local Government Act 1995, DECLARES BY AN ABSOLUTE MAJORITY the WA Electoral Commissioner being responsible for all Local Government Elections for the City of Joondalup together with any other elections or polls which may be required between now and 31 December 2017;*
- 3 *In accordance with Section 4.61(2) of the Local Government Act 1995, DECIDES BY AN ABSOLUTE MAJORITY the method of conducting all elections for the City between now and 31 December 2017 will be as postal elections; and*
- 4 *CONFIRMS that parts 2 and 3 above are not a binding contract with the Electoral Commissioner to conduct all elections until 31 December 2017 and nothing shall prevent Council from revoking the decisions at any time in the future.*

## BACKGROUND

At its meeting held on 9 August 2005 (CJ155-08/05 refers) Council resolved to appoint the Electoral Commissioner to be responsible for the City of Joondalup Elections and also confirmed that the elections would be by postal voting until 31 December 2011.

In accordance with Section 4.20(1) of the *Local Government Act 1995* the Chief Executive Officer is the returning officer for local government elections, unless and in accordance with Section 4.20(2), another person is appointed by Council as being responsible for the election. Any other person, other than the Chief Executive Officer, is required to be approved by the Western Australian Electoral Commissioner. The Council can decide, under Section 4.20(4) of the *Local Government Act 1995*, that the Western Australian Electoral Commissioner be responsible for the election, which includes the appointment of a returning officer and other arrangements associated with the election.

The City recently received in-principle advice from the Western Australian Electoral Commissioner to conduct Local Government Elections on the City's behalf and any other polls that may be required until the end of 2017. In accordance with the *Local Government Act 1995*, Council is required to confirm whether the Electoral Commissioner is to undertake the Local Government Elections up until 31 December 2017 on the City's behalf as well as determine the method of voting to be used at any elections between now and 31 December 2017.

## DETAILS

The *Local Government Act 1995* gives a local government the option of having a voting in person election or a postal election. A Council election shall be a voting-in-person election unless the local government decides (by Absolute Majority) to conduct the election as a postal election. The decision to conduct the election as a postal election must be made at least 80 days before Election Day and can only be made after or in conjunction with a declaration that the Electoral Commissioner is to be responsible for the election. The *Local Government Act 1995* also allows a local government to decide that the Electoral Commissioner is to be responsible for the conduct of an election.

The options for Council are as follows (Council must first decide on the method by which an election is to be held as other available options are determined by the method of the election):

### 1 Voting in Person Election

- The Chief Executive Officer is the returning officer, unless other arrangements are made.
- Council may, having first obtained the permission of the person concerned and the written approval of the Electoral Commissioner, appoint a person other than the Chief Executive Officer to be the returning officer for an election or for all elections held while the appointment of that person subsists (such an appointment is to be made at least 80 days before an election day and cannot be rescinded after 80 days before election day).

## 2 Postal Election

- A decision to conduct a postal election can only be made after or in conjunction with a declaration by Council that the Electoral Commissioner be responsible for the conduct of the election (this declaration must be made at least 80 days before an election day and cannot be rescinded after 80 days before election day and can only be made after the Electoral Commissioner has provided a written agreement to do so).
- The Council may decide to appoint the Electoral Commissioner to be responsible for the conduct of all elections conducted with a particular period of time. The Electoral Commissioner has advised Council that it is willing to be responsible for the conduct all Local Government Elections on the City's behalf until the end of 2017.

### Issues and options considered:

Council can either:

- maintain the existing arrangement for the Electoral Commissioner to undertake the City's Local Government Elections on its behalf as well as retain the postal voting method; or
- request the Chief Executive Officer to be the returning officer for the election and change the voting to an in person method.

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

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

#### Strategic Community Plan

**Key theme:**                      Governance and Leadership.

**Objective:**                      Effective Representation.

#### Policy

Not Applicable.

### Risk Management Considerations:

Not Applicable.

### Financial/Budget Implications:

The Western Australian Electoral Commission has estimated that the cost of undertaking the 2013 election for the City (as a postal ballot) would be in the vicinity of \$300,000 (including GST). This cost estimate has been based on the following assumptions:

- 106,000 electors.
- Response rate of approximately 27%.

- Seven vacancies (that being the Mayor and one Ward Councillor for each of the City's six Wards).
- The count being conducted at the City's offices.

Costs not incorporated in this estimate include:

- non-statutory advertising (such as additional advertisements in community newspapers and promotional advertising);
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns; and
- one local government staff member to work in the polling place on election day.

An appropriate allocation will need to be made in the 2013/14 Annual Budget for the 2013 Local Government Election which will include the above costs as well as any other advertising and promotion the City wishes to undertake to promote the election and voter participation. A similar amount of funding will also be required in outgoing years to conduct elections up until December 2017.

#### **Regional Significance:**

Not Applicable.

#### **Sustainability Implications:**

Not Applicable.

#### **Consultation:**

Advice has been received from the Electoral Commissioner that he is willing to be responsible for the City's Local Government Elections and any other polls until the end of 2017.

#### **COMMENT**

The City of Joondalup has been conducting postal elections since its inaugural election in December 1999. The voting turnout figures are as follows:

<b>Election Date</b>	<b>Election Method</b>	<b>Voter turn-out</b>
May 1997	In-person	6.51%
December 1999	Postal	28.2%
May 2001	Postal	29.7%
May 2003	Postal	25.9%
May 2006 *	Postal	27.2%
October 2007	Postal	27.2%
October 2009	Postal	26.9%
October 2011	Postal	23.8%

\* Election under Section 4.14 of the *Local Government Act 1995*.

It is recommended that the Electoral Commissioner be responsible for the City's Local Government Elections due to the Commissioner's and the WA Electoral Commission's experience in running elections of this type. It is also supported that a postal voting system continue due to the significant increase in voter turnout as opposed to in person elections.

## **VOTING REQUIREMENTS**

Absolute Majority.

### **MOVED Cr Corr, SECONDED Cr Chester that Council:**

- 1** NOTES the WA Electoral Commissioner has agreed in writing to be responsible for the City of Joondalup Local Government Elections and any other polls until 31 December 2017;
- 2** In accordance with Section 4.20(4) of the *Local Government Act 1995*, **DECLARES BY AN ABSOLUTE MAJORITY** the WA Electoral Commissioner being responsible for all Local Government Elections for the City of Joondalup together with any other elections or polls which may be required between now and 31 December 2017;
- 3** In accordance with Section 4.61(2) of the *Local Government Act 1995*, **DECIDES BY AN ABSOLUTE MAJORITY** the method of conducting all elections for the City between now and 31 December 2017 will be as postal elections; and
- 4** **CONFIRMS** that parts 2 and 3 above are not a binding contract with the Electoral Commissioner to conduct all elections until 31 December 2017 and nothing shall prevent Council from revoking the decisions at any time in the future.

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

**CJ228-11/12      SETTING OF MEETING DATES FOR 2013**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	08122, 101515
<b>ATTACHMENTS:</b>	Nil

---

**PURPOSE**

For Council to set its meeting dates for the 2013 calendar year.

**EXECUTIVE SUMMARY**

In accordance with the *Local Government Act 1995*, it is necessary for a local government to give local public notice of its ordinary meeting dates for the next 12 months.

It is recommended that the current monthly timeframe for meetings be maintained, and that deputation sessions continue to be held at the commencement of Briefing Sessions.

**BACKGROUND**

At its meeting held on 12 December 2006, Council introduced a rolling four-weekly cycle, which enabled the fourth week to be used to hold additional information sessions, or for scheduling various committee meetings.

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

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

The proposed meeting schedule is based on the monthly timeframe that commenced in 2009. Maintaining the monthly meeting cycle will provide a level of continuity for members of the public.

The meeting scheduled for August 2013 has a proposed commencement time of 12.00 noon, to enable attendance and participation by high school students.

The monthly meeting schedule for October 2013 will need to be brought forward one week due to the local government elections and subsequent Elected Member induction program.

In order to accommodate the Christmas holiday period, the December meetings have been scheduled one week earlier, as is current practice.

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

**Legislation** Section 5.3 of the *Local Government Act 1995*.

*Ordinary and Special Council meetings:*

- (1) *A Council is to hold ordinary meetings and may hold special meetings;*
- (2) *Ordinary meetings are to be held not more than three months apart; and*
- (3) *If a Council fails to meet as required by subsection (2) the Chief Executive Officer is to notify the Minister of that failure.*

Regulation 12 of the *Local Government (Administration) Regulations 1996* states:

*Public Notice of Council or Committee meetings:*

- 12(1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which:*
  - (a) *the ordinary Council meetings; and*
  - (b) *the Committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public;*

*are to be held in the next 12 months;*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*

### **Strategic Community Plan**

**Key Theme:** Governance and Leadership.

**Objective:** Corporate Capacity.

**Policy:**

Not Applicable.

### **Risk Management Considerations:**

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

**Financial/Budget Implications:**

<b>Account No:</b>	1-522-A5202-3277-0000
<b>Budget Item:</b>	Advertising – Public Statutory
<b>Budget Amount:</b>	\$3,000
<b>Amount Spent To Date:</b>	Nil.
<b>Proposed Cost:</b>	\$ 250
<b>Balance:</b>	\$ 2,750

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

Local government elections will be held on Saturday, 19 October 2013. As such, it is proposed that the October round of meetings commence one week earlier, with the Briefing Session and Ordinary Council meeting being held in the first and second week of October respectively to ensure that there is no outstanding Council business prior to the election.

To enable Council to conduct an induction program for newly Elected Members, it is recommended that no meetings be scheduled during the two week period following the elections.

It is recommended that the current monthly timeframe for meetings be maintained for 2012, subject to the:

- August Council meeting commencing at 12.00 noon, to enable attendance and participation by high school students;
- October meetings being scheduled one week earlier due to the 2013 local government elections and subsequent Elected Members' induction program; and
- December meetings being scheduled one week earlier in order to accommodate the Christmas holiday period.

It is also recommended that deputation sessions continue to be held at the commencement of Briefing Sessions; that where possible, no meetings are to be scheduled in the fourth week of every month; and that designated Council Committee Meetings be scheduled to occur on Mondays, Tuesdays or Wednesdays of weeks one, two or three of any month in order to minimise potential conflicts with other Council activities.

Committee meetings will be called and convened as and when required, in accordance with the City's *Standing Orders Local Law 2005*. Where a committee has delegated authority, meetings dates and times will be advertised in accordance with the *Local Government Act 1995*.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1 SETS the following meeting dates and times for the Council of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:

Briefing Sessions To be held at 6.30 pm in Conference Room 1	Council meetings To be held in the Council Chamber
Tuesday, 12 February 2013	7.00pm on Tuesday, 19 February 2013
Tuesday, 12 March 2013	7.00pm on Tuesday, 19 March 2013
Tuesday, 9 April 2013	7.00pm on Tuesday, 16 April 2013
Tuesday, 14 May 2013	7.00pm on Tuesday, 21 May 2013
Tuesday, 11 June 2013	7.00pm on Tuesday, 18 June 2013
Tuesday, 9 July 2013	7.00pm on Tuesday, 16 July 2013
Tuesday, 13 August 2013	12 noon on Tuesday, 20 August 2013
Tuesday, 10 September 2013	7.00pm on Tuesday, 17 September 2013
Tuesday, 1 October 2013	7.00pm on Tuesday, 8 October 2013
Tuesday, 12 November 2013	7.00pm on Tuesday, 19 November 2013
Tuesday, 3 December 2013	7.00pm on Tuesday, 10 December 2013
January 2014 - Recess	

- 2 AGREES to hold deputation sessions in conjunction with the Briefing Sessions;
- 3 in accordance with Regulation 12 of the *Local Government (Administration) Regulations*, GIVES local public notice of the meeting dates detailed in Part 1 above;
- 4 INVITES a number of students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12.00 noon on Tuesday, 20 August 2013;
- 5 NOTES that the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays;
- 6 AGREES that, where possible, no meetings are to be scheduled in the fourth week of every month; and
- 7 NOTES that, where possible, meetings for designated Council Committees be scheduled to occur on Mondays, Tuesdays or Wednesdays of weeks one, two or three of any month to minimise potential conflicts with other Council activities.

**MOVED Mayor Pickard, SECONDED Cr McLean that Council:**

- 1 SETS the following meeting dates and times for the Council of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:**

<b>Briefing Sessions To be held at 6.30 pm in Conference Room 1</b>	<b>Council meetings To be held in the Council Chamber</b>
Tuesday, 12 February 2013	7.00pm on Tuesday, 19 February 2013
Tuesday, 12 March 2013	7.00pm on Tuesday, 19 March 2013
Tuesday, 9 April 2013	7.00pm on Tuesday, 16 April 2013
Tuesday, 14 May 2013	7.00pm on Tuesday, 28 May 2013
Tuesday, 11 June 2013	7.00pm on Tuesday, 25 June 2013
Tuesday, 9 July 2013	7.00pm on Tuesday, 16 July 2013
Tuesday, 13 August 2013	12 noon on Tuesday, 20 August 2013
Tuesday, 17 September 2013	7.00pm on Tuesday, 24 September 2013
Tuesday, 1 October 2013	7.00pm on Tuesday, 8 October 2013
Tuesday, 12 November 2013	7.00pm on Tuesday, 19 November 2013
Tuesday, 3 December 2013	7.00pm on Tuesday, 10 December 2013
January 2014 - Recess	

- 2 AGREES to hold deputation sessions in conjunction with the Briefing Sessions;**
- 3 in accordance with Regulation 12 of the *Local Government (Administration) Regulations*, GIVES local public notice of the meeting dates detailed in Part 1 above;**
- 4 INVITES a number of students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12.00 noon on Tuesday, 20 August 2013;**
- 5 NOTES that the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays;**
- 6 AGREES that, where possible, no meetings are to be scheduled in the fourth week of every month; and**
- 7 NOTES that, where possible, meetings for designated Council Committees be scheduled to occur on Mondays, Tuesdays or Wednesdays of weeks one, two or three of any month to minimise potential conflicts with other Council activities.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

## **CJ229-11/12 ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JULY – 30 SEPTEMBER 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 July – 30 September 2012 Attachment 2 Capital Works Overview Report for the period 1 July – 30 September 2012

---

### **PURPOSE**

For Council to consider the Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2012.

### **EXECUTIVE SUMMARY**

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

The Annual Plan Quarterly Progress Report provides information on the progress of projects and programs documented in the Annual Plan 2012-2013. The Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2012 is shown as Attachment 1 to Report CJ229-11/12.

A Capital Works Quarterly Report, which details all projects within the Capital Works Program, is provided as Attachment 2 to Report CJ229-11/12.

*It is recommended that Council RECEIVES the Annual Plan Quarterly Progress Report for the period 1 July - 30 September 2012 and the Capital Works Quarterly Report for the period 1 July - 30 September 2012.*

### **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 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 requires planning and reporting on local government activities.

## DETAILS

### Issues and options considered:

The 2012-2013 Annual Plan and the Quarter 1 Progress Report have been aligned to the Key Themes of the new Strategic Community Plan 2012-2022 which was endorsed by Council at its meeting of 23 October 2012 (CJ210-10/12 refers) and are as follows.

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

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. Milestones are 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.

The milestones being reported this quarter are the shaded sections of Attachment 1 to Report CJ229-11/12.

### Legislation/Strategic Community 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 Community Plan

**Key Theme:** Governance and Leadership.

**Objective:** Corporate Capacity.

### Policy

In accordance with City Policy - Communications - the Council recognises and acknowledges the importance of consistent, clear communications and access to information for its stakeholders.

**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 2012-2013 have been included in the 2012-2013 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, financial sustainability and good governance.

**Consultation:**

Not Applicable.

**COMMENT**

The Annual Plan 2012-2013 was received by Council at its meeting on 16 August 2012 (CJ155-08/12 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 2012-2013 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. The majority of projects are in the planning stage, and consequently, the Percent Complete may be zero. This is however typical at the first quarter in the Capital Works Program Cycle.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council RECEIVES:**

- 1 The Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2012, which is shown as Attachment 1 to Report CJ229-11/12; and**
- 2 The Capital Works Quarterly Report for the period 1 July – 30 September 2012, which is shown as Attachment 2 to Report CJ229-11/12.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf131112.pdf](#)*

**Disclosures of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Michael Norman.</b>
<b>Item No/Subject</b>	Item CJ230-11/12 - Lilburne Park Management Plan.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Norman made a submission on behalf of the Joondalup Community Coast Care Forum.

**CJ230-11/12 LILBURNE PARK MANAGEMENT PLAN****WARD:** South**RESPONSIBLE DIRECTOR:** Mr Jamie Parry  
Governance and Strategy**FILE NUMBER:** 102082**ATTACHMENTS:** Attachment 1 Lilburne Park Management Plan  
Attachment 2 Community Consultation Summary**PURPOSE**

For Council to endorse the Lilburne Park Management Plan.

**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 Lilburne Park Management Plan has been developed to provide direction for the ongoing management of Lilburne Park over the next five years. The 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.

Council endorsed the release of the draft Lilburne Park Management Plan for community consultation, for a period of 21 days, at the 21 August 2012 meeting (CJ149-08/12 refers).

It is proposed that the Lilburne Park Management Plan, included as Attachment 1 to Report CJ230-11/12, is endorsed by Council.

## **BACKGROUND**

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 of bushland and is predominantly used for passive recreation purposes.

The Lilburne Park Management Plan has been developed to provide strategic ongoing management of Lilburne Park and protect native vegetation and ecosystems.

The 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 Lilburne Park Management Plan.

The aims of the 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.
- Outline an implementation plan to address key threats including monitoring and reporting.

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

At the 21 August 2012 Council Meeting, Council resolved to release the draft Lilburne Park Management Plan for public consultation. The draft Lilburne Park Management Plan was released for public consultation for a period of 21 days, from Monday 27 August 2012 to Monday, 17 September 2012.

## **DETAILS**

The City's key stakeholders and residents located within 400 metres of Lilburne Park were notified that the City's draft Lilburne Park Management Plan was available for public consultation through a formal invitation to provide comment. A public article was published in the Wanneroo-Joondalup Times on Tuesday, 28 August 2012 and a media release was published on the City's website on Tuesday, 4 September 2012. A Community Consultation page was also developed on the City's website that included an online Feedback Form.

The Community Consultation process was also used to seek expressions of interest for participants of a Friends of Lilburne Park Group. Nine residents indicated interest in forming a Friends of Lilburne Park Group. The City will work with interested members of the community to progress the establishment of the group.

Feedback received indicates that the community is supportive of the strategic direction of the ongoing environmental management of Lilburne Park. Fifteen submissions were received from community members and stakeholders, as outlined in Attachment 2 to Report CJ230-11/12.

Proposed changes to the Lilburne Park Management Plan are shown in highlighted and strike-through text as included in Attachment 1.

As a result of a request from Council, at the Council Meeting on 21 August 2012 (CJ149-08/12 refers), an updated Vegetation Condition Assessment was conducted by consultants in September 2012. The vegetation condition assessment conducted in February 2012 was similar to the vegetation condition assessment conducted in September 2012, with both assessments finding the majority of the vegetation to be in very good condition with some degraded vegetation on the perimeter and along the main pathway of Lilburne Park. The findings from both of the assessments were incorporated into the Lilburne Park Management Plan.

**Issues and options considered:**

It is proposed that Council endorses the Lilburne Park Management Plan.

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

**Legislation:** Not Applicable.

**Strategic Community Plan:**

**Key Theme:** The Natural Environment.

**Objective:** Community Involvement.

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

**Risk Management Considerations:**

The Management Plan includes a number of management actions to protect the biodiversity values of Lilburne Park. If the Lilburne Park Management Plan is not endorsed, there are risks associated with the protection of the native vegetation and ecosystems.

**Financial/Budget Implications:**

Implementation of the Lilburne Park Management Plan has financial implications for the City. A number of the actions proposed are existing actions being implemented by the City, or are expansions of processes and programs already in place, and will therefore have limited additional financial implications for the City.

All actions included in the Lilburne Park Management Plan will collectively lead to protection and enhancement of the biodiversity values of the park whilst maintaining appropriate community access and awareness of the park.

Financial implications will be managed through the City's Annual Budget approval process. Implementation of initiatives within the Lilburne Park Management Plan will be subject to this process and planned for accordingly.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Environmental threats have the potential to degrade natural areas and reduce biodiversity values. The implementation of the 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.

The Lilburne Park Management Plan includes actions that target community education and awareness to ensure that the City of Joondalup community is well-informed on environmental issues. The actions proposed will enhance the City's natural assets while contributing to sustainable environmental management.

**Consultation:**

The draft Lilburne Park Management Plan was available for public comment from 27 August 2012 to 17 September 2012. A total of 15 submissions were received; 12 from community members and three from Friends Group Coordinators.

Comments provided from community members and stakeholders suggest that further environmental management initiatives would be strongly supported. The comments were supportive of the proposed management actions, however, some respondents also noted that they would like to see more community environmental education.

Some revisions have been made to the Lilburne Park Management Plan following feedback received during the community consultation process. Amendments made following community consultation have been highlighted in yellow in Attachment 1 to Report CJ230-11/12. Deletions have been documented with strikethrough text. The vast majority of the content has remained unchanged.

Following consideration of the comments received, it is proposed that minor amendments are made to the Lilburne Park Management Plan, including:

- Inclusion of additional weeds, as observed during the Vegetation Condition Assessment update;
- Installation of a rubbish bin at the main entrance to Lilburne Park, and inclusion of the bin into the weekly bin emptying schedule; and
- Amendments to actions within the Implementation Plan in order to align initiatives with current budget allocations.

A summary of the feedback received as part of this process is provided in Attachment 2 to Report CJ230-11/12.

**COMMENT**

The Lilburne Park Management Plan informs and prioritises maintenance schedules and Capital Works Programs by providing prioritised management recommendations to be implemented within Lilburne Park over a five year period. The Lilburne Park Management Plan increases 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 provides guidance to City employees, contractors and Friends Groups operating within Lilburne Park.

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

Following Council endorsement, the Lilburne Park Management Plan will be corporately branded and designed before being released to the community.

## **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Fishwick, SECONDED Cr Norman that Council:**

- 1 ENDORSES the Lilburne Park Management Plan included as Attachment 1 to Report CJ230-11/12; and**
- 2 NOTES the City has received nine responses to the expression of interest to form a Friends of Lilburne Park Group and will support the establishment and ongoing activities of the group.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8agn131112.pdf](#)

## **CJ231-11/12      SMALL BUSINESS CENTRE NORTH WEST METRO – FUNDING SUPPORT 2012/13 AND UPDATE ON RELOCATION REPORT**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	35563, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Small Business Centre North West Metro Annual Report 2011/12
	Attachment 2	Auditors Report 2011/12
	Attachment 3	Service Delivery Plan 2011/12
	Attachment 4	Budget and Cash flow Forecast 2012/13
	Attachment 5	Updated Relocation Report

### **PURPOSE**

For Council to consider the performance of the Small Business Centre (North West Metro) Inc (SBCNWM) against agreed measures, and funding support for the 2012/13 financial year and provide an update on the relocation report received and to consider a undertaking of a review of small business advisory services in Joondalup.

### **EXECUTIVE SUMMARY**

The 2012/13 financial year is the final year of a three year Agreement for the City of Joondalup to provide funding to the Small Business Centre North West Metro Inc. The three year Agreement also includes the City of Wanneroo and the Small Business Development Corporation. This Agreement provides for \$60,000 (excluding GST) each from the Cities of Joondalup and Wanneroo and \$140,381 (excluding GST) from the Small Business Development Corporation.

The SBCNWM forecasted budget allows for other income, including running seminars, training and earned interest. SBCNWM has provided the City with an Annual Report for the period to 30 June 2012, a Service Delivery Plan for the current financial year and audited financial statements for the year ended 30 June 2012 as required in the Funding Agreement.

At its meeting held on 14 December 2010, Council resolved inter alia to request that the SBCNWM undertake an economic analysis of relocating to the ECU Business and Innovation Centre (BIC) from 1 July 2011 and a report on this be submitted to Council in April/May 2011.

In response to the Council resolution, the City received the draft SBCNWM Report, Economic Analysis of Relocation to the ECU Business and Innovation Centre on 14 April 2011. The Management Committee of the SBCNWM provided a letter on 16 May 2011 detailing its resolution of the Management Committee Meeting held on 11 May 2011 that the SBCNWM should remain at 4/189 Lakeside Drive, Joondalup, owned by the Joondalup Business Association (JBA), and further resolved to review the situation beginning in April 2012 with a view to possible relocation in July 2012.

At the Council Meeting on 28 June 2011, Council resolved that the SBCNWM should remain at its current location pending a review of accommodation options in April 2012. A further update report from the SBCNWM dated March 2012 highlighted a number of changes in circumstances and to the operations of the Small Business Centre Northwest Metro and the ECU Business and Innovation Centre. This report recommended that relocation to the Business and Innovation Centre at this point in time would not be appropriate and this was accepted by the Small Business Centre Northwest Metro Management Committee on 11 April 2012.

The Funding Agreement with the SBCNWM stipulated that all payments are dependent on the performance of the SBCNWM in line with the following key outcomes:

- Delivery of an Annual Report reviewing the SBCNWM achievements against the Annual;
- Service Delivery Plan;
- Audited whole of organisation financial statements;
- Quarterly Activity Reports;
- Provision of an Annual Service Delivery Plan; and
- Recognition of the support of the City of Joondalup in all ongoing marketing material.

These documents have been provided to the City of Joondalup and satisfy the performance criteria.

The SBCNWM financial statements indicate cash assets of \$198,302.58 as at 30 June 2012, however the SBC notes that it is necessary to hold a reserve fund to cover costs while waiting for funding from the Small Business Development Corporation (usually received in September, three months into the financial year), and funding from the Cities of Wanneroo and Joondalup.

## **BACKGROUND**

The City of Joondalup first entered into a Funding Agreement in 2004 to fund the SBCNWM from 2004 to 2007. At its meeting held on 27 February 2007 (Item CJ005-02/07 refers), Council's support was dependent on a number of conditions all of which were met.

The City of Joondalup entered into a further three year Funding Agreement with the Small Business Centre (North West Metro) Inc, on 27 March 2008 outlining the terms for the three year period 2007 – 2010. Council's support was dependent on a number of conditions all of which were met.

At its meeting held on 15 December 2009, (Item CJ271-12/09 refers), Council resolved that as this was the last year of the three year Agreement with the Small Business Centre the City would initiate in the first quarter of 2010, in partnership with the City of Wanneroo and the Small Business Development Corporation, a review of funding options for the provision of small business services to the North West Corridor for beyond 30 June 2010.

At its meeting held on 14 December 2010 (Item CJ218-12/10 refers) Council requested that the SBCNWM undertake an economic analysis of relocating to the ECU Business and Innovation Centre from 1 July 2011, and submit a report to the City of Joondalup on its findings by 31 March 2011. The Council also agreed in principle to contribute \$60,000 (excluding GST) per annum for the period 2010 – 2013. The City of Joondalup signed a letter of Agreement with the SBCNWM on 5 January 2011 outlining the terms and conditions for the provision of grant funding for the period 2010 – 2013.

At its meeting held on 28 June 2011 (Item CJ100-06/11 refers) Council considered the report on the Economic Analysis of Relocation to the ECU Business and Innovation Centre Report (BIC) from 1 July 2011. The report stated that it was not financially viable for the SBCNWM to relocate at that time. Council requested that an updated relocation report be provided by the SBCNWM in April 2012.

## DETAILS

The SBCNWM has provided the City, as per the Agreement 2010 – 2013, with its Annual Report 2011/12 shown as Attachment 1, and Audited Accounts for 2011/12, shown as Attachment 2, along with a request for funding and an invoice for \$60,000 (excluding GST) for 2012/13. A request for the same amount was provided to the City of Wanneroo.

The table below summarises the projected income from the budget forecast for SBCNWM for 2012 – 2013.

Organisation/Income Source	Funding Requested
Small Business Development Corporation	\$ 144,678
City of Joondalup	\$ 60,000
City of Wanneroo	\$ 60,000
Training/retail/interest/sponsorship	\$ 11,778
<b>Total</b>	<b>\$ 276,456</b>

It should be noted that the Funding Agreement between the City of Joondalup and the SBCNWM is to provide \$60,000. The SBCNWM continues to recognise the sponsorship of the City of Joondalup, City of Wanneroo and Small Business Development Corporation on its marketing materials such as the SBCNWM website and newsletter.

## Annual Report 2011/12

The SBCNWM Annual Report 1 July 2011 to 30 June 2012 provides an overview of the organisation's performance against the previous year's Service Delivery Plan. The SBCNWM provides free advice to new and established businesses in the North West metropolitan corridor encompassing the local government areas of Joondalup and Wanneroo.

The SBCNWM has a Management Committee consisting of ten members with one representative from each of the Cities of Joondalup and Wanneroo. There are three full time staff employed being the Manager, the Business Development Facilitator and the Administration Officer.

The table below summarises the statistics relating to the users of the services:

Type of Statistic	Forecast 2011/12	Actual 2011/12	%COJ
New Business Client Sessions 30 Mins+	381	402	54%
Existing Business Client Sessions 30 Mins+	217	223	50.5%
Short Duration Sessions < 30 Mins	1368	1374	47%
New Business Start-ups	122	165	52%
Jobs Created	244	328	46%
Workshop Participants	195	203	70%

Source: Annual Report Small Business Centre North West Metro 2011/12 – Forecast and Actual Figures relate to City of Joondalup and City of Wanneroo combined with final column indicating percentage of those businesses based in the City of Joondalup.

According to SBCNWM, in addition to the core business start up and business counselling service the organisation has delivered additional activities over the past year. These activities have included:

- Introduction to operating a small business;
- BizFit Pulse Checks (business health checks);
- Developing closer working relationships with key stakeholders;
- Buy Local Workshop in partnership with the City of Joondalup and ECU;
- Business related training workshops and facilitation; and
- Staff professional development.

When considered against the Service Delivery Plan the SBCNWM has met or exceeded its contracted targets for 2011/12.

### **Service Delivery Plan 2012/13**

The Service Delivery Plan for the current financial year has been submitted as per the 2010 - 13 Agreement and is shown as Attachment 3 to Report CJ231-11/12. The plan includes the description of products and services that the SBCNWM provides, statistical and financial targets and a detailed strategy on where the SBCNWM is heading in the current financial year. The plan also sets out the stakeholder alliances and partnerships that the SBCNWM participates in as well as the key issues that are evident in the service delivery area as indicated by local businesses.

The following objectives have been set by the SBCNWM Management Committee as priority areas for 2010 – 2013. These six objectives are designed to assist the organisation achieve its mission.

- To be known as the provider of choice for small business assistance, information and training services in the northwest metropolitan region.
- To maintain and continuously improve the quality and capacity of services to existing businesses and new business start-ups.
- To improve coverage of core and fee for service activities in ways that are equitable across the region.
- To enhance the Centre's strategic processes and to ensure effectual management of its human resources.
- To maintain financial viability and achieve funds in reserve.
- To enhance the profile and credibility of the Centre within the local business community and with current and potential stakeholders.

The SBCNWM will continue to offer a range of services including:

- Business start-up advisory services;
- Existing business advisory services;
- Free or low cost business seminars;
- Low cost training; and
- Business planning.

Emphasis in 2012/13 will be a continuation of working with stakeholders and building community awareness of the SBCNWM as well as developing additional small business projects including the following:

- Small Business Smart Business;
- Creation of a NW Metro Plan for Small Business in collaboration with the City of Joondalup and City of Wanneroo;
- Industry specific business benchmarking for local small business;
- Small Business Partnering Program;
- Educating Small Business to embrace technology to grow their business;
- Partnering in Community initiatives; and
- Small business promotion project.

The following table gives the forecast KPI Projections 2012/2013:

New Business Client Session 30mins+	385
Existing Business Client Session 30mins+	220
Short Duration Client Sessions	1370
New Business Start-ups	144
Job	294
Workshop Participants	200

The SBCNWM Service Delivery Plan 2012/13 highlights that the services will continue to be provided on an equitable basis between the Cities of Wanneroo and Joondalup. The Centre has two leased offices. The main office is in Joondalup at 4/189 Lakeside Drive and is shared with the Joondalup Business Association. A second office is located in Wanneroo at Enterprise House, 935 Wanneroo Road, which is shared with the City of Wanneroo's Economic Development Team and the Wanneroo Business Association. The SBCNWM undertook an economic analysis of relocating to the ECU Business and Innovation Centre in April 2011 but found that this was not a viable option. A further review of office requirements was undertaken at the beginning of April 2012 with an updated report on relocation which also resolved that the SBCNWM remain in its current offices. This recommendation was accepted by the Small Business Centre Northwest Metro Management Committee on 11 April 2012.

The City received the revised Relocation Report in March 2012 however did not receive the minutes from the SBCNWM Board confirming acceptance of the recommendation to remain in the current premises until some months later.

The reasons cited by the SBCNWM for remaining at their current premises at 4/189 Lakeside Drive, Joondalup are:

- A decrease in rental costs at the Joondalup Office in the premises owned by the Joondalup Business Association (JBA) from \$1,182 per month to \$900.09 per month due to a reduction in office space; and
- Costs associated with relocation, increased rental and ongoing costs (estimated at between \$10,000 and \$12,000 p.a). These costs are detailed in the updated Relocation Report shown as Attachment 5 to Report CJ231-11/12.

There are a number of anomalies within the updated relocation report (March 2012) including the following:

The updated Relocation Report highlights an 'increase' in rental costs at the BIC and 'decrease' in rental costs at JBA offices between 2011 and 2012. The decrease is attributable to the leasing of one office (and reception) as opposed to two offices (and reception). The updated report generally does not compare 'like for like' costs based on per square metre area. The actual comparative figures per square metre are as follows:

- Current JBA location: Approx \$10,909\* per annum for 20 square metre office = \$545psm.
- BIC location: Approx \$15,000 per annum for 30 square metre office (two offices) = \$500psm.
- Average office rents in central Joondalup (less flexible lease)= \$350psm.

\* To 30 June 2012 then CPI increase applied

- The report states that the current lease agreement with JBA is fixed for three years although the JBA has confirmed that the annual CPI increases will apply and the current lease that was provided with the report expired on 30 June 2012.
- The report focuses on the financial impact and budget considerations and does not fully take into account the bigger picture such as the opportunity to engage with small business tenants and 'cross sell' services and workshops. Also under the management of ECU, the Business Innovation Centre will focus on the commercialisation of ECU's research activities as well as the incubation of small businesses and thus a consolidation of services and advice in one location could create synergies.
- The report also does not fully realise the opportunity to potentially negotiate a deal with ECU with regard to use of board and meeting rooms, location within the centre and use of services at the Business Innovation Centre such as reception.

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

##### **Option 1**

Council can choose to provide \$60,000 funding to the SBCNWM for 2012/13 with future funding from the City conditional on relocation of the SBCNWM to the ECU BIC unless significant disadvantage (financial or otherwise) can be demonstrated.

Option 1 is the preferred option as it provides adequate notice to the SBCNWM of the City's intentions while guaranteeing funding for 2012/13.

##### **Option 2**

Council can choose not to provide \$60,000 funding to the SBCNWM for 2012/13 unless the Centre relocates to the ECU BIC.

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

**Legislation** Not Applicable.

#### **Strategic Community Plan**

**Key Theme:** Economic Prosperity, Vibrancy and Growth.

**Objective:** Regional Collaboration.

**Policy**

Economic Development – To support local and regional economic development.

**Risk Management Considerations:**

It is prudent for the City to review its contribution to the SBCNWM to ensure best value for money in terms of business advisory services in Joondalup.

**Financial/Budget Implications:**

<b>Account No:</b>	532 A5302 3291 0000
<b>Budget Item:</b>	Request for funding for Small Business Centre North West Metro
<b>Budget Amount:</b>	\$60,000.00
<b>Amount Spent To Date:</b>	\$0
<b>Proposed Cost:</b>	\$60,000.00
<b>Balance:</b>	\$0

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

The SBCNWM represents a strategic partnership for the delivery of business support services for the North West Metropolitan region. By partnering with the City of Wanneroo and the State Government, the City has been able to maximise the services available for small business development across the region that will ultimately provide flow on benefits for the whole community.

The Cities of Joondalup and Wanneroo acknowledge the importance of a regional approach to economic development through working together to progress a Regional Governance Framework for the North West Corridor and have agreed to cooperate in the areas of economic development and tourism related matters.

**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:**

Not Applicable.

**COMMENT**

The SBCNWM has complied with its funding conditions for 2011/12 in that it has supplied the following information:

- Annual Report 2011/2012;
- Service Delivery Plan 2012/13; and
- Audited Financial Statements for 2011/12.

The documents indicate that SBCNWM has reached targets set in its 2011/12 Service Delivery Plan in terms of number of clients seen and assisted. The Centre's performance is, therefore, satisfactory.

The audited financial statements for the 2010/11 financial year have been provided together with a cash flow statement for the 2011/12 financial year shown as Attachment 4 to Report CJ231-11/12. The Balance Sheet shows that there is a total of \$198,302.58 in cash reserves as opposed to \$164,180 in the previous year.

The reason given for requiring these amounts of cash reserves has been that funding from the main funding sources (SBDC, City of Joondalup and City of Wanneroo) is not received until at least November/December each year and therefore cash is required to pay salaries etc until these funds are received. In order to function efficiently, an organisation such as SBCNWM must have a degree of financial stability which means holding funds in reserve for unexpected cash flow issues.

The City of Wanneroo has also prepared a report for its November meeting recommending approval of annual funding of \$60,000 (excluding GST) to the Small Business Centre (North West Metro) Inc. for 2012/13. The report from the City of Wanneroo does not include any reference to the relocation issue.

With the funding contract with SBCNWM ending June 2013, the City of Joondalup has the opportunity to make future funding from the City conditional on the SBCNWM relocating to the ECU BIC in order to foster closer working relationships with 'start-up' businesses in the BIC, and also potentially linking with research activities occurring in ECU. Relocation would also offer enhanced training and meeting facilities.

## **VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER'S RECOMMENDATION**

That Council:

- 1 NOTES the Annual Report submitted by the Small Business Centre (North West Metro) Inc for 2011/12 as detailed in Attachment 1 to Report CJ231-11/12;
- 2 NOTES the Auditors Report 2011/12 as detailed in Attachment 2 to Report CJ231-11/12;
- 3 NOTES the 2011/12 Small Business Centre (North West Metro) Inc, Service Delivery Plan as detailed in Attachment 3 to Report CJ231-11/12;
- 4 AGREES to contribute \$60,000 (excluding GST) to the Small Business Centre (North West Metro) Inc for 2012/13 to support small business growth and development within the City of Joondalup;
- 5 ADVISES the Small Business Centre (North West Metro) Inc that future funding from the City will be conditional on relocation of the Centre to the Edith Cowan University Business Innovation Centre unless the Small Business Centre (North West Metro) Inc can demonstrate significant disadvantages (financial or otherwise) in doing so; and

- 6 ADVISES the Small Business Centre (North West Metro) Inc, Small Business Development Corporation, and the City of Wanneroo of the Council's decision in parts 4 to 5 above.

Cr Corr requested that Part 5 be voted on separately.

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

- 1 **NOTES the Annual Report submitted by the Small Business Centre (North West Metro) Inc for 2011/12 as detailed in Attachment 1 to Report CJ231-11/12;**
- 2 **NOTES the Auditors Report 2011/12 as detailed in Attachment 2 to Report CJ231-11/12;**
- 3 **NOTES the 2011/12 Small Business Centre (North West Metro) Inc, Service Delivery Plan as detailed in Attachment 3 to Report CJ231-11/12;**
- 4 **AGREES to contribute \$60,000 (excluding GST) to the Small Business Centre (North West Metro) Inc for 2012/13 to support small business growth and development within the City of Joondalup;**
- 6 **ADVISES the Small Business Centre (North West Metro) Inc, Small Business Development Corporation, and the City of Wanneroo of the Council's decision in Parts 4 to 5 above.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

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

- 5 **ADVISES the Small Business Centre (North West Metro) Inc that future funding from the City will be conditional on relocation of the Centre to the Edith Cowan University Business Innovation Centre and the City will contribute \$5,000 towards relocation costs; and**

**The Motion was Put and**

**CARRIED (6/3)**

**In favour of the Motion:** Mayor Pickard, Crs Fishwick, Hollywood, McLean, Norman and Taylor.

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

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf131112.pdf](#)

**CJ232-11/12      ADOPTION OF CITY OF JOONDALUP PEST PLANT LOCAL LAW 2012**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	102572, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Schedule of public submissions
	Attachment 2	Proposed City of Joondalup Pest Plant Local Law 2012 – amended with marked up changes
	Attachment 3	Proposed City of Joondalup Pest Plant Local Law 2012 – Gazettal ready copy

**PURPOSE**

For Council to consider public submissions that relate to the proposed City of Joondalup Pest Plant Local Law 2012 and to adopt the local law with minor amendments.

**EXECUTIVE SUMMARY**

Council has considered the control of pest plants a number of times in the past 18 months, with various motions and reports to Council on the matter (C15-04/11, CJ195-10/11, CJ119-06/12 and CJ127-07/12 refers).

At its meeting held on 24 July 2012 (CJ127-07/12 refers), Council resolved, in part, to commence the law-making process and that the proposed City of Joondalup Pest Plant Local Law 2012 be advertised for public consultation.

In accordance with section 3.12(3) of the *Local Government Act 1995* the City publicly advertised the proposed local law for a minimum period of six weeks and forwarded a copy to the Minister for Local Government and the Minister for Agriculture and Food.

At the close of submissions the City had received 21 comments from the public with regard to the proposed local law; 19 in writing all in support of the proposed local law and two verbal comments expressing concern that the local law may encourage the use of herbicides.

During the public advertising period City officers also reviewed the proposed local law with a view to refining it to ensure acceptance by the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

Taking into account the public comments received and review undertaken by City officers, the proposed local law has been amended, however it is not considered to be significantly different from what was proposed.

*It is therefore recommended that Council:*

- 1 *NOTES the submissions received at the close of the comment period for the proposed City of Joondalup Pest Plant Local Law 2012, as detailed in Attachment 1 to Report CJ232-11/12;*
- 2 *BY AN ABSOLUTE MAJORITY ADOPTS the City of Joondalup Pest Plant Local Law 2012 as detailed in Attachment 3 to Report CJ232-11/12 and AUTHORISES the Common Seal to be affixed;*
- 3 *NOTES the progression of the remaining actions to finalise the local law adoption process as detailed in sections 3.12 and 3.15 of the Local Government Act 1995; and*
- 4 *BY AN ABSOLUTE MAJORITY DELEGATES authority to the Chief Executive Officer to appoint authorised persons under section 9.10 of the Local Government Act 1995 to enforce the provisions of the City of Joondalup Pest Plant Local Law 2012 once it commences operation.*

## **BACKGROUND**

At its meeting held on 19 April 2011 (C15-04/11 refers) Council received a Notice of Motion and resolved that the Chief Executive Officer:

*Submit a report to Council on the prevalence and control of the thorny weed 'Caltrop' (Tribulus terrestris) within the City of Joondalup, including but not limited to, declaring Caltrop a pest plant within the City and how the City could initiate broader control of Caltrop within the Perth metropolitan area through North Zone of WALGA.*

Since that time a number of reports have been presented to Council outlining various options open to the City to seek to control Caltrop on private land, including: recording and monitoring reported infestations; seeking cooperation from land owners; raising awareness through the City's media and communication avenues, or more broadly through WALGA; and implementing a local law as a formal enforcement mechanism (CJ195-10/11 and CJ119-06/12 refer).

At its meeting held on 26 June 2012 (CJ119-06/12 refers), Council subsequently resolved, in part, that Council:

- 3 *SUPPORTS the development of a City of Joondalup Pest Plant Local Law for the purposes of declaring Caltrop a Pest Plant; and*
- 4 *REQUESTS the Chief Executive Officer prepare a report to the Council on the initiation of a City of Joondalup Pest Plant Local Law.*

A draft Pest Plant Local Law was prepared and a report submitted to Council at its meeting held on 24 July 2012 (CJ127-07/12 refers) recommending Council, inter alia:

- 1 *SUPPORTS the proposed City of Joondalup Pest Plant Local Law 2012;*
- 2 *ADVERTISES the proposed local law in accordance with the Local Government Act 1995;*

- 3 *FORWARDS a copy of the proposed local law to the Minister for Local Government and the Minister for Agriculture and Food; and*
- 4 *REQUESTS a further report be prepared at the conclusion of the public advertising period to enable Council to consider any submissions made.*

The proposed City of Joondalup Pest Plant Local Law 2012 was subsequently advertised for public comment for a minimum of six weeks and copies provided to the Minister for Local Government and the Minister for Agriculture and Food.

## **DETAILS**

At the close of the comment period the City had received 21 comments from the public with regard to the proposed local law. Of those comments, 19 were in writing and all in support of the proposed local law. Two verbal comments were received by telephone with the respondents concerned that the local law may encourage the increased use of herbicides. A schedule of submissions has been prepared and is included as Attachment 1 to Report CJ232-11/12.

During the public advertising period City officers also reviewed the proposed local law with a view to refining it to ensure acceptance by the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation. Minor changes were made to drafting aspects of the proposed local law to ensure it is drafted in accordance with the preferences of the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

Taking into account the public comments received and review undertaken by City officers, the proposed local law has been amended, however it is not considered to be significantly different from what was advertised. A copy of the proposed local law containing the marked up changes is provided at Attachment 2 Report CJ232-11/12. Attachment 3 is the City of Joondalup Pest Plant Local Law 2012 submitted for adoption.

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

The submissions received in support of the proposed local law were offered unconditionally; that is no further refinements or improvements were suggested. With regard to the two verbal submissions expressing concerns with the proposed local law, those concerns were not against the intent of the local law as such, but limited to concerns that the proposed local law may encourage the increased use of herbicides.

City officers took the opportunity to review the proposed local law and have suggested minor changes to its drafting to mitigate the potential disallowance of the local law by the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

Council can either:

- adopt the proposed local law with or without modifications, subject to the modifications not being significantly different to what was advertised;
- refer the local law back to the City's administration for further review, requiring re-advertising of any new proposal; or
- not proceed with the adoption of the City of Joondalup Pest Plant Local Law 2012.

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

**Legislation**                    *Agriculture and Related Resources Protection Act 1976.*  
*Local Government Act 1995.*

**Strategic Community Plan**

**Key Theme:**                    Quality Urban Environment.

**Objective:**                    Integrated Spaces.

**Policy**

Not Applicable.

**Risk Management Considerations:**

The local law could be refused by the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation if the local law is not adequately drafted or the local law making process not followed.

Non-adoption of the local law would make it more difficult to enforce private property owners to remove Caltrop from their land.

**Financial/Budget Implications:**

The cost associated with the local law-making process is approximately \$1,500, being public advertising and gazettal costs.

<b>Account No:</b>	522.A5202.3277.0000
<b>Budget Item:</b>	Advertising – Public/Statutory
<b>Budget Amount:</b>	\$0
<b>Amount Spent To Date:</b>	\$75
<b>Proposed Cost:</b>	\$1,500
<b>Balance:</b>	\$1,425

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

The implementation of the City of Joondalup Pest Plant Local Law 2012 will demonstrate commitment and leadership to the eradication and control of Caltrop in the region.

**Sustainability Implications:****Environmental**

Pest plants such as Caltrop are generally highly adaptable and will establish quickly after a disturbance event such as fire, or through unrestricted access. If pest plants are allowed to establish they have the potential to out-compete the City's unique floral biodiversity.

**Consultation:**

The Cities of Stirling and Wanneroo have previously been consulted as to their current and future approach to Caltrop and measures the City's can co-operatively introduce to control the spread of Caltrop.

The City of Stirling has recently advertised its intent to propose a Pest Plant Local Law, with public advertising closing on Friday, 12 October 2012.

The development of local laws requires statutory advertising of the proposal and consultation with the public throughout the local law-making process. This has been undertaken and included:

- giving Statewide public notice advertising the proposed local law and inviting submissions to be made within no less than six weeks from the date of advertising, including:
  - advertising in The West Australian Newspaper;
  - displaying public notices at the City of Joondalup Administration Centre, public libraries, and information centres;
  - advertising on the City's website; and
  - providing a copy of the notice and a copy of the proposed local law to the Minister for Local Government and the Minister for Agriculture and Food.

**COMMENT**

The proposed City of Joondalup Pest Plant Local Law 2012 will enable the City to require owners or occupiers of private property to destroy, eradicate or control Caltrop. This will be in addition to the City's planned deployment of a Communication and Awareness Campaign in November 2012 that will promote community awareness, education and public reporting of Caltrop infestations, while working cooperatively with private land owners to manage and control the pest plant.

**VOTING REQUIREMENTS**

Absolute Majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1 NOTES the submissions received at the close of the comment period for the proposed City of Joondalup Pest Plant Local Law 2012, as detailed in Attachment 1 to Report CJ232-11/12;
- 2 BY AN ABSOLUTE MAJORITY ADOPTS the City of Joondalup Pest Plant Local Law 2012 as detailed in Attachment 3 to Report CJ232-11/12 and AUTHORIZES the Common Seal to be affixed;
- 3 NOTES the progression of the remaining actions to finalise the local law adoption process as detailed in sections 3.12 and 3.15 of the *Local Government Act 1995*; and

- 4 BY AN ABSOLUTE MAJORITY DELEGATES authority to the Chief Executive Officer to appoint authorised persons under section 9.10 of the *Local Government Act 1995* to enforce the provisions of the City of Joondalup Pest Plant Local Law 2012 once it commences operation.

**MOVED Cr Fishwick, SECONDED Cr Norman that Council BY AN ABSOLUTE MAJORITY:**

- 1 **NOTES** the submissions received at the close of the comment period for the proposed City of Joondalup Pest Plant Local Law 2012, as detailed in Attachment 1 to Report CJ232-11/12;
- 2 **BY AN ABSOLUTE MAJORITY ADOPTS** the City of Joondalup Pest Plant Local Law 2012 as detailed in Attachment 3 to Report CJ232-11/12 with the date of the Council Meeting in Attachment 3 being amended to read 20 November 2012 and authorises the Common Seal to be affixed;
- 3 **NOTES** the progression of the remaining actions to finalise the local law adoption process as detailed in sections 3.12 and 3.15 of the *Local Government Act 1995*; and
- 4 **BY AN ABSOLUTE MAJORITY DELEGATES** authority to the Chief Executive Officer to appoint authorised persons under section 9.10 of the *Local Government Act 1995* to enforce the provisions of the City of Joondalup Pest Plant Local Law 2012 once it commences operation.

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf131112.pdf](#)

**CJ233-11/12 CITY OF JOONDALUP USE OF SOCIAL MEDIA**

---

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	102139, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Guidelines for visitors and users of the City's social media platforms
	Attachment 2	Social Media Guidelines for Elected Members

---

**PURPOSE**

For Council to endorse the social media platforms that will form part of the City's social media presence and to acknowledge the guidelines developed for users who choose to interact with the City and other parties on these platforms.

**EXECUTIVE SUMMARY**

Statistics indicate that an increasing amount of people are engaging in social media to become informed as well as to communicate, interact and to develop relationships with family, friends, businesses and organisations. Incorporating social media activities into an overall marketing and communications strategy for the City provides greater opportunities to engage, inform and interact with customers and residents than ever before. Given this and the significant uptake and increasing growth of social media usage by local governments, state government agencies and public and private organisations, a social media strategy has been investigated by the City.

The City's suggested presence is based on extensive research to ensure all City interaction within social media platforms and spaces is coordinated effectively to deliver accurate, timely and relevant information that is engaging and informative for the City's target markets. It is recommended that the City utilises four key platforms as part of its initial presence, being:

- 1 Facebook;
- 2 Twitter;
- 3 YouTube; and
- 4 Website comment and feedback facility.

Entering social media presents a range of opportunities and risks, therefore, significant research has been undertaken into the use of social media by other local governments, government agencies (both nationally and internationally), to learn from their successes and challenges. While entering the social media domain is relatively easy, many examples exist where organisations have not entered the space effectively nor maintained a relevant or engaging presence. Such action and lack of planning has a greater detrimental effect on the reputation of an organisation in comparison to not entering the social media space at all.

To be a successful communication and engagement tool, any social media activity must consider a range of implications before entering such spaces, including resourcing. Several major metropolitan local governments have indicated that a lack of resource planning has made it difficult to implement social media successfully or indeed maintain their presence.

Effective social media is resource-intensive, as it requires active monitoring and immediate responses.

Draft protocols and guidelines have been prepared to inform users of the City's social media spaces on the type of information that will be provided by the City and more importantly what type of behaviour, comment and interaction is considered acceptable by the City. These protocols and guidelines will be publicised and will potentially minimise any risks associated with using social media by Elected Members and members of the community.

*It is therefore recommended that Council:*

- 1 *ENDORSE the following platforms being initially used by the City as part of its social media presence:*
  - 1.1 *Facebook;*
  - 1.2 *Twitter;*
  - 1.3 *YouTube; and*
  - 1.4 *Website comment and feedback facility,*
- 2 *ACKNOWLEDGE the guidelines and protocols developed for users who interact with the City and others parties on City platforms, as detailed in Attachments 1 and 2 to Report CJ233-11/12.*

## **BACKGROUND**

Marketing and communication strategies of organisations can no longer be restricted to 'pushing' information out to customers through traditional mass media or other traditional marketing and communication tools. Customers now want to interact, engage, provide their opinion and read others' opinions, as a way of building trust, rapport and developing a 'community'. Trends and an increasing use of social media is filling this void and allowing this to occur.

Social media encourages dialogue between organisations and the community; meaning that the level of control assumed with traditional media is replaced with a deeper level of engagement with the community. Social media involves any online or mobile platform allowing users to interact, communicate, create, share and discuss opinions, views, news and information. It also allows participants to build and form communities of common interest. Content on social media platforms is created and shared by individuals via the internet or other mobile devices (such as mobile phones, mobile tablets and i-Pads) using freely available and accessible websites and services that allow users to create and 'post' images, videos, text information or other multimedia communication.

With its increasing use, social media can no longer be ignored outside of any complete or integrated marketing and communication strategy. It provides opportunities to engage, inform and interact with people and recent statistics highlight that more people are living their lives online and within social media spaces. Customers now feel they have the right to engage with the different tiers of government and expect two-way communication and interaction with those levels of government using social media platforms. Successfully using social media tools therefore will provide the City an opportunity to respond to public opinion quickly and better engage with interested and connected residents.

The potential uses of social media are wide and varied. Local governments and other government agencies use social media to raise awareness of certain issues; build credibility with specific audiences or target markets; engage the community on policy consultation; or as a communication tool to improve collaboration between different governments or within a single authority. The main benefit for government agencies is that a well-considered and carefully implemented social media activity can create greater transparency, an interactive relationship, a stronger sense of ownership of government policy and services, and thus greater public trust in government.

It is therefore necessary that the City consider the relevance of social media platforms as part of its overall marketing and communications plan, in order to remain relevant to target markets. The City needs to consider and, if appropriate, implement social media as a way to complement and provide alternative channels for communication of key corporate messages or information. For this reason, consideration needs to be given to the nature of the communication for each specific social media platform; how it relates to existing corporate information; and what targeted approach varying social media platforms will allow and indeed be used for.

Officers have been investigating, researching and analysing social media platforms, its usage and activity throughout the community and within the public sector, to determine whether or not its use is a suitable marketing and communication channel for the City to engage and communicate with the Joondalup community.

## **DETAILS**

### Social media goals and objectives

The City's social media presence seeks to have all City interaction in social media spaces coordinated to deliver accurate, informative and engaging information to relevant target markets and social media users. The primary goals of the City's social media activity are for the City to:

- effectively inform and engage with stakeholders and the community through the use of social media tools that promote two way communication and interaction;
- be recognised by stakeholders and the broader community as an organisation that is embracing new technologies and meeting the changing needs of its target markets; and
- be open, honest, accountable and transparent when engaging with stakeholders and the community.

Using social media platforms can successfully provide many varied benefits in supporting the City's communications and broader marketing objectives, including:

- increase audience reach and improve the accessibility of the City's communication;
- reflect the communication channel preferences of many local residents;
- meet public expectations of modern service organisations and enhance reputation;
- promote transparency in City operations and real time feedback;
- support more involved relationships with citizens, partners and other stakeholders;
- enhance the City's ability to quickly adjust or refocus communications;
- improve the long-term cost-effectiveness of communication;
- benefit from the credibility of non-government channels;
- increase the speed of public feedback and input;
- reach specific audiences on specific issues;
- reduce dependence on media and counter inaccurate or misleading press coverage; and
- lead the community directly to online transactional services.

In this regard the City's social media presence will integrate with the City's broader marketing and communication campaigns, and support various other marketing initiatives already being used.

### Social media platforms

It is suggested that the City initially uses four key social media platforms as part of its social media presence, including:

- Facebook;
- Twitter;
- YouTube; and
- a website comment and feedback facility (to be further investigated).

Each tool will be implemented over time, used for different purposes and will be coordinated and integrated to deliver the above objectives and benefits. The preliminary matters that each tool will be used for are as follows:

- Facebook:
  - promotion of events and activities, photos, stories, media releases, public notices, news and to prompt improved and increased engagement and interaction with the community.
- Twitter:
  - public notices, urgent notices, public engagement and opinion pieces, media releases, promotions, employment vacancies, meeting dates.
- You Tube:
  - corporate films and vision (annual reports, corporate induction DVDs).
- Website comment and feedback:
  - two way communication, direct feedback, corporate consultation.

The use of social media to inform and engage with the community will not be restricted to one platform only (such as Facebook or Twitter) and both Facebook and Twitter will be utilised concurrently for matters such as public and urgent notices to ensure wide coverage of items that will penetrate a range of different target markets.

It is appropriate for the City to focus on using these above four social media platforms before investigating opportunities for using other social media platforms such as Flickr, LinkedIn and Four Square. While these platforms have been used by other organisations with limited and different degrees of success, statistics show that Facebook, Twitter and YouTube are the most popular social media sites in Australia.

Due to their specific and unique needs, it is proposed that a specific Facebook page and Twitter account be developed for the City's youth services, as their needs are different from that of mainstream community members. Previous market research for the City has demonstrated that traditional marketing and communications strategies used by government agencies have difficulty in penetrating such markets and lack successful engagement. Youth activities need to be separated outside mainstream City communication, as youth tend to shy away from government and official spaces of government agencies.

#### Managing social media activity

Communicating and engaging with the community via social media platforms requires quick, if not immediate responses and direct communication. Failing to respond quickly to feedback or questions has the potential to damage the effectiveness of the City's strategy and attainment of overall objectives. Successful social media strategies therefore require officers to understand and manage the risks around the release of City information.

It is also necessary for the City to develop guidelines for Elected Members in view of their potential increased interest and use of social media (Attachment 2 refers). As Elected Members are public officers whose conduct is governed by the statutory framework which applies to local government, these statutory obligations extend to electronic communications in exactly the same way as they do to any other form of communication. In this regard Elected Members must continue to comply with the requirements of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* as well as their record keeping responsibilities when entering the social media space. Elected Members should also be mindful that the legal rules apply to social media in the same way that it does to other forms of communication (for example copyright, defamation, discrimination, harassment and vilification).

#### Implementation

An important first step for the City will be to simply monitor what is being said about the City online and in the social media domain. Once the City has an understanding of the tone and concerns of the community in social media spaces, the City will become more active and respond or post links to information to help answer questions being raised.

Over time, the City will regularly introduce content for discussion on various social media platforms and begin contributing and actively posting and answering questions. Once fully engaged in social media the City will have a responsibility to be a good custodian and regularly moderate and respond to comments as appropriate, as the level of interaction will more than likely escalate over time.

The four platforms suggested as part of the City's social media presence will be implemented and activated over time, in view of any technical impediments that may become apparent, such as website capabilities.

### Resourcing implications

Building online community takes time but more so a dedicated and sustained commitment. Organisations that do not regularly engage with their social network communities or upload relevant and current information on their social media platforms struggle to attract supporters and ultimately fail to become relevant. Academics and social media experts have listed a lack of resourcing as one of the key reasons why businesses fail to use social media effectively.

Using social media as a communication and engagement tool will ultimately have resource implications for the City, and the take up of its platforms is expected to grow and increase steadily as it builds fans and a 'community' of users. Resource planning takes into account the need to comprehensively monitor, respond to discussions about the City online, uploading current information and moderating the City's various social media platforms.

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

Council can either:

- support the implementation of the suggested platforms as part of the City's social media presence; or
- not support the City entering social media spaces.

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

**Legislation**                      *Local Government Act 1995.*  
*Local Government (Rules of Conduct) Regulations 2007.*  
*State Records Act 2000.*  
City of Joondalup Code of Conduct.

### **Strategic Community Plan**

**Key Theme:**                      Governance and Leadership.

**Objective:**                        Active Democracy.

### **Policy**

Community Consultation and Engagement Policy.

### **Risk Management Considerations:**

As with any communications strategy, there are benefits and risks in using social media and it is important to assess these benefits and risks adequately. As social media is an evolving area of government engagement, there are inherent risks such as cultural, technical or reputational including the following:

- Government activity in some social media spaces and forums may not be welcome.
- A post by the City may be inaccurate or inappropriate, creating legal or reputational risk.
- Comment may be made by employees or Elected Members that could be construed as an official position of the Council or City rather than a personal view or opinion.

- Some sites may be open to manipulation by interest groups or those with malicious intent.
- User generated content may be difficult to check for accuracy.
- Both negative and positive comments will be published in social media spaces.
- Greater resource requirements needed to manage the growth of the community using social media to interact with the City.
- Comments may unintentionally inflame a situation.
- Without appropriate planning, information management obligations may not be met (such as the City's obligations under the *State Records Act 2000*).

There are appropriate mitigations for these risks, which will be covered in the City's guideline for community users (Attachment 1 refers) and within internal social media protocols established for City employees. For example there will be a need for the City's social media spaces to be continually monitored, and where content fails to meet the guidelines, it will be removed.

The guidelines also state the City's social media spaces are not to be used for requests, investigations or to report maintenance matters. In this regard, the City's normal and current reporting mechanisms through the City's website or [info@jooondalup.wa.gov.au](mailto:info@jooondalup.wa.gov.au) are to be used and will be directed to City officers.

The City must acknowledge and be comfortable that critical feedback will occur and must embrace transparency by not deleting such critical or negative comments. The City must be prepared for negative comment and have established protocols that mitigate the damage of such comments, or correct misguided or misinformed views. While such views may remain, the City will have an opportunity to correct any such views which in turn will also better inform the broader community.

Another important aspect of risk that needs to be considered is an Elected Member's use of social media. As previously highlighted, Elected Members are still bound by their statutory obligations under the *Local Government Act 1995*, the *Local Government (Rule of Conduct) Regulations 2007* and the City's Code of Conduct when using social media.

Should Elected Members use social media to make comment on City issues or matters, they need to clearly identify that their comments are their own and not representative of the City or Council. In this respect Elected Members are encouraged to ensure that any social media accounts that they use to undertake their functions as Elected Members are used only for that purpose and that those accounts are kept separate from other accounts that may be used for personal purposes. This will assist distinguishing between when an Elected Member is performing their statutory functions as an Elected Member as opposed to those situations where they may want to make a personal comment not relating to their role as an Elected Member. The Elected Member Guideline has been developed to assist Elected Members should they wish to enter the social media space (Attachment 2 refers).

Support documents and guidelines are currently being considered by WALGA as well as other bodies such as the Australian Centre of Excellence for Local Government to assist local governments in implementing social media activities however they are some time away from being finalised. The City will take into account these guidelines once finalised to ensure alignment with the industry's approach, however the delay in finalisation should not preclude the City from implementing its own social media presence.

**Financial/Budget Implications:**

While using social media tools is free, the resource implications for the City in pursuing a social media strategy will be the establishment of a position to assist with the implementation, management and monitoring of the City's social media platforms as well as other increasing media demands. This position could also be utilised to assist in the delivery of the citizen centric digital activities from the Digital Economy Strategy currently being developed. In this regard and based on industry standards, an additional employee would cost approximately \$87,000 per annum in the first year, as well as additional costs for workspace requirements such as a office furniture and equipment. Allocation for this position and associated costs will need to be provided for in the mid-year budget review and future annual budgets.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The City has been in contact with numerous other local governments in WA and interstate to gauge the success of their usage of social media. Information has also been obtained from organisations within the local government industry such as WALGA, ALGA and the Australian Centre of Excellence for Local Government.

Should Council endorse the platforms suggested as part of the City's social media presence, the various platforms will be promoted and incorporated into the City's promotional and marketing material to the community.

**COMMENT**

Social media is about short, sharp messages and timely responses. Social media does not replace existing communication channels, such as the City's website, primarily due to the limitations on the length of messages. Facebook and Twitter can, however, serve as effective channels to draw users to the City's website and supplement existing communication channels.

Research for this report has identified that there are some WA local governments that are using social media in a non-interactive way. They have used social media channels to promote corporate messages in a style that is not consistent with the informal nature of social media and by restricting users and not allowing interaction or engagement have failed to implement successful social media projects. Being overly restrictive and failing to respond immediately to people who post on social media platforms leads to user frustration and, rather than enhancing corporate communication, can adversely affect an organisation's image and brand. A considered implementation strategy is therefore needed.

To ensure the City maintains its reputation as an open and accountable local government that is renowned for its innovative use of technology, it is vital to provide adequate resources to implement the City's social media presence, which will be used to promote information, City messages and provide engagement opportunities for the community.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1 ENDORSE the following platforms being initially used by the City as part of its social media presence:**
  - 1.1 Facebook;**
  - 1.2 Twitter;**
  - 1.3 YouTube; and**
  - 1.4 Website comment and feedback facility;**
  
- 2 ACKNOWLEDGE the guidelines developed for users who interact with the City and others parties on City platforms, as detailed in Attachments 1 and 2 to Report CJ233-11/12.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf131112.pdf](#)*

**CJ234-11/12 DRAFT PROPERTY MANAGEMENT FRAMEWORK**

<b>WARD:</b>	All																		
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy																		
<b>FILE NUMBER:</b>	101409, 43387, 46747, 63627, 101271, 101279, 101265, 23039, 89513, 101515																		
<b>ATTACHMENTS:</b>	<table> <tr> <td>Attachment 1</td> <td>Draft Property Management Framework</td> </tr> <tr> <td>Attachment 2</td> <td>Draft Inventory of City Freehold Property <i>(Please Note: This attachment is only available electronically)</i></td> </tr> <tr> <td>Attachment 3</td> <td>Inventory of (Managed) Crown Property <i>(Please Note: This attachment is only available electronically)</i></td> </tr> <tr> <td>Attachment 4</td> <td>Draft Facility Hire Subsidy Policy</td> </tr> <tr> <td>Attachment 5</td> <td>Comparison of Facility Hire Subsidies (Hire of Community Facilities and Venues Policy versus draft Facility Hire Subsidy Policy)</td> </tr> <tr> <td>Attachment 6</td> <td>Management of Community Facilities Policy (current)</td> </tr> <tr> <td>Attachment 7</td> <td>Setting Fees and Charges Policy (current)</td> </tr> <tr> <td>Attachment 8</td> <td>Hire of Community Facilities and Venues Policy (current)</td> </tr> <tr> <td>Attachment 9</td> <td>Amended Schedule of Fees and Charges (proposed)</td> </tr> </table>	Attachment 1	Draft Property Management Framework	Attachment 2	Draft Inventory of City Freehold Property <i>(Please Note: This attachment is only available electronically)</i>	Attachment 3	Inventory of (Managed) Crown Property <i>(Please Note: This attachment is only available electronically)</i>	Attachment 4	Draft Facility Hire Subsidy Policy	Attachment 5	Comparison of Facility Hire Subsidies (Hire of Community Facilities and Venues Policy versus draft Facility Hire Subsidy Policy)	Attachment 6	Management of Community Facilities Policy (current)	Attachment 7	Setting Fees and Charges Policy (current)	Attachment 8	Hire of Community Facilities and Venues Policy (current)	Attachment 9	Amended Schedule of Fees and Charges (proposed)
Attachment 1	Draft Property Management Framework																		
Attachment 2	Draft Inventory of City Freehold Property <i>(Please Note: This attachment is only available electronically)</i>																		
Attachment 3	Inventory of (Managed) Crown Property <i>(Please Note: This attachment is only available electronically)</i>																		
Attachment 4	Draft Facility Hire Subsidy Policy																		
Attachment 5	Comparison of Facility Hire Subsidies (Hire of Community Facilities and Venues Policy versus draft Facility Hire Subsidy Policy)																		
Attachment 6	Management of Community Facilities Policy (current)																		
Attachment 7	Setting Fees and Charges Policy (current)																		
Attachment 8	Hire of Community Facilities and Venues Policy (current)																		
Attachment 9	Amended Schedule of Fees and Charges (proposed)																		

**PURPOSE**

For Council to consider the content of the draft Property Management Framework (Attachment 1), draft Inventories (Attachments 2 and 3) and draft Facility Hire Subsidy Policy (Attachment 4).

**EXECUTIVE SUMMARY**

The draft Property Management Framework (Attachment 1) is intended to provide the City with a guide to managing all property under the City's ownership, care and control. It contains specific requirements for the classifying of property and its usage.

**BACKGROUND**

The City of Joondalup manages 148 facilities over 19,000 square metres of land either as freehold or managed property which is reserved or dedicated under the *Land Administration Act 1997*. This property has been set aside for a diversity of purposes, such as recreation, public open space, drainage and administrative or infrastructure purposes.

In previous years, property management arrangements for City-owned and -managed property have been approached on an ad-hoc basis. This has resulted in varying management methods and inconsistent leasing, licensing and facility hire conditions (including the application of subsidised use).

The attached draft Framework (Attachment 1) takes a broad approach and addresses the myriad of issues involved in property management. It is intended to provide a consistent and concise methodology for the future.

## **DETAILS**

The draft Property Management Framework provides the City with a guide to managing all property under the City's ownership, care and control. The draft framework takes into account the City's statutory obligations and the desire to promote the wellbeing of all people in the community through support of recreational and community groups and the provision of high quality and accessible facilities.

The objectives of the draft framework are as follows:

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

### **Issues and Options Considered:**

#### **Classification of Property:**

The draft Property Management Framework divides all property owned in freehold by the City, or managed under a Management Order on behalf of the Crown, into one of the following three classifications which describe the primary purpose for which the property is held.

- a Property held for Community Purposes (such as community halls; clubrooms; community centres; libraries; toilets/changerooms; drainage sites; and parks/public open spaces and the like.);
- b Property held for Capital Appreciation (such as vacant lots, underdeveloped sites, and the like); and
- c Property held for Income Generation (such as car parks, commercial buildings and the like).

The draft framework proposes that properties within each classification are not necessarily static and may be re-classified following a review by Council. Additionally, it is noted that while these classifications are intended to capture all property owned and managed by the City, it is recognised that not all relevant property will fit exactly within these classifications. Appropriate discretion therefore, should be used by the City when dealing with any such property (including hiring, leasing/licensing, liquidating and the like).

A full inventory of classified freehold property has been developed as the Inventory of City Freehold Property (Attachment 2). An additional inventory of property managed under management orders is also included as the Inventory of (Managed) Crown Property (Attachment 3). These properties do not need to be formally classified as they are all considered to be held for community purposes.

### **Property Utilisation by Groups:**

The draft Property Management Framework specifies that, depending on the appropriateness of a site, City-owned and managed property may be utilised by groups such as government agencies, business entities and community groups. The appropriateness of a site to be utilised for a particular purpose will be determined by the Council, based on the classification of the property (see 'Classification of Property' above).

The draft framework proposes that the following types of property utilisation may be granted to groups:

- a Facility hire
  - (Terms and conditions specified by the separate documents: Schedule of Fees and Charges and the draft Facility Hire Subsidy Policy.)
- b Lease agreement
  - (Terms and conditions specified by the section of the Framework: 'Standard Tenure Arrangements — Leases and Licences'.)
- c Licence agreement
  - (Terms and conditions specified by the section of the Framework: 'Standard Tenure Arrangements — Leases and Licences'.)

The draft framework stipulates that, in general, the City will endeavour to make City-owned or -managed property available for use by the wider community. In particular, property held for Community Purposes should be accessible to the general public wherever possible. With this in mind, the draft framework proposes that facility hire arrangements are to be established in preference to leases and licences.

### **Standard Tenure Arrangements — Leases and Licences:**

The draft Property Management Framework outlines the standard tenure guidelines for the development of leases and licences for City-owned and -managed property. In developing these guidelines, the City conducted a benchmarking exercise comparing the standard tenure arrangements for all of the local governments in the Perth metropolitan area. The City also researched property management methods used by local governments in other parts of Australia. From this exercise, it was concluded that there is a vast diversity of tenure arrangements across local governments, with many local governments stating that large-scale reviews were currently underway or planned for the near future.

Following this benchmarking, the City determined that tenure arrangements for its properties should be based on the following key principles:

- a The City acknowledges its obligation to provide and maintain its properties to meet community needs for present and future generations.

- b The City recognises and supports the contribution made by community groups in achieving an active and sustainable community.
- c The City encourages the use of its properties by organisations which provide a benefit to the community.
- d The City promotes tenure arrangements which are consistent, transparent and equitable.
- e The City promotes tenure arrangements which provide for access to the property by the wider community.
- f The City promotes tenure arrangements which contribute to the financial viability of the City.

Based on these key principles, the draft framework provides tenure guidelines which are intended to form the basis of new lease/licence agreements with all current groups who (exclusively) occupy any City-owned or -managed property. These guidelines are presented in the draft framework as 'general' guidelines intended for all lessees/licensees (excluding Telecommunications Carriers) with 'additional' guidelines for the five different types of groups:

- a Commercial Organisations.
- b Telecommunications Carriers.
- c Government Departments/Agencies.
- d Not-for-Profit Community Groups.
- e Other Groups.

The 'general' and 'additional' tenure guidelines are provided in full in the draft Property Management Framework (Attachment 1). In general, the draft framework proposes that all lessees/licences be responsible for their own operational costs (such as electricity, water, gas, telecommunications and the like), with different rental charges applied depending on the type of group. A comparison of the different tenure guidelines is provided as Appendix 1 to the draft framework (Attachment 1).

#### **Review of the Property Management Framework:**

The draft Property Management Framework proposes a four yearly review in alignment with the 10-Year Strategic Community Plan — Joondalup 2022.

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

##### **Legislation:**

The City of Joondalup plays a significant role in property management. Depending on the type of property, the City is responsible for maintenance and disposal, including leasing/licensing and facility hire.

In addition to this broad role, the City has certain obligations under State and Federal legislation with regard to property management, including:

- *Land Administration Act 1997* (State)
- *Local Government Act 1995* (State)
- *Telecommunications Act 1997* (Commonwealth)
- *Local Government and Public Property Local Law 1999* (City of Joondalup)

Descriptions of the relevant sections of these pieces of legislation are provided, in full, in the draft Property Management Framework (Attachment 1).

In addition to these, there are sections of the *Local Government Act 1995* that relate specifically to amending the Schedule of Fees and Charges during a financial year. These are described below.

#### **6.16 Imposition of fees and charges**

- 1 *A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*\* Absolute majority required.*

- 2 *A fee or charge may be imposed for the following:*

*a providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government.*

- 3 *Fees and charges are to be imposed when adopting the annual budget but may be:*

*a imposed\* during a financial year; and*

*b amended\* from time to time during a financial year.*

*\* Absolute majority required.*

#### **6.19 Local government to give notice of fees and charges**

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of:*

*a its intention to do so; and*

*b the date from which it is proposed the fees or charges will be imposed.*

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

**Key Theme:** Leadership and Governance.

**Objective:** Corporate Capacity.

**Key Theme:** Community Wellbeing.

**Objective:** Quality Facilities.

**Policies:**

The draft Property Management Framework has implications for a number of City of Joondalup policies; these are described below.

**Management of Community Facilities Policy (current):**

The current City Policy — Management of Community Facilities (Attachment 6) provides specific guidelines for the development of lease/licence arrangements with pre-school centres, surf life saving clubs and groups that contributed to the cost of building a facility specifically.

These guidelines have been re-drafted and standardised as part of the draft Property Management Framework and it is therefore recommended that this policy be revoked in its entirety.

The tenure guidelines provided in the Policy have been re-drafted and standardised as part of the draft *Property Management Framework*. The draft framework provides for “peppercorn” leases to be offered to life-saving and/or life-preserving service groups in the form of a 100% rental subsidy. Under the draft framework, rental subsidies can be applied, at the discretion of Council, to groups such as surf life saving groups, first-aid groups and volunteer rescue organisations. It is intended that “peppercorn” type arrangements continue to be offered to the Mullaloo and Sorrento Surf Life Saving Clubs and Whitfords Volunteer Sea Rescue.

It is therefore recommended that this policy be revoked in its entirety.

**Setting Fees and Charges Policy (current):**

The current Council Policy — Setting Fees and Charges (Attachment 7) describes the various fees and charges that the City is permitted to raise. Namely, fees and charges are permitted for City-provided ‘goods’ and ‘services’. It is considered that this is adequately provided for under the *Local Government Act 1995*, and is therefore unnecessary to repeat in a Council Policy.

The Setting Fees and Charges Policy also describes the basis for hire fees. Namely, that hire fees for ‘inside venues’ will be based on 100% cost recovery, and that hire fees for ‘outside venues’ will be based on 20% cost recovery. In practice, this is generally not applied (such fees are usually much less than 100% and 20% respectively). Again, it is considered that this is adequately provided for under the *Local Government Act 1995*, and is therefore unnecessary to repeat in a Council Policy.

It is therefore recommended that this policy be revoked in its entirety.

**Hire of Community Facilities and Venues Policy (current):**

The current City Policy — Hire of Community Facilities and Venues (Attachment 8) outlines the subsidised hire fees that are available for some not-for-profit community groups. These subsidies have been re-drafted and expanded upon in a new policy (draft Facility Hire Subsidy Policy). It is therefore recommended that this policy be revoked in its entirety.

**Facility Hire Subsidy Policy (draft):**

The draft Facility Hire Subsidy Policy (Attachment 4) is a new policy which has been developed to align with the principles and objectives of the draft Property Management Framework. This draft policy builds on the current Hire of Community Facilities and Venues Policy to provide greater subsidised use to not-for-profit community groups in the City.

The objectives of the draft policy are:

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

The intention of the draft policy is for the City to subsidise the cost of facility hire charges for City-managed facilities for local not-for-profit community groups and groups from educational institutions if the group is able to demonstrate that at least 50% of its active members/participants reside within the City of Joondalup.

A comparison of the facility hire subsidies provided by the draft Facility Hire Subsidy Policy and the current Hire of Community Facilities and Venues Policy is provided as Attachment 5 to Report CJ234-11/12.

**Risk Management Considerations:**

There is risk of an adverse response from community groups whose new lease/licence agreement prescribe additional payments under the draft Property Management Framework. For this purpose, the City has drafted approximate costs for each affected group and will be approaching individual groups on a case-by-case basis.

In a similar manner, there is also risk of an adverse response from community groups whose subsidised hire arrangements prescribe additional payments under the draft Facility Hire Subsidy Policy. Subsidies under the draft policy were constructed in such a way as to minimise any additional payments; however, the Chief Executive Officer has the delegated authority to waive costs if groups require additional hours to those prescribed under the policy. Nevertheless, the City has estimated that there are very few groups that will be adversely affected.

**Financial/Budget Implications:**

Financial/budget implications for the draft Property Management Framework will be largely dependent on the pace in which new lease/licence arrangements can be put into place. There is likely to be an initial cost of implementing a number of agreements, as the majority of current leases/licences have now expired. Costs will be related to obtaining valuations and drafting lease/licence documentation.

Financial/budget implications for the draft Facility Hire Subsidy Policy will be dependent on the hours that groups affected by the policy choose to book. Based on current bookings, it is estimated that the City will experience a loss of hire fee revenue of approximately \$50,000. However, groups may increase or decrease their bookings and this will change the revenue.

Notwithstanding the above, it should be noted that the draft Property Management Framework is intended to provide the City with a guide to managing property in an equitable and efficient manner. It is not intended to provide a mechanism for income generation.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

The importance of consultation with each lessee/licensee that will be affected as a result of changes to leasing and licensing arrangements under the draft Property Management Framework is acknowledged. As outlined above, in order to minimise the impact of the changes, the City will approach individual groups on a case-by-case basis as each lease/licence agreement is developed.

**COMMENT**

The draft Property Management Framework provides the City with a guide to managing all property under the City's ownership, care and control. The draft framework takes into account the City's statutory obligations and the desire to promote the wellbeing of all people in the community through support of recreational and community groups and the provision of high quality and accessible facilities. The draft framework also recognises the City's obligations to support not-for-profit community groups through subsidisation.

It should be noted, that the majority of leases and licences with groups (particularly not-for-profit community groups) have expired, therefore it is likely that initial implementation will be protracted. However, once the framework is in place, it is predicted that property management will be more straightforward and streamlined, enabling the City to provide a more efficient and effective service to the community which takes into account the principles of fairness and equity.

With regard to facility hire arrangements, the City has substantially reduced the hire charges for several types of not-for-profit community groups. The hire charges for adult recreational or sporting groups, for example, have been reduced by 50%. It is anticipated that this reduction in fees will help these non-commercial groups in continuing to provide important recreational and sporting opportunities to the community and will assist the City in achieving a greater utilisation of its assets.

The City's current practices relating to leasing/licensing and facility hire have been approached on an ad-hoc basis. Without a broad framework to operate under, this has resulted in varying management methods and inconsistent leasing/licensing and facility hire conditions. With a Property Management Framework, it is anticipated that the City will be able to apply a consistent and concise methodology to property management.

**Additional Comment — Policy Committee Meeting held on 12 November 2012**

The Policy Committee resolved that it NOTES:

- “1     *the report to Council on the draft Property Management Framework, as detailed in Attachment 1 to this Report with the following additions;*
- 1.1     *REQUESTS the administration to identify leases to be set at a Peppercorn rental;*
- 2     *the draft Property Management Framework, as detailed in Attachment 2 to this Report;*
- 3     *the draft Inventory of City Freehold Property, as detailed in Attachment 3 to this Report;*
- 4     *the Inventory of (Managed) Crown Property, as detailed in Attachment 4 to this Report;*
- 5     *the following policy proposals being presented to Council at its meeting to be held 20 November 2012:*
- 5.1     *ADOPTION of the draft Facility Hire Subsidy Policy, as detailed in Attachment 5 to this Report subject to Table 1 — Matrix for determining facility hire subsidies with the following additions:*
- 5.1.1     *any subsidy provided to Adult Recreation or Sporting Groups is provided directly to the local group;*
- 5.1.2     *the City reserves the right that if a group is booking a facility and it is not being utilised it may charge that group for the unutilised booking of that facility.*
- 5.2     *NOTING of the Comparison of Facility Hire Subsidies (Hire of Community Facilities and Venues Policy versus draft Facility Hire Subsidy Policy), as detailed in Attachment 6 to this Report;*
- 5.3     *REVOCATION of the current Management of Community Facilities Policy, as detailed in Attachment 7 to this Report;*
- 5.4     *REVOCATION of the current Setting Fees and Charges Policy, as detailed in Attachment 8 to this Report; and*
- 5.5     *REVOCATION of the current Hire of Community Facilities and Venues Policy, as detailed in Attachment 9 to this Report.”*

As a result of the Policy Committee’s decision (and in particular parts 1 and 5.1 of the above resolution), the proposed changes as requested by the Policy Committee have been included in this recommendation for Council’s consideration.

## VOTING REQUIREMENTS

Absolute Majority.

## OFFICER'S RECOMMENDATION

That Council:

- 1 ADOPTS the draft Property Management Framework, provided as Attachment 1 to Report CJ234-11/12;
- 2 ADOPTS the draft Inventory of City Freehold Property, provided as Attachment 2 to Report CJ234-11/12;
- 3 NOTES the Inventory of (Managed) Crown Property, provided as Attachment 3 to Report CJ234-11/12;
- 4 ADOPTS the draft *Facility Hire Subsidy Policy*, provided as Attachment 4 to Report CJ234-11/12, subject to the following additions:
  - 4.1 any subsidy provided to Adult Recreational or Sporting Groups is provided directly to the local group;
  - 4.2 the City reserves the right that if a group is booking a facility and it is not being utilised it may charge that group for the unutilised booking of that facility;
- 5 NOTES the Comparison of Facility Hire Subsidies (Hire of Community Facilities and Venues Policy versus draft Facility Hire Subsidy Policy), provided as Attachment 5 to Report CJ234-11/12;
- 6 REVOKES the current Management of Community Facilities Policy, provided as Attachment 6 to Report CJ234-11/12;
- 7 REVOKES the current Setting Fees and Charges Policy, provided as Attachment 7 to Report CJ234-11/12;
- 8 REVOKES the current Hire of Community Facilities and Venues Policy, provided as Attachment 8 to Report CJ234-11/12; and
- 9 In accordance with Section 6.16(3)(a) of the *Local Government Act 1995*, ADOPTS BY AN ABSOLUTE MAJORITY, the amended fee schedule for Facility Hire by Community Groups as detailed, provided as Attachment 9 to Report CJ234-11/12, to be effective as from 1 January 2013.

**MOVED Mayor Pickard, SECONDED Cr Norman that Council:**

**1 ADOPTS the draft Property Management Framework, provided as Attachment 1 to Report CJ234-11/12, subject to amendment to Part 6.3.4 (a)(i) to read as follows:**

***“i. Subsidised rental of the above rental charge may be granted to groups who contribute at least 30% of the cost of the construction of the building; this will be determined by the Council on a case-by-case basis. Subsidy may be up to 50%.”;***

**2 ADOPTS the draft Inventory of City Freehold Property, provided as Attachment 2 to Report CJ234-11/12;**

**3 NOTES the Inventory of (Managed) Crown Property, provided as Attachment 3 to Report CJ234-11/12;**

**4 ADOPTS the draft Facility Hire Subsidy Policy, provided as Attachment 4 to Report CJ234-11/12:**

**4.1 Subject to the following ADDITIONS to the Motion as follows:**

***“4.1.1 To Part 3 – Statement: Notwithstanding the above, the City reserves the right that if a group is booking a facility at a subsidised rate and it is not being utilised it may charge that group for the unutilised booking of that facility at the full community rate.***

***4.1.2 A notation to Table 1: Where the cost of hire is met by a governing body or association of which an Adult Recreation or Sporting Group is an affiliate, that group will be invoiced 100% of the regular community hire rate to enable the cost to be claimed against the governing body or association. Following proof of payment from the governing body or association, the 50% subsidy will be applied directly to the group.”***

**4.2 Subject to the following AMENDMENTS to Parts 4.2 and 4.3 of the Motion as follows:**

***“4.2 Requests for Subsidies:***

***a A group requesting subsidised facility hire is required to apply for the subsidy as part of the booking process each season/year. The level of subsidy available is based on the matrix provided as Table 1.***

***b A group may apply for an additional subsidy under special circumstances. Applications must be made in a written submission to the Chief Executive Officer. All such applications will be assessed by the City and referred to Council for determination.***

***Additional subsidies will be provided for the following:***

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

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

**4.3 Authority to Waive Fees:**

***The Chief Executive Officer may waive facility hire fees for bookings made on a casual basis on the written support of the responsible officer.”;***

- 5 **NOTES** the Comparison of Facility Hire Subsidies (Hire of Community Facilities and Venues Policy versus draft Facility Hire Subsidy Policy), provided as Attachment 5 to Report CJ234-11/12;
- 6 **REVOKES** the current Management of Community Facilities Policy, provided as Attachment 6 to Report CJ234-11/12;
- 7 **REVOKES** the current Setting Fees and Charges Policy, provided as Attachment 7 to Report CJ234-11/12;
- 8 **REVOKES** the current Hire of Community Facilities and Venues Policy, provided as Attachment 8 to Report CJ234-11/12; and
- 9 **In accordance with Section 6.16(3)(a) of the *Local Government Act 1995*, ADOPTS BY AN ABSOLUTE MAJORITY**, the amended fee schedule for Facility Hire by Community Groups as detailed, provided as Attachment 9 to Report CJ234-11/12, to be effective as from 1 January 2013.

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

***An electronic link has been provided for each Attachment individually as follows:***

Appendix 12 refers - Attachment 1 - Draft Property Management Framework

*To access this attachment on electronic document, click here: [Attach12agn201112.pdf](#)*

Appendix 34 refers - Attachment 2 - Draft Inventory of City Freehold Property

*(Please Note: This attachment is only available electronically)*

*To access this attachment on electronic document, click here: [Attach34agn201112.pdf](#)*

Appendix 35 refers - Attachment 3 - Inventory of (Managed) Crown Property

*(Please Note: This attachment is only available electronically)*

*To access this attachment on electronic document, click here: [Attach35agn201112.pdf](#)*

Appendix 36 refers - Attachment 4 - Draft Facility Hire Subsidy Policy

*To access this attachment on electronic document, click here: [Attach36agn201112.pdf](#)*

Appendix 37 refers - Attachment 5 - Comparison of Facility Hire Subsidies (Hire of Community Facilities and Venues Policy versus draft Facility Hire Subsidy Policy)

*To access this attachment on electronic document, click here: [Attach37agn201112.pdf](#)*

Appendix 38 refers - Attachment 6 - Management of Community Facilities Policy (current)

*To access this attachment on electronic document, click here: [Attach38agn201112.pdf](#)*

Appendix 39 refers - Attachment 7 - Setting Fees and Charges Policy (current)

*To access this attachment on electronic document, click here: [Attach39agn201112.pdf](#)*

Appendix 40 refers - Attachment 8 - Hire of Community Facilities and Venues Policy (current)

*To access this attachment on electronic document, click here: [Attach40agn201112.pdf](#)*

Appendix 41 refers - Attachment 9 - Amended Schedule of Fees and Charges (proposed)

*To access this attachment on electronic document, click here: [Attach41agn201112.pdf](#)*

## **CJ235-11/12 LIST OF PAYMENTS MADE DURING THE MONTH OF SEPTEMBER 2012**

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

---

### **PURPOSE**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of September 2012.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of September 2012 totalling \$15,129,101.59.

*It is recommended that Council NOTES the Chief Executive Officer's list of accounts for September 2012 paid under delegated authority in accordance with regulation 13 (1) of the Local Government (Financial Management) Regulations 1996 in Attachments 1, 2 and 3 to Report CJ235-11/12, totalling \$15,129,101.59.*

### **BACKGROUND**

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

### **DETAILS**

The table below summarises the payments drawn on the funds during the month of September 2012. Lists detailing the payments made are appended as Attachments 1 and 2 to Report CJ235-11/12. The vouchers for the month are appended as Attachment 3 to Report CJ235-11/12.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 93750 – 93952 & EF026750 – EF027285 Net of cancelled payments	\$11,009,735.55
	Vouchers 1026A -1031A & 1035A - 1036A	\$4,101,487.34
Trust Account	Trust Cheques 205177 - 205217 Net of cancelled payments	\$17,878.70
	<b>Total</b>	<b>\$15,129,101.59</b>

#### Issues and options considered:

The list of payments report was recently amended to include contract numbers where payments were made under approved contracts. Following the June end of year roll over, the contract numbers have not been able to be included. Until this is rectified, the earlier version is being produced instead.

#### Legislation/Strategic Community Plan/Policy Implications

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

#### Strategic Community Plan

**Key Themes:** Financial Sustainability.

**Objective:** Effective Management.

#### 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 2012/13 Annual Budget as adopted and revised by Council at its meeting of 10 July 2012 or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council NOTES the Chief Executive Officer's list of accounts for September 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 CJ235-11/12, totalling \$15,129,101.59.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf131112.pdf](#)*

## **CJ236-11/12 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2012**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	07882, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Financial Activity Statement for the Period Ended 30 September 2012

---

### **PURPOSE**

For Council to note the Financial Activity Statement for the period ended 30 September 2012.

### **EXECUTIVE SUMMARY**

At its Special meeting held on 10 July 2012 (JSC04-07/10 refers), Council adopted the Annual Budget for the 2012/13 Financial Year. The figures in this report are compared to the Adopted Budget figures.

The September 2012 Financial Activity Statement Report shows an overall favourable variance from operations and capital of \$4,628,222 for the period when compared to the 2012/13 Adopted Budget.

This variance can be summarised as follows:

The Operating surplus is \$1,733,765 above budget, made up of higher revenue of \$588,584 and lower operating expenditure of \$1,145,181.

Higher Operating revenues have been driven by higher Fees and Charges \$280,295, Investment Earnings \$424,638 and Contributions, Reimbursements and Donations \$79,700. Revenue is below budget on Grants and Subsidies \$92,279, Rates \$102,076 and Other Revenue \$23,500. The additional revenue arose from the Sale of Recyclables, Sports and Recreation Fees, Building and Development Fees and from Investment income.

Operating expenditure is below budget on Materials and Contracts \$992,369, Utilities \$127,660, Employee Costs \$61,827 and Insurance \$28,937. Expenditure is over budget on Depreciation \$135,763.

The Materials and Contracts favourable variance is spread across a number of areas including External Services Expenses of \$431,136; Material Purchases of \$188,881; Contributions and Donations of \$354,817; Furniture, Equipment and Artworks \$190,459 and Professional Fees of \$158,284. These are partially offset by an unfavourable variance for Waste Management Services of \$519,275.

The Capital Revenue and Expenditure deficit is \$2,851,921 below budget due to lower expenditure on Capital Projects of \$775,386, Capital Works of \$2,042,850 and Vehicle and Plant Replacements of \$453,814.

Further details of the material variances are contained in Appendix 3 of Attachment 1 to Report CJ236-11/12.

*It is recommended that Council NOTES the Financial Activity Statement for the period ended 30 September 2012 forming Attachment 1 to Report CJ236-11/12.*

## **BACKGROUND**

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

## **DETAILS**

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

The Financial Activity Statement for the period ended 30 September 2012 is appended as Attachment 1 to Report CJ236-11/12.

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

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

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

### **Strategic Community Plan:**

**Key Themes:** Financial Sustainability.

**Objective:** Effective Management.

### **Policy:**

Not Applicable.

### **Risk Management Considerations:**

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

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

In accordance with Section 6.2 of the *Local Government Act 1995*, the annual budget was prepared having regard to the Strategic Financial Plan, prepared under Section 5.56 of the *Local Government Act 1995*, which was made available for public comment.

**COMMENT**

All expenditures included in the Financial Activity Statement are incurred in accordance with the provisions of the 2012/13 Adopted Budget or have been authorised in advance by Council where applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council NOTES the Financial Activity Statement for the period ended 30 September 2012 forming Attachment 1 to Report CJ236-11/12.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf131112.pdf](#)*

## **CJ237-11/12 EXPENDITURE ON GOODS AND SERVICES OUTSIDE THE CITY**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	100402, 101058, 101515
<b>ATTACHMENTS:</b>	Nil

---

### **PURPOSE**

For Council to consider a report on the City of Joondalup's expenditure on goods and services outside the City.

### **EXECUTIVE SUMMARY**

At its meeting held on 21 February 2012 (CJ011-02/12 refers), Council considered the minutes and resolutions from the Annual General Meeting of Electors on 6 December 2011. As a result the Chief Executive Officer was requested to provide a report on City expenditure on goods and services within and outside the City.

The report highlights that 12.07% of the City's contestable expenditure is with businesses located within the City of Joondalup. This is reflective of the fact that while the City is well represented by retail businesses it is not well represented by industrial and non retail commercial businesses. The top 20 creditors of the City by dollar value account for 60.8% of expenditure, only two of which are located within the City of Joondalup although a further four are located within the region.

*It is recommended that Council NOTES the Chief Executive Officer's report on the City of Joondalup's expenditure on goods and services during 2011/12.*

### **BACKGROUND**

At its meeting held on 21 February 2012 (CJ011-02/12 refers), Council considered the minutes and resolutions from the Annual General Meeting of Electors on 6 December 2011 and resolved in part:

- "3 *In relation to Motion No 2 carried at the Annual General Meeting of Electors:*
- 3.1 *REQUESTS the Chief Executive Officer provide a report regarding the City of Joondalup's expenditure on goods and services highlighting those items which are purchased outside its boundaries and identifying any qualifications applicable to the information included in the Report;*
  - 3.2 *NOTES that the Chief Executive Officer has already initiated a forum on 'buy local' opportunities for local businesses to do business with government entities in 2011/12;"*

## **DETAILS**

### Buy Local

With reference to item 3.2 from the motion of the meeting held on 21 February 2012 (CJ011-02/12 refers), the City of Joondalup, in partnership with Edith Cowan University and the Small Business Centre North West Metro, held a workshop 'Successfully Responding to Tenders' on 26 June 2012.

One of the major aims of the Workshop was to encourage 'buy local' opportunities and, to this end, the City of Joondalup and Edith Cowan University presented information on specific organisational requirements and processes for submitting tenders. Approximately 40 local businesses attended the workshop which also included a presentation from BidWrite, leading experts in tendering and procurement, on how to develop best practice tenders to maximise chances of success for small business owners.

The City will continue to work with the Small Business Centre North West Metro to provide training and support to small businesses in terms of tender preparation and buy local opportunities.

The City also recently commissioned the Small Medium Enterprise Research Centre at Edith Cowan University to undertake a survey of small to medium businesses in Joondalup. The results of the survey were reported to Council on 21 August (CJ153-08/12 refers). As a result of the feedback and the final report from the Small Medium Enterprise Research Centre, the City will put considerable effort into improving communication with the small business sector including promoting small businesses and the services provided locally.

The City is also currently examining how it can encourage small businesses to tender/quote for City business and is also looking at funding and partnership opportunities to establish a local online business register.

### Expenditure on Goods and Services

An analysis of the expenditure on goods and services by the City of Joondalup for the 2011/12 financial year has been undertaken identifying expenditure within the City of Joondalup and expenditure outside of the City.

There are a number of qualifications to the analysis undertaken.

The City's data bases capture the postal address of the business that purchases are made from but not the location of where the physical purchases are made. In some cases a purchase could be made at an outlet within the City but the business has a postal address located elsewhere. An example is Bunnings where purchases are made at either the Edgewater or Whitfords outlets but all payment transactions are with the head office of Bunnings which is in Welshpool.

The City has expenditure transactions with many State and Federal Government agencies, other local governments, utility providers, insurers and superannuation funds which are either not contestable at all or only to a very limited extent. Expenditure includes the remittance of monies collected on their behalf, the payment of statutory fees and charges, regional local government waste services and employee superannuation contributions. As an example, for the Fire and Emergency Services Authority alone the City collected and paid to it, \$14,325,959 during 2011/12 under a statutory requirement. In total \$35,384,852 of expenditure in 2011/12 fell within this category.

The City makes numerous, mostly small once off type payments, particularly to individuals including refunds and reimbursements, contributions and grants. These once off type payments are difficult to clearly identify and separate from ordinary purchases of goods and services and have been included in the analysis.

The analysis identifies expenditure of \$83,133,059 in 2011/12. Remove the largely uncontested expenditure of \$35,384,852 referred to above however and the remaining \$47,748,207 in expenditure in 2011/12 is summarised by local government area as follows:

<b>Creditor Local Government Locality</b>	<b>Total</b>	<b>Percentage</b>
<b>Joondalup</b>	\$5,764,555	12.07%
<b>Wanneroo</b>	\$6,554,535	13.73%
<b>Other</b>	\$35,429,117	74.20%
<b>Total</b>	<b>\$47,748,207</b>	<b>100.00%</b>

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

The summary above identifies \$5.8 million in expenditure to creditors within the City of Joondalup during 2011/12, representing 12.07% of the total \$47.7 million in expenditure.

The top 20 creditors accounted for \$20.6 million of the \$47.7 million total.

<b>Creditor Local Government Locality</b>	<b>Location</b>	<b>Creditor</b>	<b>Supply Type</b>	<b>Total</b>
<b>OTHER</b>	MANDURAH	CLEANAWAY	RECYCLING AND WASTE	3,759,260
<b>OTHER</b>	MALAGA	ASPHALTECH PTY LTD	ROAD BUILDING SUPP	2,345,851
<b>WANNEROO</b>	YANCHEP	DEVCO HOLDINGS PTY LTD	CONSTRUCTION CONTRAC	2,206,354
<b>OTHER</b>	CLOVERDALE	LANDFILL GAS & POWER	FUEL OIL GAS & LUBE	1,727,812
<b>OTHER</b>	BELMONT	WILSON SECURITY	SECURITY & SECURITY	1,305,537
<b>OTHER</b>	EDEN HILL	WESKERB PTY LTD	CONCRETE KERBING	1,038,986
<b>JOONDALUP</b>	JOONDALUP	CURNOW GROUP (CIVIL) PTY LTD	CONSTRUCTION CIVIL	953,887
<b>WANNEROO</b>	WANGARA	WANNEROO ELECTRIC	ELECTRICAL CONTRACT	750,451
<b>OTHER</b>	STIRLING	STIRLING PAVING	ROAD BUILDING SUPP	747,598
<b>OTHER</b>	MT PLEASANT	HYDROQUIP PUMPS	ENGINEERING & MAINT	734,657
<b>JOONDALUP</b>	JOONDALUP	TOTAL ROAD SERVICES	TRAFFIC MANAGEMENT	655,741
<b>OTHER</b>	SYDNEY	CALTEX AUSTRALIA	FUEL OIL GAS & LUBE	611,495

<b>Creditor Local Government Locality</b>	<b>Location</b>	<b>Creditor</b>	<b>Supply Type</b>	<b>Total</b>
<b>OTHER</b>	PERTH	WESTERN POWER	ENERGY SUPPLY & PROD	577,234
<b>OTHER</b>	MALAGA	TECHSAND PTY LTD	CONCRETE KERBING	549,645
<b>OTHER</b>	MALAGA	AUSTRALIAN AIRCONDITIONING SERVICES P/L	BLDG & ASSET MAIT	446,515
<b>WANNEROO</b>	WANNEROO	JOONDALUP PLUMBING SERVICES	BLDG & ASSET MAIT	444,633
<b>OTHER</b>	WEMBLEY	BUILDING & CONSTRUCTION INDUSTRY	CONSTRUCTION CONTRAC	439,104
<b>JOONDALUP</b>	JOONDALUP DC	TRITON ELECTRICAL CONTRACTORS P/L	ELECTRICAL CONTRACT	437,947
<b>OTHER</b>	OSBORNE PARK	HIGH SPEED ELECTRICS	ELECTRICAL CONTRACT	415,079
<b>OTHER</b>	WELSHPOOL	RETECH RUBBER PTY LTD	LANDSCAPE SUPPLIES	413,933
			<b>Total</b>	<b>\$20,561,719</b>

Of the top 20 commercial businesses only three are located within the City of Joondalup. To a significant extent this reflects the nature of the industrial and commercial land uses within the City.

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

**Legislation:** Not Applicable.

### **Strategic Community Plan**

**Key Theme:** Financial Sustainability.

**Objective:** Effective Management.

### **Policy**

The City's Economic Development Policy has as an objective to support local and regional economic development.

### **Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

The City of Joondalup spent \$25 million (includes regional local government waste services) within the City of Joondalup and the City of Wanneroo during 2011/12 making a substantial economic contribution to the regional economy.

**Sustainability Implications:**

The substantial expenditure by the City in the regional economy enhances the overall financial sustainability of that economy.

**Consultation:**

Not Applicable.

**COMMENT**

The report highlights that 12.07% of the City's contestable expenditure is with businesses located within the City. This is reflective of the fact that while the City is well represented by retail businesses it is not well represented by industrial and non retail commercial businesses. The top 20 creditors by dollar value accounted for \$20.6 million of the \$47.7 million total expenditure in 2011/12 and only three of which are located within the City of Joondalup, although a further three are located within the region.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Corr, SECONDED Cr Norman that Council NOTES:**

- 1 The Chief Executive Officer's report on the City of Joondalup's expenditure on goods and services during 2011/12; and**
- 2 The ongoing initiatives and actions by the City of Joondalup to foster local business participation and growth.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

## **CJ238-11/12      REPORT ON THE OPERATION OF THE CITY OF JOONDALUP      CLOSED-CIRCUIT      TELEVISION NETWORK**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	09360, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Map of CBD camera and sign locations

---

### **PURPOSE**

For Council to receive a report on the operation of the City of Joondalup's Closed-Circuit Television (CCTV) systems.

### **EXECUTIVE SUMMARY**

Council requested a report into a number of aspects of the City of Joondalup's current and potential future CCTV system and operations.

The report identifies that the CCTV system and operation have become very effective and an important source of intelligence both for the Western Australian Police in pursuing suspicious or criminal activity and for the City in its management of community safety and infrastructure. The City has developed an excellent relationship with law enforcement agencies. The Western Australian Police and others including the Australian Federal Police have utilised intelligence gathered from the City's CCTV network. There are regular operational meetings with Western Australian Police and documented arrangements for the sharing of information and intelligence.

There are a number of areas that have been identified as potential for expansion of the coverage of the City's CCTV network. The proposed Mirror Park skate park facility, currently under construction, has a CCTV facility included as part of the project. Historically the City has tried to use grant funds to help fund any CCTV expansion. Grant opportunities are being pursued in 2012/13.

The idea of a regional, monitored CCTV facility has some attraction mainly as a potential centralised monitoring facility. At this time, however, there does not seem to be any strong regional local government or commercial driver for it. In terms of potentially providing a commercial service to the business sector the report identifies that there is already a competitive market in this space and there seems to be little need in the City entering this market.

*It is recommended that Council:*

- 1      *NOTES the report on the Operation of the City of Joondalup Closed-Circuit Television Network;*

- 2 *REQUESTS that the Chief Executive Officer continue to monitor and review developments with Closed-Circuit Television systems to ensure that the City of Joondalup is in the best position to enhance its community's safety by taking advantage of changes in technology, service delivery models and funding opportunities; and*
- 3 *ENCOURAGES the Western Australian Local Government Association in its efforts to support the development of a State CCTV Strategic Plan.*

## **BACKGROUND**

Council resolved at its meeting in February 2012 (C09-02/12 refers):

*“That Council REQUESTS the Chief Executive Officer to prepare a report for consideration at a future Council meeting outlining the existing CCTV network operation within the City of Joondalup and identifying potential opportunities to further enhance the network, its operations and effectiveness. The report is to include, but not limited to:*

- *An assessment of the effectiveness of the existing CCTV network within the City of Joondalup, including a review of CCTV coverage in the City Centre, Tom Simpson Park and McNaughton Park;*
- *Identification of potential additional coverage areas to reduce and deter antisocial behaviour within the City of Joondalup, including the use of alternative monitoring and deterrent devices;*
- *Mechanisms to strengthen the partnership with the Police Service to enhance the operational effectiveness of the monitoring centre and incident responsiveness; and*
- *Opportunities to establish a CCTV monitoring centre which could provide monitoring and response services to the Police Service, other local government authorities and private businesses on a fee for service basis.”*

In April 2009 the City commissioned a CCTV system in the Joondalup City Centre with 14 overt, fully controllable cameras mounted on street lamp poles. This project was in part funded by a Federal Government grant with the total cost of installation of approximately \$375,000. In November 2009 a CCTV system was installed at Tom Simpson Park in Mullaloo that includes three overt, fully controllable cameras mounted on purpose designed poles. There was State funding support for a total installation cost of \$103,000. In August 2010 a CCTV system was installed covering the clubrooms building and skate park on the south side of MacNaughton Park in Kinross at a cost of \$82,000. This system uses eight fixed, digital image cameras. All three CCTV installations provide live coverage of images to a monitoring facility in the City of Joondalup Administration Centre building. The coverage is monitored live at various times over a week.

The funding for all of these systems included State or Federal grants as well as the City's own resources. Availability of Federal grants for CCTV has declined considerably since the City was awarded funds in 2008 for the City Centre installation. Similarly State grants have also declined since the award of funds to install the system at Tom Simpson Park.

## DETAILS

### Effectiveness of the existing CCTV network within the City of Joondalup

The City's public areas CCTV systems are principally operated as tools that assist in managing public space. These systems are valuable in assisting City officers with the rapid reporting of graffiti, damage, litter, dangerously parked vehicles, abandoned shopping trolleys and hazards to pedestrians. CCTV operators work directly with a range of City service areas including Youth Outreach, Operations Services, Environmental Health Services, Parking Services and Waste Management.

Graffiti incidents have been monitored in the area covered by CCTV in the City Centre which includes Boas Avenue, Central Walk, Davidson Terrace, Grand Boulevard, McLarty Avenue and Reid Promenade. The table below shows the graffiti reports during the financial years between 2009 and 2012.

Table 1

	2008 - 2009	2009 - 2010	2010 - 2011	2011 – 2012
Graffiti incidents	49	57	22	50

It is not possible to provide any quantifiable information on the effectiveness of CCTV at mitigating graffiti incidents at MacNaughton Park skate park as there has been a continuing suite of initiatives at this location for the past three years, not just CCTV. There have however been some good outcomes of a forensic nature which is covered in more detail later in the report.

The City cooperates with the Western Australian Police on both routine live image monitoring and programmed image monitoring as requested by the Western Australian Police. Any suspicious or criminal activity that is noted during system operation is reported directly to the Western Australian Police as it occurs. Outside of staff rostered hours City officers are contactable by Western Australian Police to access and review any recorded CCTV images. The City is developing a "quick contact" card which will be issued to local Police through the Officer in Charge at the local Police Station and for other officers as required, for Police officers to carry at all times so they know how to reach City officers when required.

It is very difficult to quantify a reduction in anti social behaviour or assaults which can be solely attributed to the presence of CCTV. Professor Paul Wilson, OAM Chair of Criminology at Bond University presented a Key Note Address to the Council of Private Investigators in September 2009, in which he said:

*"There have been many independent studies of the effectiveness of CCTV and the results been almost universally the same. These can be summarised as follows. CCTV is more effective at combating property offences than violent or public disorder offences; it does little to influence spontaneous or alcohol-related violence and achieving statistically significant reductions can be difficult. However, there is an investigative benefit to CCTV once an offence has been committed."*

The Wilson and Wells study in 2007, entitled “What do you the watchers watch? An Australian case study of CCTV monitoring”, which is one of the studies referred to above, examined the role of CCTV monitoring in four CBD’s on the Gold Coast, with 74 camera deployments between them. The study noted that even with 24/7 staff presence in the monitoring room, only 16.43 % of time was spent actively monitoring the system with the rest of the time absorbed by administration and other duties. It also noted that 86% of the arrests made during the period in the four CBD’s were made by Police officers at the various locations without CCTV involvement. The 14% of incidents that were related to CCTV intervention related to what was deemed “minor” and covered such activities as public urination and “drunken behaviour” not leading to violence or interaction with others. The study concluded:

*“None of what we have discussed here should be taken as a negation of the usefulness of CCTV. It is clear from the evidence based literature and from our current research that CCTV is extremely useful in detecting offences that otherwise may not have been detected. Comments from police and court officials also indicated that CCTV may have increased the likelihood of offenders pleading guilty once they realised that their offences had been captured on camera and also increased the rate of successful prosecutions. CCTV also appears to reduce fear of crime and play some part in preventing crime though the amount that actually is prevented is open to debate (see Norris and Wilson, 2005)...”*

and

*“...In our study we also found that most incidents captured by CCTV were highly visible behavioural incidents such as assaults rather than less visible incidents such as drug deals. This is understandable and goes some way in explaining why many of the studies of CCTV effectiveness often show only modest gains (Gill and Spriggs, 2005). Camera monitors generally cannot see discrete behaviour but they can and do, according to this research detect highly visible anti-social or criminal behaviour.”*

A range of Western Australian Police units contacted the City during the 2010/11 and 2011/12 financial years with requests to view or obtain a copy of images held by the City. During 2010/11 the City provided CCTV images to authorised investigative agencies on 52 occasions. During 2011/12 the City provided images on 62 occasions. For both years the vast majority related to the Joondalup City Centre.

WA Police advise that in the two financial years to June 2012, of the combined 114 requests, 53 sets of images attracted Incident numbers for further investigation. From those 53 sets of images charges were laid against 17 individuals.

Western Australian Police units that were provided with direct assistance and CCTV images included:

- Joondalup Police Station (including Joondalup Inquiry Team).
- North West Metropolitan District Detectives (Warwick).
- Sex Assault Squad (Perth).
- North West Metropolitan District Traffic Investigation Group (Joondalup).
- Liquor Enforcement Unit (Perth).
- North West Metropolitan District Crime Team (Joondalup).

The current deployment of CCTV cameras is proving effective at providing information to Police and other agencies. There is always the potential to improve the quality of images captured or add new cameras to such deployments and the City has identified in the section below where these improvements could be made.

### **Potential additional coverage areas including the use of alternative monitoring and deterrent devices**

The City has a priority listing of potential new public areas CCTV sites. The following factors are considered in the location of public areas CCTV:

- Western Australian Police statistics for reported offence types.
- Information from local stakeholders' including reports of ongoing criminal damage (including graffiti) and other incident types.
- Locations that will provide maximum flexibility in CCTV camera field of view coverage from a single location.
- Staging locations for significant City controlled events.
- Emerging operational requirements of the City.

There is no annual budget program for deploying new CCTV systems. The approach is to source external grant opportunities with any required matching funding sourced only if the grant is successful. A new three or four camera installation would cost around \$100,000. Adding a new camera with all required connections and image storage upgrades to an existing system will cost approximately \$15,000.

New facility designs, or upgrades to existing City facilities includes a review of the value a CCTV system might bring. Issues considered include the likelihood of anti social behaviour, the history of the location generally, public perceptions of safety or amenity, the protection of City assets and so on. The recent work on developing the Mirror Park Skating facility is an example of where a new facility has been developed and budgeted to include CCTV. The system has been designed using the experience gained from operating CCTV at the MacNaughton Park, Kinross skate park. A balance has been sought in providing an overt, crime deterrent tool with practical CCTV coverage of the skate park and surrounding areas.

The following locations are the identified priority sites for improving the current network with new or expanded public areas CCTV coverage within the City subject to funding:

#### Central Park, Joondalup

Deploying CCTV in Central Park would be an expansion of the existing 14 camera Joondalup City Centre system to areas on the south side of its current coverage. The City has worked closely with Joondalup Police on a number of issues within the park and they have indicated CCTV coverage in the area would greatly assist their activities. CCTV at this reserve would also be a valuable tool that would support the City's delivery of events at this location.

#### Car Park P2 - McLarty Avenue, Joondalup

The City controlled car park at 104 McLarty Avenue in Joondalup has been the subject of a number of enquiries from the Western Australian Police in relation to theft from and damage to vehicles. The City has also occasionally received enquiries from the Western Australian Police Liquor Enforcement Unit about the activities in the north-west corner of the car park. The City currently operates CCTV cameras capable of covering street, footpath and lane way areas on the south, west and north sides bordering the car park, but not the north-west area of the car park.

### Coastal / Beach Car Parks in Mullaloo and Hillarys

Information from Western Australian Police relating to thefts from vehicles, hoon activity, drinking in public space and illegal camping, points to coastal car parks as potentially benefiting from purpose designed and monitored CCTV. It should be noted that the use of CCTV in coastal locations can be challenging because of moisture, sand and salt.

### Other Measures

The City has deployed, as an experiment, one anti social deterrent noise emitting device with the brand name of “mosquito”. It emits a very high frequency hum which is only discernible to the ears of younger people. It causes no harm and exposure of a few minutes often leads to a sense of noise irritation which encourages people who are loitering to move away. This is its intended purpose. The City has had pleasing results with this technology and has identified a further site where it may be deployed once mains power is available to operate it.

### **Mechanisms to strengthen the partnership with the Western Australian Police Service to enhance the operational effectiveness of the monitoring centre and incident responsiveness**

The City of Joondalup has a Memorandum of Understanding with the Western Australian Police that documents the information and intelligence sharing arrangements related to CCTV. These arrangements cover the roles and responsibilities of the partnership and were drafted by WA Police.

The City also has formal documented protocols and procedures for approving and providing copies of CCTV footage. These protocols and procedures ensure a document audit trail for the passing of information to the WA Police and establish timeframes for the management of data.

Officers from both the City of Wanneroo and the City of Joondalup meet every two months with all the Officers in Charge (OIC) of the police stations in the North West Metropolitan Police District. The meeting is designed to explore emerging longer term trends and review reported statistics, to develop relationships and to share general intelligence as well as to raise discussion on topical issues that have been previously been brought to Police notice but may not yet have been shared with the other local government officers. From time to time, Inspectors and the Superintendent from the District Office also attend, as do members of the Westfield security staff from Whitfords Shopping Centre.

City officers regularly meet with or share intelligence with the OIC's about specific incidents such as graffiti outbreaks as well as meeting on a tactical basis when there are trends developing of a wider anti social behaviour experience. An example of a current program is the management of behaviours in the area between the Lakeside Shopping City plaza, the train station, the Joondalup Drive underpass and Central Park/West Coast Institute of Training. Police, shopping centre security, PTA security and City officers have met several times to agree on approaches to managing the long term wellbeing of young people using these areas.

There is a standing invitation from the City to Western Australian Police to “sit in” at the CCTV monitoring station at any time. The invitation is re-offered whenever there is an event due to occur that may be of interest, such as a concert at the Arena, a major sporting event, the Joondalup Festival etc. Both Western Australian Police and the Australian Federal Police have worked with City officers on live control operations using City CCTV cameras on a small number of occasions.

**Opportunities to establish a CCTV monitoring and response centre for Western Australian Police, other local government authorities and private businesses.**

The City has a permanent, full time Surveillance Systems Support Officer position working to a roster.

This role carries out CCTV system monitoring, camera control, system adjustment, minor trouble shooting and recorded image review. The standard hours provide a balance between CCTV system operation during times when public areas are busier and meeting the customer service and administration requirements of operating public areas CCTV including direct assistance to the Western Australian Police.

The City has met with City of Wanneroo officers to discuss their approach to the CCTV systems that are being used in the City of Wanneroo. The business model adopted by the City of Wanneroo is to use CCTV images in a forensic capacity to identify persons of interest after anti social or criminal behaviour has occurred. Unlike the City of Joondalup they do not have a significant CBD or an associated entertainment precinct. They do have areas with higher than average instances of anti social or criminal behaviour and the CCTV hubs that they have deployed are intended as a deterrent. Where anti social or criminal behaviour does occur, the CCTV systems can capture images useful to the Western Australian Police. The City of Wanneroo already has a facility, similar in size and scope to the one at the City of Joondalup, where monitoring could be undertaken. It is used for system testing and retrieval of images for forensic purposes and there is no priority or perceived need by the City of Wanneroo to begin real time monitoring.

The City has approached the City of Stirling to gauge what interest they may have for sharing a CCTV monitoring service, but the approach was declined.

There are at least four providers of CCTV and alarm monitoring services available to businesses in Joondalup. The companies researched included Spectus/Casa Security Pty Ltd, Secom Perth, Checkpoint Security, and Global Security. Global Security is the parent company of the City Watch service provider, Wilson Security.

The City met with the operator of two of the CCTV and alarm monitoring services. Discussions covered the cost of establishing a legally compliant monitoring service for third parties, the cost of staff resources, infrastructure and service maintenance. A detailed work up of these costs has not been undertaken as there is at this time no demand for the service from other local authorities as described above. There is a range of fees that can be charged by commercial providers depending on the level of service being provided but as a guide, the industry fee for providing a basic CCTV monitoring service is in the order of \$3 per camera per day. This is for a monitoring service only with all equipment and installation paid for by the client. By way of example therefore a modest installation at a commercial premise which may comprise four or five cameras would generate less than \$5,500 per annum for a monitoring only service.

The City's base labour costs without overheads and penalties for this type of role are in the order of \$31/hour. To provide a 24/7 (168 hours per week) monitoring service would require 130 hours of coverage per week additional to the 38 hours per week already provided. Charging \$3 per camera per day it would require a scale of more than 190 cameras just to cover base labour costs of the additional 130 hours with only one person on roster at any time. A large base of cameras to monitor would also require a capital investment to provide the necessary infrastructure.

The idea of a central regional, monitored CCTV facility does not appear to have any strong regional local government or commercial driver for it. Providing a commercial service to the business sector would need to be on a commercial basis. The City would need to accept a level of commercial risk if it was to take on such a proposal. There is already commercial competition in this market space and it would be difficult for the City to offer a competitive alternative.

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

There does not at this stage appear to be a particularly pressing business or public safety need for a City of Joondalup monitored 24/7 CCTV service for other local governments or the local business community. It is acknowledged that perceptions of safety may be improved but the information available on issues to date would suggest that the necessary funding to provide this service would not be warranted.

There are opportunities to increase the number of CCTV cameras in existing installations (Central Park and Car Park P2) and also to establish new installations in the coastal areas adjacent to car parks as exists at Tom Simpson Park.

During the preparation of this report there have been a number of issues, both local and national, that have raised the profile of CCTV as a forensic tool in identifying persons of interest after an incident. The Western Australian Local Government Association (WALGA) has written to the Minister of Police seeking support for the development of a State CCTV Strategic Plan. The objective is to better direct the planning and implementation of CCTV. There are significant opportunities to establish a State-wide standard for CCTV installations looking at standards, procedures, technologies, communication protocols and options for centralised monitoring. The City would welcome the opportunity to play an active part in the scoping or delivery of any such coordinated outcome.

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

**Legislation**                      Not Applicable.

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

**Key Theme:**                      Community Wellbeing.

**Objective:**                        Community Safety.

#### **Policy:**

Not Applicable.

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

The relationship between the City and the Western Australian Police is cordial, effective and mutually respectful. The potential for staff turnover in both organisations is a risk to this relationship and it is important that both organisations continue to nurture it.

The CCTV installations already in service in the City provide valuable intelligence to law enforcement agencies. These installations need to be maintained, and in time, upgraded to meet the expectations of the City, its community and those agencies. The staff resource currently devoted to CCTV is structured to provide a balance between real time monitoring, strategic advice to management on the efficiency of the systems and day to day maintenance and improvements.

**Financial/Budget Implications:**

During the 2011/12 financial year the City spent approximately \$224,000 on maintenance, repair, new equipment, administration and staff costs for its CCTV operations and for 2012/13 has budgeted \$231,000.

**Regional Significance:**

A proposal to provide a regional CCTV monitoring facility for use by Local Governments and business would, prima facie seem to be a positive contribution to Western Australian Police effectiveness and a fillip to perceptions of public safety. There is however no major driver from other Local Governments or from the business sector to subscribe to such a facility.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

City officers have had detailed discussions with officers of the City of Wanneroo in the preparation of this report. The Officers in Charge of the District's Police stations all provided comment at the joint meeting of City officers and Western Australian Police and additional comment was given by the Officer in Charge at Joondalup Police station.

**COMMENT**

The City and Western Australian Police work together well and that relationship is important. Officers within the City actively foster that relationship. The existing CCTV installations are working well and provide good quality information. While it is accepted that the idea of a regional, monitored CCTV facility is attractive there does not seem at this time to be any strong business or community driver for it.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1 NOTES Report CJ238-11/12 on the Operation of the City of Joondalup Closed-Circuit Television Network;
- 2 REQUESTS that the Chief Executive Officer continue to monitor and review developments with Closed-Circuit Television systems to ensure that the City of Joondalup is in the best position to enhance its community's safety by taking advantage of changes in technology, service delivery models and funding opportunities; and
- 3 ENCOURAGES the Western Australian Local Government Association in its efforts to support the development of a State CCTV Strategic Plan.

**MOVED Mayor Pickard, SECONDED Cr McLean that Council:**

- 1 NOTES Report CJ238-11/12 on the Operation of the City of Joondalup Closed-Circuit Television Network;**
- 2 REQUESTS that the Chief Executive Officer continue to monitor and review developments with Closed-Circuit Television systems to ensure that the City of Joondalup is in the best position to enhance its community's safety by taking advantage of changes in technology, service delivery models and funding opportunities;**
- 3 ENCOURAGES the Western Australian Local Government Association in its efforts to support the development of a State CCTV Strategic Plan; and**
- 4 REQUESTS that the extension of the CCTV network to Central Park at an estimated cost of \$102,000 be listed for consideration in the 2013/14 budget deliberations.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf131112.pdf](#)*

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ239-11/12 - 2012/13 Sports Development Program – Round One.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Pickard is a patron at the Joondalup District Cricket Club.

## **CJ239-11/12      2012/13 SPORTS DEVELOPMENT PROGRAM - ROUND ONE**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Mike Tidy  
Director Corporate Services

**FILE NUMBER:** 58536

**ATTACHMENTS:** Nil

### **PURPOSE**

For Council to consider a funding application as part of the City's 2012/13 Sports Development Program – Round One.

### **EXECUTIVE SUMMARY**

The Sports Development Program aims to assist local not for profit, district level sporting clubs with programs, projects and events that facilitate the development of sport and enhance its delivery to City of Joondalup residents.

The City received one application in Round One of the 2012/13 Sports Development Program. Round Two will open in February 2013.

A panel convened to assess the application has recommended that the project not be supported due to a lack of relevant information. The panel's recommendations and the application from Joondalup District Cricket Club are being presented to Council for consideration.

*It is recommended that Council:*

- 1      *REFUSES a grant of \$20,000 to the Joondalup District Cricket Club; and*
- 2      *NOTES that the City will work with the Joondalup District Cricket Club to develop an application for the second round of funding.*

## BACKGROUND

In June 2002, Council resolved (CJ136-06/02 refers) to establish a sporting club support scheme whereby assistance can, upon application, be made available to district level clubs in lieu of individual sponsorship support.

The agreed aim of the Sports Development Program is to assist local not for profit, district level sporting clubs that play at, or are aspiring towards the highest level of competition in their chosen sport. Eligible clubs must be located within the City of Joondalup and be represented at both junior and senior levels. Clubs can apply for support every second year following a successful application.

The Sports Development Program offers support to sporting clubs to enable them to establish sporting and club development initiatives. This funding program is a supplement to important sponsorship funds. The program aims to ensure that the City, like any corporate sponsor, receives appropriate recognition for its support and value for money.

Round one of the 2012/13 Sports Development Program was promoted directly to all eligible clubs in August and September 2012. The clubs that were deemed eligible and were sent information include:

- Arena Swim Club;
- Joondalup and Districts Rugby League Club;
- Joondalup Brothers Rugby Union Club;
- Joondalup District Cricket Club;
- Joondalup Lakers Hockey Club;
- Joondalup Netball Association;
- North Coast Triathlon Club;
- Ocean Reef Sea Sports Club;
- Sorrento Football Club; and
- Wanneroo Lacrosse Club.

Nine clubs were not eligible to apply as they had recently received grants or other funding from the City:

- Breakers Swim Club (2010/11 Sports Development funding);
- ECU Joondalup Soccer Club, Stirling Basketball Association, Wanneroo Basketball Association and Whitford Hockey Club (2011/12 Sports Development funding);
- Mullaloo Surf Life Saving, Sorrento Surf Life Saving (Community Service); and
- Sorrento Tennis Club and West Perth Football Club (Sponsorship).

## DETAILS

The City received one application for 2012/13 Sports Development Program Round One. The application was from the Joondalup District Cricket Club.

### **Joondalup District Cricket Club**

The Joondalup District Cricket Club is based at Iluka Open Space in Iluka and currently has over 170 members. The Club currently participates in the WACA District Competition in the seniors and the District competition for junior age groups.

The Joondalup District Cricket Club submitted an application that sought support to create an academy style training program for their junior and senior athletes. The proposed Academy would provide one to one coaching sessions for selected athletes with development coaches from the Club. The program would be conducted over one season, December 2012 to April 2013.

The City convened an assessment panel consisting of two City officers and one external member to evaluate the application and provide a recommendation either supporting or not supporting the application. The panel's assessment of the application concluded that it was incomplete and did not include vital information to clearly identify relevant elements of the program. The panel also sought further clarification on the objectives and outcomes of the program as per the application form and were concerned by the lack of significant program outcomes to be able to sufficiently assess the program's end goal success and fully acquit the grant. As per the panel's request the City provided the club with an opportunity to address these shortcomings. Upon review of this further information the final recommendation was that the application was "Not Supported" due to a continued lack of supporting information and unclear program outcomes and objectives.

	<b>Amount Requested from the City</b>	<b>Amount Recommended by the City</b>
The costs of the program are		
Coach payments	\$ 20,000	\$0
<b>Total Cost</b>	<b>\$ 20,000</b>	<b>\$0</b>

The Joondalup District Cricket Club has received previous Sports Development Grants from the City:

<b>Year</b>	<b>Amount Funded</b>
2006/07	\$ 13,000
2008/09	\$ 18,000
2010/11	\$ 20,000

While the panel were not in support on this occasion, the concept was consistent with the guidelines for the Sports Development Program. The panel recommended that the City works with the Joondalup District Cricket Club to resubmit its application in early 2013.

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

Not Applicable.

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

**Legislation:** Not Applicable.

#### **Strategic Community Plan**

**Key Theme:** Community Wellbeing.

**Objective:** Community Spirit.

**Policy:**

The Sports Development Program is conducted in line with City Policy - Community Funding.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

<b>Account No:</b>	1.443.A4409.3293.4023
<b>Budget Item:</b>	Sponsorship
<b>Budget Amount:</b>	\$ 90,000
<b>Amount Spent To Date:</b>	\$ 0
<b>Proposed Cost:</b>	\$ 0
<b>Balance:</b>	\$ 90,000

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

The Sports Development Program provides for a positive effect on the development of a healthy, equitable, active and involved community. The program also provides the opportunity for a positive effect on community access to sport, leisure and recreational services.

**Consultation:**

Applicants are encouraged to discuss funding proposals with City Officers prior to submission to ensure that the application is in line with program objectives and contains the level of detail required for assessment. All eligible clubs were advised of the program and the closing date for applications.

The Joondalup District Cricket Club received advice from City Officers throughout the application process. A letter of support was also received from the Western Australian Cricket Association, however the support was conditional on further outcomes and objectives being provided.

**COMMENT**

The Sports Development Program aims to ensure that the City receives appropriate recognition for its support. The maximum grant available to an individual club is \$20,000 in any one year and the level of recognition to the City may vary accordingly.

The Joondalup District Cricket Club application requires more detailed information and supporting documentation. The City will work with the club to develop an application for the next round of funding.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1 REFUSES a grant of \$20,000 to the Joondalup District Cricket Club; and
- 2 NOTES that the City will work with the Joondalup District Cricket Club to develop an application for the second round of funding.

**MOVED Cr Hollywood, SECONDED Cr McLean that Council REQUESTS the Joondalup District Cricket Club resubmit its application for the City's 2012/13 Sports Development Program – Round One, noting the additional information sought by the City officers, for re-assessment by the City's assessment panel and consideration by Council at its meeting on 11 December 2012.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

## **CJ240-11/12 TENDER 022/12 PROVISION OF PRELIMINARY WORKS PRIOR TO ROAD RESURFACING**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	102559, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Schedule of Items
	Attachment 2	Summary of Tender Submissions

---

### **PURPOSE**

For Council to accept the tender submitted by Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd for the provision of preliminary works prior to road resurfacing.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 15 September 2012 through state wide public notice for the provision of preliminary works prior to road resurfacing for a period of three years. Tenders closed on 5 October 2012. Six submissions were received from:

- Roads2000 Pty Ltd;
- Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd;
- Downer Australia trading as Downer EDI Works Pty Ltd;
- HAS Group (WA) Pty Ltd trading as HAS Earthmoving;
- Keslake Group Pty Ltd; and
- Dowsing Concrete.

The submission from Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd represents best value to the City. Stirling Paving demonstrated a thorough understanding and appreciation of the requirements. The company has been providing similar services to a number of long term clients including the City. It has been the City's current contractor for the provision of preliminary works prior to road resurfacing since 2001 and has provided a quality service.

*It is recommended that Council ACCEPTS the tender submitted by Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd for the provision of preliminary works prior to road resurfacing as specified in Tender 022/12 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.*

## **BACKGROUND**

The City has a requirement for the provision of preliminary works prior to road resurfacing which may include but not be limited to removal of kerbing, kerb backfilling (sand and gravel), removal of pram ramps, removal of concrete and asphalt crossover sections, supply and installation of gully grates and industrial gully grates and reinstatement of irrigation works.

The City currently has a single contract for the provision of preliminary works prior to road resurfacing with Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd, which will expire on 2 December 2012. Stirling Paving has consistently met the requirements of the City throughout the term of its contract.

## **DETAILS**

The tender for the preliminary works prior to road resurfacing was advertised through state wide public notice on 15 September 2012. The tender period was for two weeks and tenders closed on 5 October 2012.

### **Tender Submissions**

Six submissions were received from:

- Roads2000 Pty Ltd;
- Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd;
- Downer Australia trading as Downer EDI Works Pty Ltd;
- HAS Group (WA) Pty Ltd trading as HAS Earthmoving;
- Keslake Group Pty Ltd; and
- Dowsing Concrete.

The schedule of items listed in the tender is provided in Attachment 1 to Report CJ240-11/12.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ240-11/12.

### **Evaluation Panel**

The evaluation panel comprised of three members:

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

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

### **Compliance Assessment**

The following offers received were fully compliant and were considered for further evaluation.

- Roads2000 Pty Ltd;
- Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd;
- HAS Group (WA) Pty Ltd trading as HAS Earthmoving;
- Keslake Group Pty Ltd; and
- Dowsing Concrete.

The offer from Downer EDI Works Pty Ltd was assessed as partially compliant. The offer was subject to various amendments to the City's conditions of contract. These relate to payment terms, insurance, limitation of liability and a variation for change in law including any costs associated with the carbon law scheme.

Downer EDI's offer was included for further assessment on the basis that the potential for such amendments to increase the contractual risk to the City would be assessed prior to final consideration.

### Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Capacity	50%
2	Demonstrated experience in providing similar services	25%
3	Demonstrated understanding of the required tasks	20%
4	Social and economic effects on the local community	5%

Dowsing Concrete scored 57.3% and was ranked sixth in the qualitative assessment. The company currently services 13 government contracts and examples of works for 12 local governments including the Cities of South Perth, Belmont, Melville, Swan and Wanneroo were supplied. The majority of these contracts are for concrete works, Dowsing Concrete's core area of services, rather than the preliminary works required by the City.

Keslake Group Pty Ltd scored 62.5% and was ranked fifth in the qualitative assessment. Keslake Group demonstrated a good understanding of the required tasks. Primarily a civil contractor, the company is capable of delivering the works required by the City in this contract. Keslake Group has experience in providing civil construction works for various clients and examples of works completed for Downer Engineering, Best Roads Group and the City of Perth were supplied. It indicated it will not be utilising subcontractors for this work but did not address the ability to access additional personnel and resources if required.

HAS Earthmoving scored 65.9% and was ranked fourth in the qualitative assessment. It has extensive experience in undertaking civil construction works for local governments. Examples of works carried out for the Town of Claremont, the Cities of Subiaco, Nedlands and Gosnells were provided. The company demonstrated a good understanding of the required tasks and has the capacity to carry out the works for the City. It is well resourced and has a pool of operators available, if additional resources are required.

Downer EDI Works Pty Ltd scored 70.4% and was ranked third in the qualitative assessment. Downer EDI demonstrated a sound understanding of the required tasks and has the capacity to provide the services to the City. The company has extensive experience in completing civil construction works for private companies, State and local governments which include the Metropolitan Redevelopment Authority, Main Roads WA and the Cities of Melville and Perth.

Stirling Paving Pty Ltd scored 77.4% and was ranked second in the qualitative assessment. The company demonstrated a thorough understanding and appreciation of the requirements. The company has been providing similar services to a number of long term clients including Garas Holdings Pty Ltd, Sumich, Versatile Building Products and is the current contractor for the City. Stirling Paving has significant industry experience and proven capacity to undertake the works for the City.

Roads2000 Pty Ltd scored 78.1% and was ranked first in the qualitative assessment. Roads2000 has the capacity to complete the works in this Contract. The company submitted a comprehensive response and demonstrated a thorough understanding of the required tasks. Roads2000 has extensive experience in providing road construction works for private organisations, State and local governments, which include the Cities of Wanneroo, Stirling, Subiaco and Nedlands.

### Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted rates offered by each tenderer to assess value for money to the City.

To provide an estimated expenditure over a 12 month period, all eight scheduled items and their typical usage based on historical data have been used. The table below provides a comparison of the estimated expenditure based on the rates offered by each tenderer. Any future requirements will be based on demand and subject to change in accordance with the operational needs of the City.

The rates are fixed for the first year of the contract, but are subject to a price variation in years two and three of the contract to a maximum of the percentage change in the Perth CPI (All Groups) Index for the preceding year. For estimation purposes, a 3% CPI increase was applied to the rates in years two and three.

Tenderer	Year 1	Year 2	Year 3	Total
Stirling Paving Pty Ltd	\$969,851	\$998,947	\$1,028,915	<b>\$2,997,712</b>
HAS Earthmoving	\$1,152,510	\$1,187,085	\$1,222,698	<b>\$3,562,293</b>
Dowsing Concrete	\$1,226,300	\$1,263,089	\$1,300,982	<b>\$3,790,371</b>
Keslake Group Pty Ltd	\$1,807,770	\$1,862,003	\$1,917,863	<b>\$5,587,636</b>
Roads2000 Pty Ltd	\$2,074,825	\$2,137,070	\$2,201,182	<b>\$6,413,077</b>
Downer EDI Works Pty Ltd	\$4,732,668	\$4,874,648	\$5,020,887	<b>\$14,628,204</b>

During the last financial year 2011/12, the City incurred \$737,776 for the provision of preliminary works prior to road resurfacing and is expected to incur in the order of \$3,000,000 over the three year contract period.

## Evaluation Summary

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

Respondent	Estimated Year 1 Contract Price	Estimated Total Contract Price	Price Ranking	Weighted Percentage Score	Qualitative Ranking
Roads2000 Pty Ltd	\$2,074,825	\$6,413,077	5	78.1%	1
Stirling Paving Pty Ltd	\$969,851	\$2,997,712	1	77.4%	2
Downer EDI Works Pty Ltd	\$4,732,668	\$14,628,204	6	70.4%	3
HAS Earthmoving	\$1,152,510	\$3,562,293	2	65.9%	4
Keslake Group Pty Ltd	\$1,807,770	\$5,587,636	4	62.5%	5
Dowsing Concrete	\$1,226,300	\$3,790,371	3	57.3%	6

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

### Issues and options considered:

The City has a requirement for the provision of preliminary works prior to road resurfacing at various locations within the City. The City does not have the internal resources to provide the required services and requires an appropriate external contractor to undertake the services.

### Legislation/Strategic Community Plan/Policy Implications

**Legislation** A state wide public tender was advertised, opened and evaluated in accordance with Clause 11(1) of Part 4 of the *Local Government (Functions & General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$100,000.

### Strategic Community Plan

**Key Theme:** Quality Urban Environment.

**Objective:** Integrated Spaces.

### Policy

Not Applicable.

**Risk Management Considerations:**

Should the contract not proceed, the risk to the City will be high as a contract for this service is essential for the City to complete its capital works road preservation and resurfacing program.

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

**Financial/Budget Implications:**

<b>Account No:</b>	Various Capital Works accounts.
<b>Budget Item:</b>	Preliminary works prior to road resurfacing.
<b>Estimated Budget Amount:</b>	\$ 800,000
<b>Amount Spent To Date:</b>	\$ 176,298
<b>Proposed Cost:</b>	\$ 565,746
<b>Balance:</b>	\$ 57,956

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

This Contract will ensure the City is able to upgrade and maintain the road network in a safe and usable state for the community.

**Consultation:**

Not Applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the submission in accordance with the City's evaluation process and concluded that the Offer submitted by Stirling Paving Pty Ltd represents best value to the City.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council ACCEPTS the tender submitted by Sparta Enterprises Pty Ltd trading as Stirling Paving Pty Ltd for the provision of preliminary works prior to road resurfacing as specified in Tender 022/12 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 16 refers*

*To access this attachment on electronic document, click here: [Attach16brf131112.pdf](#)*

**CJ241-11/12 FAIRWAY CIRCLE PARKING CONTROL SIGNAGE**

<b>WARD:</b>	North	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	101871, 05175, 11026, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Map of current parking signage
	Attachment 2	Copy of Community Consultation Survey
	Attachment 3	Map of properties covered by the survey

---

**PURPOSE**

For Council to consider the results of community consultation conducted in regard to parking signage installed in July 2012 in Fairway Circle, Connolly.

**EXECUTIVE SUMMARY**

The City installed “No Stopping Carriageway or Verge” signage in Fairway Circle Connolly in July 2012 to reinforce the Parking Local Law provisions that prohibits vehicles from parking on footpaths. Residents in the immediate area objected to the signage and questioned the need for permanent signs for an issue that only occurs during the Christmas period.

The City agreed to conduct a survey of residents in the immediate area to ascertain support for permanent signage to remain or for temporary signage to be erected each December and then removed. The survey was conducted in September 2012.

*It is recommended that Council:*

- 1 *APPROVES the use of temporary parking control signage in Fairway Circle Connolly to be installed at the beginning of December and removed after Christmas each year; and*
- 2 *AGREES that the temporary signage be located in the same positions as the current signage shown in Attachment 1 Report CJ241-11/12.*

**BACKGROUND**

Following a request from the Connolly Residents Association in February 2012 the City considered the issue of motorists parking on the verge/footpath in Fairway Circle Connolly. The association advised that from late November to the end of December each year motorists attending Christmas Lighting displays by residents along Dorado Beach Crescent, Prairie Dunes Place and Pebble Beach Edge created road safety issues by preventing pedestrians from using the footpath, having vehicles drive onto and along the footpath and verge conflicting with pedestrians and creating sightline issues for motorists turning out of Dorado Beach Crescent or Ocean Shores Edge onto Fairway Circle.

The City considered the Association's concerns as a significant safety issue that required attention. Parking on verge areas that contain footpaths is prohibited whether or not there is signage. Installation of the signage only reinforced the existing prohibition. Accordingly no community consultation was conducted as there were no additional prohibitions created.

"No Stopping Carriageway or Verge" signage was installed on the east side of Fairway Circle and on parts of Dorado Beach Crescent as indicated in the map at Attachment 1 to Report CJ241-11/12, in July 2012.

## **DETAILS**

Immediately after the signage was installed residents contacted the City expressing their concern over the installation of the signage advising that it would adversely affect visitors seeking to view festive lighting displays.

In response to the objections from residents an alternative option was proposed to consider having permanent signage removed and temporary signage installed only over the December festive period. Accordingly a Community Consultation Survey was initiated requesting residents to indicate their support for either permanent signage or temporary signage that is installed at the beginning of December and removed after Christmas each year.

No option was provided for removal of the signage as the pedestrian safety concerns are considered to be significant and warrant a degree of prohibition signage and enforcement to address these safety concerns. The survey was distributed to residents in the vicinity (see Attachment 3) with responses due by 28 September 2012.

There was a 33% return rate achieved from the survey with 50% of respondents indicating that temporary signage was more appropriate due to the infrequent nature of the safety issue. 20% opted for permanent signage to remain. The remaining 30% did not indicate a preferred option and advised that they did not believe signage was required and that the likely result of the signage was to force motorists to seek other areas to park further away and potentially exacerbate parking problems.

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

The City considers that vehicles parking in Fairway Circle on the footpath and vehicle movements on and off the footpath constitute a significant hazard to pedestrians and warrants the installation of signage. However it is recognised that the level of parking that creates the safety concern does not occur all year round and is generally restricted to when visitors attend to observe Christmas lighting displays.

The options available are to:

- 1 Remove signage permanently. The level of illegal parking occurring when Christmas lighting displays are present is increasing and it appears that without signage many do not perceive that it is illegal. The concern is that unless this is addressed it may only be a matter of time before a serious accident occurs. This option is not recommended.

- 2 Parking Signage to remain in place permanently. Response to the survey indicated that permanent signage was supported by only 20% of responding residents. Permanent signage would offer reinforcement of the current prohibition preventing vehicles parking on the footpath. It is acknowledged however that the parking problem only occurs during December. This option is not recommended.
- 3 Signage to be installed at the beginning of December and removed after Christmas. This option received support from 50% of respondents indicating that this was the preferred option. It addresses the need for signage to deter illegal parking and also the residents concern that permanent signage is unnecessary. It would be proposed that the location of the temporary signage be the same as the current signage as per Attachment 1 to Report CJ241-11/12. This option is recommended.

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

**Legislation**                      *Parking Local Laws 1999.*

#### **Strategic Community Plan**

**Key Theme:**                      Community Wellbeing.

**Objective:**                        Community Safety.

#### **Policy:**

Parking Scheme Policy.

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

Parking in Fairway Circle during the festive period is a safety concern due to vehicles parking on and moving onto and off footpaths and creating a visual obstruction to drivers exiting Dorado Beach Crescent and Ocean Shores Edge.

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

The installation of the current signage in Fairway Circle was \$3,000. To remove the permanent signage and replace with temporary signage is estimated at \$500. Signs were installed with locked sockets which mean the current signs poles can be removed or replaced and the open socket can be capped when signage is not required.

#### **Regional Significance:**

No Applicable.

#### **Sustainability Implications:**

Not Applicable.

#### **Consultation:**

The Community Consultation survey regarding Parking Control Signs in Fairway Circle was conducted in September 2012 with the survey, (Attachment 2) posted to a total of 137 residences in the surrounding streets as shown in Attachment 3 to Report CJ241-11/12.

Residents were requested to indicate their support in response to the following question:

*Do you support the retention of the permanent parking control signs that have been installed or would you prefer temporary signage that is installed at the beginning of December and removed after Christmas each year? (Place a cross in the box indicating your preference).*

Survey responses were requested to be returned by 28 September 2012. A total of 46 responses were received providing a 33% return rate.

Signage	Permanent	Temporary	No option selected
Response	9	23	14
Percentage	20%	50%	30%

There is a clear indication that installation of the signage is supported in the majority (70%) in recognition of the safety issues that exist. Those who did not select an option made comments to the effect that they did not believe signage was required and that it may only contribute to further parking issues in other streets in the area.

## COMMENT

It is recommended that Option 3 use of temporary signage each December be implemented.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1 APPROVES the use of temporary parking control signage in Fairway Circle, Connolly to be installed at the beginning of December and removed after Christmas each year; and**
- 2 AGREES that the temporary signage be located in the same positions as the current signage shown in Attachment 1 to Report CJ241-11/12.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 17 refers*

*To access this attachment on electronic document, click here: [Attach17brf131112.pdf](#)*

## **CJ242-11/12      BURNS BEACH ROAD - TRAFFIC NOISE MONITORING**

<b>WARD:</b>	North	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services	
<b>FILE NUMBER:</b>	37634, 04075, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Network 2 Routes
	Attachment 2	Location Plan of Noise Monitoring Site

---

### **PURPOSE**

For Council to consider information on the results of traffic noise tests on Burns Beach Road west of Joondalup Drive, Joondalup following a change in its status as a road freight route.

### **EXECUTIVE SUMMARY**

At its meeting held on 20 April 2010 (CJ063-04/10 refers), Council approved Burns Beach Road from Marmion Avenue to Joondalup Drive as a Network 2 Restricted Access Vehicle road for a trial period of two years. During this period traffic noise monitoring was to be undertaken between Joondalup Drive and Mitchell Freeway with results due to be reported to Council by December 2011.

The report to Council in December 2011 was deferred as the noise monitoring in November 2011 indicated only a minimal noise increase and had no supporting traffic volume counts. Noise monitoring and traffic counts undertaken in July and August 2012 were used along with the 2011 data to determine if there had been any change in noise levels due to the change in status from Network 1 to Network 2. The results of the monitoring indicate a minor increase in noise levels and traffic volumes from 2010 to 2012.

*It is recommended that Council:*

*APPROVES Burns Beach Road, Marmion Avenue to Joondalup Drive as a Network 2 Restricted Access Vehicle Route subject to:*

- 1 Network 2 type vehicles to travel at a maximum speed of 10 kilometres per hour less than the posted speed limit; and*
- 2 Network 2 type vehicles are restricted to between the hours of 6.00am and 8.00pm.*

### **BACKGROUND**

At its meeting held on 20 April 2010 (CJ063-04/10 refers), Council:

- 1 Approved Burns Beach Road from Marmion Avenue to Joondalup Drive as a Network 2 Restricted Access Vehicle road for a period of 2 years, with the conditions as shown on Attachment 6, subject to Report CJ063-04/10 subject to regular MRWA surveillance of Heavy and Restricted Access Vehicle usage;*

- 2 *Requested MRWA undertake a full safety assessment of Burns Beach Road between Joondalup Drive and Mitchell Freeway in accordance with relevant National Standards and State Regulations; and*
- 3 *Approved vehicle traffic noise monitoring on Burns Beach Road between Joondalup Drive and Mitchell Freeway and report results to Council by December 2011.*

The trial period would enable the City to monitor traffic noise and volumes and would provide information regarding any increase in noise levels on Burns Beach Road as a result of a change in status of Burns Beach Road from a Network 1 to a Network 2.

The initial status change was requested by Main Roads WA (MRWA) to improve freight efficiency and accommodate different combinations of trucks and trailers. This was in response to a request from the owners of market gardens in north-east Wanneroo wishing to use Burns Beach Road and the new freeway extension to transport their produce to markets in the south metropolitan region. Network 1 type vehicles are a maximum length of 20 metres and weight of 50 tonnes, while Network 2 type vehicles are a maximum of 27.5 metres and 67.5 tonnes. Typically Network 2 type vehicles are prime mover/rigid truck and long trailer or double semi-trailer.

The advice from MRWA at the time was that the increase in noise would be minimal as only the trailer/semi-trailer configuration would vary and therefore the main noise generator, the engine and exhaust of the prime mover, would not change. Additional tyre noise would however be generated by the longer Network 2 type vehicle.

Council's approval of the change in status was subject to a time limit of two years, with Network 2 type vehicles to travel at a maximum speed of 10 kmh less than the posted speed limit and only between 6.00am and 8.00pm. In June 2010, MRWA undertook a safety assessment in accordance with its guidelines and endorsed this section of Burns Beach Road as suitable for Network 2 type vehicles. The City subsequently endorsed the gazettal for a two year trial that was approved on 20 September 2010. Attachment 1 to Report CJ242-11/12 details all the Network 2 routes within the City including Burns Beach Road. The trial period was due to end 19 September 2012 and would include a review of traffic noise levels. The City performed noise monitoring and traffic counts during and towards the end of the trial period to be able to fully advise Council of any increase in noise over this period.

## **DETAILS**

The noise testing site was located in Kastorias Close, Joondalup on the section of Burns Beach Road where there is a gradient up from Joondalup Drive and where residences are relatively close to the southern carriageway. The testing was undertaken by an acoustical engineering consulting company during August 2010 (prior to gazettal), November 2011, and July/August 2012.

Testing was undertaken using an automatic noise data logger in accordance with Main Roads WA and Australian Standards. The data logger for all monitoring periods was located at the end of Kastorias Close, Joondalup as shown at Attachment 2 to Report CJ242-11/12.

The summary of the noise monitoring results are shown below:

Test Period	Day time - 6am to 10pm
2010 Monitoring - 11/8/2010 to 20/8/2010 Weekday Average dB(A)	68.2
2011 Monitoring - 2/11/2011 to 11/11/2011 Weekday Average dB(A)	69.4
2012 Monitoring - 26/7/2012 to 29/8/2012 Weekday Average dB(A)	69.3
Change 2010 to 2011 dB(A)	1.2
Change 2011 to 2012 dB(A)	-0.1
Change 2010 to 2012 dB(A)	1.1

The table indicates that there was a minor increase in noise levels from 2010 to 2011 and a decrease 2011 to 2012 during operation of the Network 2 route. The acoustic consultant analysed traffic data from 2010 and 2012 and reported that traffic levels had increased by around 1% with a 0.6% increase in heavy vehicles during the trial period.

The acoustic consultant advised that:

- a 10dB increase is noticeably louder whilst a 3dB(A) noise level increase is just noticeable and at the limit of human perception; and
- as the noise increase was only 1.1 dB(A) it could be concluded that the change in the network road type had not altered the noise level significantly.

Since this section of Burns Beach Road was gazetted for trial usage by Network 2 type vehicles in September 2010, the City has received three noise complaints from residents living near to Burns Beach Road compared to five complaints prior to the approval. The complaints were about an increase in traffic noise generally. It is considered that the complaints are related to the increase in traffic volumes on Burns Beach Road due to the extension of the Mitchell Freeway and not specifically the change to a Network 2 route.

#### Issues and options considered:

The two options that have been considered in relation to this issue are:

- 1 Approve Burns Beach Road from Marmion Avenue to Joondalup Drive as a Network 2 route with the conditions previously used:
  - Vehicles to travel at a maximum speed of 10 kilometres per hour less than the posted speed limit; and
  - Network 2 type vehicles restricted to between 6.00am and 8.00pm.
- 2 Withdraw approval of Burns Beach Road Marmion Avenue to Joondalup Drive as a Network 2 route.

Option 1 enables continued usage by road freight operators. Noise testing to date has not drawn conclusive evidence that the slight increase is attributable to Network 2 type vehicles.

Option 2 would require consultation with MRWA and network operators to provide alternative routes. It would also force any operators using Marmion Avenue or the Mitchell Freeway to use Hodges Drive or Joondalup Drive as the access routes to the freeway. This would affect traffic congestion on those roads and particularly Joondalup Drive which is the main distributor road to the Joondalup City Centre and adjacent businesses. Keeping this type of traffic on the Mitchell Freeway also means that operators are using the more direct route to their destination and reducing wear and tear on the City roads.

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

**Legislation** Not Applicable.

**Strategic Community Plan**

**Key Theme:** Quality Urban Environment.

**Objective:** Integrated Spaces.

**Policy:**

Not Applicable.

**Risk Management Considerations:**

Approval as a Network 2 route provides certainty to network users and operators however at a small loss of amenity to residents adjacent to Burns Beach Road through a minor increase in traffic noise. This risk can be managed through monitoring by MRWA to ensure full compliance with the City's Network 2 conditions in terms of speeds and times of use and MRWA's regulations regarding vehicle lengths and gross combination mass.

Investigation of the last five years of traffic crashes indicated there has been only one crash in the heavy commercial classes of vehicles on the section of Burns Beach Road west of the Freeway and this occurred in 2009 before the Network 2 approval date of 20 September 2012. The crash involved property damage with no personal injury.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

The status change from Network 1 to Network 2 of this section of Burns Beach Road was initiated by MRWA on the basis of improving freight efficiency and has benefits across the region.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

## COMMENT

The City has undertaken traffic noise monitoring to determine if there has been a change in traffic noise levels along the section of Burns Beach Road, Joondalup Drive to the Mitchell Freeway due to the trial change in status of the freight route from Network 1 to Network 2. The results indicate there has been a minimal increase [1.1 dB(A)] in the level of noise and that this increase is considered less than the threshold of human perception.

Given the minor increase in traffic noise it is recommended that Council approve the permanent gazettal of Burns Beach Road between Joondalup Drive and the Mitchell Freeway to a Network 2 Restricted Access Vehicle route subject to conditions and compliance monitoring.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council APPROVES Burns Beach Road, Marmion Avenue to Joondalup Drive as a Network 2 Restricted Access Vehicle Route subject to:**

- 1 Network 2 type vehicles to travel at a maximum speed of 10 kilometres per hour less than the posted speed limit; and**
- 2 Network 2 type vehicles are restricted to between the hours of 6.00am and 8.00pm.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 18 refers*

*To access this attachment on electronic document, click here: [Attach18brf131112.pdf](#)*

**STRATEGIC FINANCIAL MANAGEMENT COMMITTEE REPORTS – 24 OCTOBER 2012****CJ243-11/12      PROGRESS REPORT ON THE PROPOSED  
DISPOSAL OF LOTS 642/643 (57) MARRI ROAD,  
DUNCRAIG**

<b>WARD:</b>	South
<b>RESPONSIBLE DIRECTOR:</b>	Mr Garry Hunt Chief Executive Officer
<b>FILE NUMBER:</b>	63627, 27459, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Location Plan of Lots 642/643 (57) Marri Road, Duncraig

---

**PURPOSE**

For Council to consider progress on the proposed disposal of Lots 642/643 (57) Marri Road, Duncraig.

**EXECUTIVE SUMMARY**

A status report on the progress of the 13 City properties proposed for disposal was submitted to the Strategic Financial Management Committee meeting held on 9 July 2012. With regard to the above property, where the main part of the building is leased by the Department of Education, an offer was to be made to the Department of Education to purchase the land in accordance with the relevant legislation. The response to this offer was to be reported back to the Strategic Financial Management Committee. The offer was made and the Department of Education has advised that it is not interested in purchasing Lots 642/643 (57) Marri Road, Duncraig.

The lease with the Department of Education expires on 31 October 2013, and based on the fact that the current zoning is Residential/R20 and the Department of Health's Child and Adolescent Community Health Service (CACHS) also operating from that facility is to be relocated, the site will be available for sale from approximately November 2013. Although, the Department of Education has rejected ownership of the facility, it has requested a five year lease, with a five year option.

The City is currently examining 13 sites for potential disposal, six of which are available. Council may consider offering the Department of Education a five year lease (without an option), or potentially a shorter term, as part of a phasing of the sale of the 13 sites. Contact could be made with the Department of Education to ascertain if a two or three year arrangement suits its purpose.

*It is recommended that Council:*

- 1      *NOTES that the Department of Education has rejected Council's offer to purchase Lots 642/643 (57) Marri Road, Duncraig;*

- 2 *ENDORSES the Department of Education being contacted to discuss the option of a short term lease arrangement from 1 November 2013, at a rent to be determined by a market valuation; and*
- 3 *NOTES that the outcome of the discussion with the Department of Education will be reported to the next meeting of the Strategic Financial Management Committee.*

## **BACKGROUND**

A status report on the progress of the 13 City properties proposed for disposal was submitted to the Strategic Financial Management Committee meeting held on 9 July 2012 with the minutes of that meeting considered by Council at its meeting held on 24 July 2012 (CJ143-07/12 refers). The resolution related to the subject property was:

*That Council:*

- 1 *SUPPORTS the Department of Education being offered the opportunity to purchase Lots 642/643 Marri Road, Duncraig in accordance with the requirements of Section 3.58 of the Local Government Act 1995;*
- 2 *NOTES that any formal offer from the Department of Education in relation to Part 3 above will be presented to Council for consideration; and*
- 3 *NOTES that a further status update in relation to Parts 3 and 4 above will be submitted to the Strategic Financial Committee meeting to be held on 15 October 2012.*

## **DETAILS**

At the time of the negotiations with the Department of Education on the current five year lease, the intent was for the Marri Road pre-school program to be transferred to the main school campus at Duncraig Primary School by the end of the current lease period (31 October 2013). However, as detailed in the report to the Strategic Financial Management Committee meeting held on 9 July 2012, the Department of Education has now expressed an interest in renewing a lease with the City for a five year term, with a five year option.

Based on this intent to relocate the pre-school program, and as part of the City examining the future options with regard to its aging building portfolio, the City also negotiated with the CACHS to relocate the Duncraig CHC service based at Marri Road, Duncraig to the Carine Child Health Centre at Lot 159 (487L) Beach Road, Duncraig. Redevelopment and relocation costs associated with this transfer are estimated to be approximately \$184,000. This matter was detailed in a separate report to the Strategic Financial Management Committee meeting held on 9 July 2012.

In line with Council's resolution of 24 July 2012 detailed above, the Department of Education was offered the option to purchase the site and in its response dated 15 August 2012 indicated to the City that it had no interest in this proposal.

**Issues and options considered:**

The City's future intent for this site is for it to be disposed of, with the proceeds of the sale being included in the Joondalup Performing Arts and Cultural Facility Reserve Fund.

At the time of obtaining valuations on the 13 properties being examined for disposal, it was reported to the Strategic Financial Management Committee at its meeting held on 8 March 2011, that rezoning Lots 642/643 (57) Marri Road from Residential Development/R20 to Residential/R40 (Restricted Use – Aged Persons Housing) may be the best financial option. A revaluation of the Marri Road site will be required once the disposal of the site is imminent.

The City currently has six of the 13 properties that are in a position to be disposed of and advice is being sought from commercial real estate professionals as to the most effective timing of these properties to go to market. The potential recommendation may be that the most commercially viable approach is a phasing strategy and the outcome of the property professionals' advice will be submitted to the Strategic Financial Management Committee.

At its meeting held on 28 August 2007 (CJ168-08/07 refers), Council approved the application of market rentals in any future lease negotiations with the Department of Education and the market rental valuation for the Marri Road, Duncraig site at the time was \$17,000 per annum. Prior to the commencement of the five year lease on 1 November 2008, the Department of Education's annual rental had been subsidised. In order to mitigate the financial impact of paying a full commercial rent from a subsidised rent, Council agreed for the rent to be phased in annual increments of \$2,000 commencing at \$9,000 per annum in 2008. The full commercial rent being paid only in the final year of the lease period that is 1 November 2012 to 31 October 2013.

The fact that the Marri Road, Duncraig site is being utilised until at least October 2013 and that the City has a number of properties readily available for disposal, Council may wish to consider a continuation of the leasing arrangement with the Department of Education. Offering the Department of Education a five year lease, or holding over the lease for an agreed period with the Department of Education may satisfy the objectives of both the City and the Department of Education.

Should the Department of Education remain in the facility for a further five year period from 1 November 2013, there is potentially less urgency on the City's part for the relocation of the Duncraig CHC service based at the Marri Road facility. The relocation of the Duncraig CHC service from Marri Road, Duncraig is part of the City's rationalisation of facilities that accommodate CHCs. The main area of the subject facility being vacated by the Department of Education in 2013 was part of the rationale to relocate the child health service from Marri Road and therefore releasing Lots 642/643 for disposal.

Option 1 - Support the Department of Education's request for a five year lease with a five year option.

The Department of Education's request for a five year lease plus a five year option has the potential to restrict the sale of the Marri Road, Duncraig site for 10 years, which is possibly contrary to Council's overall strategy for the 13 disposal sites.

Option 2 – Support a five year lease being offered to the Department of Education with no option.

A lease arrangement could be offered to the Department of Education conditional upon the Department of Education accepting that the rent on commencement will be that which is indicated by a market review when instructed mid-2013. This rental would then coincide for a new five year lease from 1 November 2013 to 31 October 2018.

The fact the Department of Education has requested a five year lease with a five year option and is aware of the Council's intent to consider the Department of Education as a commercial tenant, would appear to indicate that the Department of Education is prepared to pay commercial rates over a 10 year overall term. Therefore, an increased annual rent, with the relatively standard and therefore acceptable approach of 5% annual increments over the course of a new five year lease, may have potential.

It may be considered appropriate that the offer of lease for a five year term is non-negotiable.

Option 3 – Holding over the current lease for an agreed period.

Should it be considered that a five year term from 1 November 2013 is excessive, an agreement with the Department of Education for a short term lease arrangement may be suitable.

Option 4 – No offer of lease being made to the Department of Education.

As the offer to purchase has been rejected by the Department of Education, should the City not make any new leasing arrangements with the Department of Education, the premises will be vacated at the lease expiry date of 31 October 2013, or before.

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

**Legislation:** Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property.

### **Strategic Community Plan**

**Key Theme:** Community Wellbeing.

**Objective:** Effective Management.

**Objective:** Quality Facilities.

### **Policy**

City Policy – Asset Management.

To ensure the organisation undertakes a structured and coordinated approach to asset management that will promote sustainable infrastructure for the City of Joondalup.

City Policy – Sustainability.

To establish the City's position on its responsibility towards developing, achieving and maintaining a sustainable community.

**Risk Management Considerations:**

Strict compliance with the requirements of the relevant sections of the *Local Government Act 1995* and associated Regulations is necessary, which are designed to ensure openness and accountability in the disposal process.

**Financial/Budget Implications:**

The highest and best valuation dated 24 May 2010 for this site was \$890,000 for a Residential/R20 zone with a condition on the contract of sale restricting the use to 'Aged Persons' Dwellings. Aged persons accommodation can be non-rateable and therefore impact on the City's annual revenue stream.

Should a five year lease agreement be negotiated with the Department of Education, there is the potential for the City to realise approximately \$100,000 over the course of the five years.

The City is not proposing any major renewal works for the Marri Road, Duncraig facility over the course of the proposed new lease period. Utility payments and the maintenance of the facility are dealt with by the Department of Education under the terms of the lease.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose.

Should the land be developed for aged persons' dwellings, it will provide alternative housing choices for the City's ageing population to remain within their local area.

Council has agreed that the proceeds from the sale of this lot are to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

**Consultation**

With regard to the future of this facility, ongoing communication has taken place between the City, the CACHS and the Department of Education. Both the Department of Education and the CACHS will need to consult extensively with their parents/clients prior to implementing any transfer of their services.

**COMMENT**

The Department of Education has indicated that it does not wish to purchase Lots 642/643 (57/59) Marri Road, Duncraig from the City, therefore under the current lease arrangement the Department of Education is to vacate the building prior to 1 November 2013.

The Duncraig CHC also based at Marri Road has been earmarked for relocation to the City's facility based at (487) Beach Road, Duncraig (former Davallia Pre-School leased area) that currently accommodates the Carine CHC. Based on when the relocation of the CHC service takes place and that an amendment to the DPS2 is not undertaken, it is possible that the Marri Road site is available for disposal from the end of the current lease period 1 November 2013.

Council may consider that as the Department of Education did not wish to purchase the site, then the course of action should be to ensure that the building is vacant and therefore ready for disposal at the end of the Department of Education's lease period. Conversely, given that the City has a number of sites already available for disposal, Council may consider that continuing with a lease arrangement with the Department of Education for a short period is an option to be considered.

### **VOTING REQUIREMENTS**

Simple Majority.

### **COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Strategic Financial Management Committee at its meeting held on 24 October 2012.

The original recommendation as presented by City officers to the Committee is as follows:

*That Council:*

- 1 *NOTES that the Department of Education has rejected Council's offer to purchase Lots 642/643 (57) Marri Road, Duncraig;*
- 2 *ENDORSES the Department of Education being contacted to discuss the option of a short term lease arrangement from 1 November 2013, at a rent to be determined by a market valuation; and*
- 3 *NOTES that the outcome of the discussion with the Department of Education will be reported to the next meeting of the Strategic Financial Management Committee.*

The Committee's subsequent recommendation to the Council is as follows (changes identified):

*That Council:*

- 1 *NOTES that the Department of Education has rejected Council's offer to purchase Lots 642/643 (57/59) Marri Road, Duncraig;*
- 2 *ENDORSES the Department of Education being offered a three year lease from 1 November 2013 with an annual rent at commencement that is subject to a market valuation and increases thereafter of 5% per annum;*

- 3 DISPOSES of the land at Lots 642/643 (57/59) Marri Road, Duncraig at the conclusion of the lease term in Part 2 above; and
- 4 ADVISES the Department of Education that the City does not see it as its role to provide long term strategic facilities for educational purposes.

**MOVED Cr Norman, SECONDED Cr Hollywood that Council:**

- 1 NOTES that the Department of Education has rejected Council's offer to purchase Lots 642/643 (57/59) Marri Road, Duncraig;**
- 2 ENDORSES the Department of Education being offered a three year lease from 1 November 2013 with an annual rent at commencement that is subject to a market valuation and increases thereafter of 5% per annum;**
- 3 DISPOSES of the land at Lots 642/643 (57/59) Marri Road, Duncraig at the conclusion of the lease term in Part 2 above; and**
- 4 ADVISES the Department of Education that the City does not see it as its role to provide long term strategic facilities for educational purposes.**

**The Motion was Put and**

**CARRIED (8/1)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

**Against the Motion:** Cr Corr.

*Appendix 19 refers*

To access this attachment on electronic document, click here: [Attach19brf131112.pdf](#)

**CJ244-11/12      20 YEAR STRATEGIC FINANCIAL PLAN**

---

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	52582
<b>ATTACHMENTS:</b>	Attachment 1      Draft 20 Year Strategic Financial Plan 2011 - 2031

---

**PURPOSE**

For Council to adopt the Draft 20 Year Strategic Financial Plan.

**EXECUTIVE SUMMARY**

The City's previous 20 Year Strategic Financial Plan was adopted in 2009 (CJ226-10/09 refers). A new 20 Year Strategic Financial Plan has been developed during the past year, with the Strategic Financial Management Committee having considered reports on its development at its meetings on 20 February 2012, 16 April 2012 and 9 July 2012.

At the 9 July 2012 meeting the Strategic Financial Management Committee recommended and Council at its July meeting (CJ138-07/12 refers) subsequently endorsed the projections and proposals of the draft 20 Year Strategic Financial Plan and requested that it be progressed to a final version that meets the requirements of the Department of Local Government's Long Term Financial Planning Framework and Guidelines, for the Strategic Financial Management Committee's further consideration and recommendation to Council.

This report presents the final version of the 20 Year Strategic Financial Plan with the proposed changes and addresses the request in relation to compliance with the Department of Local Government's Long Term Financial Planning Framework and Guidelines.

*It is recommended that Council ADOPTS the Draft 20 Year Strategic Financial Plan 2011 – 2031 as detailed in Attachment 1 to Report CJ244-11/12.*

**BACKGROUND**

A new 20 Year Strategic Financial Plan has been developed during the past year, with the Strategic Financial Management Committee having considered reports on its development at its meetings on 20 February 2012, 16 April 2012 and 9 July 2012. The 20 Year Strategic Financial Plan has been developed to replace the previous 20 Year Strategic Financial Plan adopted in 2009. It has also been developed to meet the new requirements of the Department of Local Government's Long Term Financial Planning Framework and Guidelines.

At its meeting held on 24 July 2012 (CJ138-07/12 refers), Council considered the recommendation from the Strategic Financial Management Committee meeting of 9 July 2012 and resolved as follows:

*That Council:*

- 1 *ENDORSES the projections and proposals of the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 as summarised in Attachments 2 to 6 to Report CJ138-07/12;*
- 2 *REQUESTS that the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 be progressed to a final version, that meets the requirements of the Department of Local Government's Long Term Financial Planning Framework and Guidelines, for consideration and recommendation to Council for adoption; and*
- 3 *ADOPTS the revised 20 Year Strategic Financial Plan - Guiding Principles Statement, forming Attachment 1 to Report CJ138-07/12, modified as follows:*

*Key Elements/Assumptions*

*Annual Process – The 20 Year Strategic Financial Plan will be prepared and reviewed during the first quarter of each financial year by the Administration for submission to the Strategic Financial Management Committee in the second quarter for consideration. This will enable the 20 Year Strategic Financial Plan to be used as an enabler to the Budget setting process for the following year.*

**DETAILS**

Before considering the detail of the report there is a disclaimer that needs to be made.

Disclaimer

*Readers of the 20 Year Strategic Financial Plan should note that the document is used predominantly as a planning tool. As such it is based on many assumptions and includes several projects and proposals that in some cases:*

- Have been approved by Council and are in progress;*
- Have been considered by Council but are yet to receive final approval;*
- Have only been considered by Elected Members at a strategy level;*
- Have only been considered by officers; and*
- Are operational in nature and based on the continued provision of services and maintenance of City assets and infrastructure in accordance with management and other plans.*

*Any of the assumptions and any of the projects or proposals not already approved could prove to be inaccurate both as to likely requirement, timing and financial estimates or may not come to pass at all. They have, however, been included based on the best available information and knowledge to hand at this time in relation to likely requirement, timing and financial estimates. Adoption of the 20 Year Strategic Financial Plan by Council does not constitute a commitment or agreement to any of the projects or proposals that have not already been approved or the financial estimates and projection.*

## Issues and options considered:

### Explanation of the Strategic Financial Plan

In preparing the 20 Year Strategic Financial Plan, the Department of Local Government Long Term Financial Planning Framework and Guidelines has been used as the principal reference point in terms of form and content.

The Department of Local Government has published a model Long Term Financial Planning with supporting templates. The City has generally followed the model with the principal difference being that the City's Strategic Financial Plan extends over 20 years rather than the model's 10 years. For major projects in particular, 10 years is not considered a sufficient timeframe to cover the long lead times for development, planning and eventual implementation. The contents of the Strategic Financial Plan are summarised in Table 1 below:

Table 1 – Explanation of the Strategic Financial Plan

Pages	Reference	Details
2 to 6	Sections 1 to 3	<ul style="list-style-type: none"> <li>○ Introductory sections, explaining the purpose of the Strategic Financial Plan, executive summary and description of the City of Joondalup.</li> </ul>
7 to 13	Sections 4 to 7	<ul style="list-style-type: none"> <li>○ These four sections explain how the Strategic Financial Plan was produced.</li> <li>○ Includes: <ul style="list-style-type: none"> <li>● Summary of the guiding principles used to produce the projections.</li> <li>● Comments regarding the Asset Management Policy and 5 Year Capital Works Program.</li> <li>● Comments regarding Workforce Planning.</li> <li>● Details of the day to day assumptions (e.g. labour costs) and the major projects (no change to those included in the report to the July 2012 Strategic Financial Management Committee meeting) summarised by year of completion.</li> </ul> </li> </ul>
14 to 34	Sections 8 to 9	<ul style="list-style-type: none"> <li>○ These two sections explain the indicator projections and the supporting schedules.</li> <li>○ Includes: <ul style="list-style-type: none"> <li>● For each of the Department of Local Government Key Indicators commentary on the standard achieved and an explanation where the standard is not achieved.</li> <li>● The funding assumptions assumed for major projects as set out in the supporting schedules.</li> </ul> </li> </ul>
35 to 39	Sections 10 to 11	<ul style="list-style-type: none"> <li>○ Analysis of risk and scenario analysis.</li> </ul>
40 to 42	Appendix 1	<ul style="list-style-type: none"> <li>○ 20 Year Strategic Financial Plan - Guiding Principles Statement as amended by Council 24 July 2012.</li> </ul>
43	Appendix 2	<ul style="list-style-type: none"> <li>○ Explanation of the four Financial Statements included as part of the Strategic Financial Plan and described below.</li> </ul>

Pages	Reference	Details
44 to 52	<b>Financial Statements FS1 to FS4</b>	<ul style="list-style-type: none"> <li>○ The supporting Financial Statements to the Strategic Financial Plan.</li> <li>○ The Financial Statements are: <ul style="list-style-type: none"> <li>• As per the Department of Local Government Long Term Financial Planning Framework and Guidelines (note Statement of Financial Position and Equity Statement have been combined as a single statement).</li> <li>• The same statements required for the Budget and Annual Financial Statements.</li> <li>• Each followed by a table that explains each line.</li> </ul> </li> </ul>
53 to 63	<b>Supporting Schedules SS1 to SS7</b>	<ul style="list-style-type: none"> <li>○ Seven supporting schedules provide additional detail on calculations and projections.</li> </ul>

In summary, the 20 Year Strategic Financial Plan meets the requirements of the Department of Local Government Long Term Financial Planning Framework and Guidelines for a Long Term Financial Planning by June 2013.

#### Projections Have Not Changed Since July 2012 Strategic Financial Management Committee.

There are no changes to the financial projections included in the Strategic Financial Plan at Attachment 1 to those presented to the Strategic Financial Management Committee on 9 July 2012.

Some of the Key Indicator calculations, required by the Department of Local Government Long Term Financial Planning Framework and Guidelines, have changed since the last report to the Strategic Financial Management Committee on 9 July 2012. Clarification was sought because the calculations for some indicators published in the *Local Government (Financial Management) Regulations 1996*, which were amended in April 2012, were different to the calculations included in the Department of Local Government Integrated Planning and Reporting Advisory Standard. Table 2 below compares the ratio as reported at 9 July 2012 compared to the values now included in the updated Strategic Financial Plan (Attachment 1 refers). The values shown in the table below are the average over 20 years.

Table 2 – Key Indicators Change to the ratio shown at July 2012.

Ref	Key Indicator	July 2012	Oct 2012
1	<b>Operating Surplus Ratio</b>	0.5%	2.4%
2	<b>Own Source Revenue Coverage Ratio</b>	99%	99%
3	<b>Current Ratio</b>	164%	164%
4	<b>Debt Service Coverage Ratio</b>	9.7	7.6
5	<b>Asset Sustainability</b>	89%	89%
6	<b>Asset Renewal Funding Ratio</b>	Not calculated	100%
7	<b>Asset Consumption Ratio *</b>	Not calculated	Not calculated

\* Note: The Asset Consumption Ratio is currently unable to be calculated because it requires the current replacement cost of depreciable assets. These will be compiled during 2012/13.

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

**Legislation** Section 5.56 of the *Local Government Act 1995*.

“(1) *A local government is to plan for the future of the district.*”

**Strategic Community Plan**

**Key Theme:** Governance and Leadership.

**Objective:** Strong Leadership.

**Policy**

Not Applicable.

**Risk Management Considerations:**

The plan is based on many assumptions. There is a risk that those assumptions could be wrong or may not come to pass, however, it is a planning tool and the City is not committed to anything in the plan by virtue of endorsing it. Periodic review and update of the plan will ensure that it remains a relevant and useful document to manage the City's financial affairs into the future.

Further consideration of risk is covered in section 10 of the 20 Year Strategic Financial Plan (Attachment 1 refers).

**Financial/Budget Implications:**

The 20 Year Strategic Financial Plan represents projections and estimates, based on many assumptions and is a primary planning tool for the development of future budgets. Adoption of the 20 Year Strategic Financial Plan, however, does not constitute a commitment or agreement by the City to the projects and proposals it contains or the financial estimates and projections included in the 20 Year Strategic Financial Plan (Attachment 1 refers).

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The 20 Year Strategic Financial Plan represents the primary and key strategic financial planning document for the City and has a direct bearing on planning for the financial sustainability of the City.

**Consultation:**

The 20 Year Strategic Financial Plan has been prepared after extensive consultation with City Business Units and the Strategic Financial Management Committee at three previous meetings on 20 February 2012, 16 April 2012 and 9 July 2012.

## COMMENT

The Draft 20 Year Strategic Financial Plan 2011 – 2031 (Attachment 1 refers) sets out a significant program of works and projects for the City of Joondalup over the next 20 years.

These are in keeping with and represent the Joondalup 2022 vision for the City: *“A global City: bold, creative and prosperous”*.

Although the program is ambitious it is achievable with financial discipline and the 20 Year Strategic Financial Plan maps out how this can be done.

The Draft 20 Year Strategic Financial Plan 2011 – 2031 replaces the previous 20 Year Strategic Financial Plan adopted in 2009 and also meets the requirements of the Department of Local Government for a Long Term Financial Planning to be adopted by June 2013.

Of the seven Department of Local Government Integrated Planning and Reporting Advisory Standards the 20 Year Strategic Financial Plan shows the City meets and achieves advanced standard in all or most years of the Strategic Financial Plan for four of the key indicators. It is acknowledged, however, that the 20 Year Strategic Financial Plan does not meet all of the standards and work is still required particularly in relation to compiling assets data.

The most difficult standard is the Operating Surplus Ratio. The City does not achieve the standard in only four of the 20 years of the 20 Year Strategic Financial Plan and these are in the very early years. Over the rest of the life of the 20 Year Strategic Financial Plan, however, the advanced standard is never achieved. The advanced standard requires an Operating Surplus Ratio of greater than 15%. A ratio of this size would invariably require significant operating surpluses to be generated. It is difficult to understand the necessity for this level of surplus and the City's approach has been not to generate significant surpluses for which there is no specific purpose.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Strategic Financial Management Committee at its meeting held on 24 October 2012.

The original recommendation as presented by City officers to the Committee is as follows:

*That Council ADOPTS the Draft 20 Year Strategic Financial Plan 2011 – 2031 as as detailed in Attachment 1 to this Report.*

The Committee's subsequent recommendation to the Council is as follows (changes identified):

*That Council:*

- 1 *ADOPTS the Draft 20 Year Strategic Financial Plan 2011 – 2031 as detailed in Attachment 1 to this Report; and*
- 2 *REQUESTS the administration to write to the Minister of Local Government highlighting the inappropriate level set for the operating surplus ratio as specified in the Department of Local Government's Advisory Standards and request an urgent review of the ratio to a more appropriate level that reflects the nature of local government operations.*

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1 **ADOPTS the Draft 20 Year Strategic Financial Plan 2011 – 2031 as detailed in Attachment 1 to Report CJ244-11/12; and**
- 2 **REQUESTS the administration to write to the Minister of Local Government highlighting the inappropriate level set for the operating surplus ratio as specified in the Department of Local Government's Advisory Standards and request an urgent review of the ratio to a more appropriate level that reflects the nature of local government operations.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 20 refers*

*To access this attachment on electronic document, click here: [Attach20brf131112.pdf](#)*

**CJ245-11/12      POTENTIAL DISPOSAL OF AREA OF LAND WITHIN  
CITY FREEHOLD LOT 549 (11) MOOLANDA  
BOULEVARD, KINGSLEY**

<b>WARD:</b>	South-East	
<b>RESPONSIBLE:</b>	Mr Garry Hunt Chief Executive Officer	
<b>FILE NUMBER:</b>	63627	
<b>ATTACHMENTS:</b>	Attachment 1	Location Plan of Lot 549 (11) Moolanda Boulevard, Kingsley
	Attachment 2	Draft Design for New Lot and Car Park

---

**PURPOSE**

For Council to consider further information on the proposed disposal of part of Lot 549 (11) Moolanda Boulevard, Kingsley.

**EXECUTIVE SUMMARY**

Lot 549 is a City owned battle-axed site at the rear of Boulevard Plaza Shopping Centre, with two leased facilities on the land. Lot 549 has MASONIC Care WA's (MCWA) retirement village on its southern boundary and Calthorpe Park on its northern boundary (Attachment 1 refers).

Consultation with adjacent landowners/occupiers to Lot 549 resulted in only MCWA having an interest in purchasing and developing an area of vacant land from Lot 549. The City was considering the sale of 2,800m<sup>2</sup> originally, however, the MCWA requested the area be increased to 4,040m<sup>2</sup>. This required the reconfiguration of the existing car park on Lot 549 that is utilised by two lessees – Silver Chain Nursing Association Inc and Community Vision Inc. The lessees have been advised that it is envisaged that reconfiguration of the car park will not reduce their current car bay allocation.

The MCWA submitted an offer to the City of \$427,500 for a land area of 4,040m<sup>2</sup> and based on the general valuation information that the City had received for this site, this offer was considered to be potentially half of the land area's market value. Council rejected the MCWA's offer at its meeting held on 15 May 2012 (CJ096-05/12 refers) and requested that other opportunities be examined for the site.

Examination of other opportunities for the site has taken place in consultation with valuers and property consultants and the advice is that selling the land to adjoining landowners is the best outcome given the constraints to the site.

On receipt of the City's advice that the offer had been rejected, the MCWA requested that negotiations recommence. These negotiations have resulted in a conditional offer being made for an area of 4,040m<sup>2</sup> of Lot 549 (11) Moolanda Boulevard, Kingsley of \$1,050,000.

*It is recommended that Council:*

- 1 *ACCEPTS the conditional offer of \$1,050,000 made by MASONIC Care WA – by private treaty - for an area of approximately 4,040m<sup>2</sup> of Lot 549 (11) Moolanda Boulevard, Kingsley as detailed on Attachment 2 to this Report, subject to:*
  - 1.1 *the City, via the subdivision process creating a new Certificate of Title;*
  - 1.2 *the City, via the scheme amendment process rezoning the new lot to Residential/R20;*
  - 1.3 *the City, in accordance with Section 3.58(3) of the Local Government Act 1995 giving local public notice of the proposed disposition of the new lot created; and*
- 2 *REQUESTS that the subdivision application process commences for Lot 549 (11) Moolanda Boulevard, Kingsley.*

## **BACKGROUND**

A number of reports relating to the disposal potential of part of Lot 549 have been submitted to Strategic Financial Management Committee meetings and recommendations by the Strategic Financial Management Committee at these meetings have been adopted by Council on 15 March 2011 (CJ051-03/11 refers), 17 May 2011 (CJ091-05/11 refers), 19 July 2011 (CJ127-07/11 refers), 20 September 2011 (CJ171-09/11 refers), 20 March 2012 (CJ034-03/12 refers) and 15 May 2012 (CJ096-05/12 refers).

In the report to the meeting of the Strategic Financial Management Committee held on 8 March 2011, an area of approximately 2,800m<sup>2</sup> of land within Lot 549 was identified as having disposal potential and included an officer recommendation that land be rezoned to 'Residential/R40 Restricted Uses – Aged Persons' Dwelling'. However, the Strategic Financial Management Committee's recommendation to Council at its meeting held on 15 March 2011 (CJ051-03/11 refers) with regard to Lot 549 was that an additional report be submitted to the Strategic Financial Management Committee on the potential of disposal by private treaty.

The City contacted the adjoining landowners to Lot 549 to ascertain if there was any interest in purchasing the 2,800m<sup>2</sup> of land from within Lot 549 to develop for aged persons' dwellings; MCWA was the only adjoining landowner that had an interest in acquiring the site. Silver Chain and Community Vision Inc advised they had no interest in developing the land for that use. The Boulevard Plaza Shopping Centre Strata Manager verbally advised that there was no interest by the owners to acquire the land. The landowners' concerns are with regard to any proposed changes planned for the car parking 'strip.'

There exists a legal agreement on Lot 549 between the City and the strata owners of the Boulevard Plaza Shopping Centre which commenced on 6 April 1989 for a period of 99 years. The shopping centre owners constructed the car park and it allows for staff/customers of the shopping centre access and egress to and from the subject strip. The agreement states that during its term, the land will only be used as a car park and the City will make reasonable regulations for use of the car parking bays located on the strip.

The legal agreement cannot be assigned or transferred without the prior written consent of each of the other parties. It is also 'appended' to the land, therefore, should Lot 549 be sold, the new owners of the land would be required to enter into a similar arrangement.

At its meeting held on 19 July 2011 (CJ127-07/11 refers), Council provided in-principle support for the area of approximately 2,800m<sup>2</sup> to be offered by private treaty to MCWA. On discussions with the MCWA, it was indicated that the MCWA would be interested in acquiring approximately 4,040m<sup>2</sup>.

This request was submitted to the Strategic Financial Management Committee and at Council's meeting held on 20 March 2012 (CJ034-03/12 refers), the previous resolution concerning the offer to the MCWA of an area of approximately 2,800m<sup>2</sup> was revoked by an absolute majority. Council provided its in-principle support to the disposal of approximately 4,040m<sup>2</sup>. The MCWA's formal offer was also requested to be presented to Council once received.

The City received a conditional offer from the MCWA on 4 April 2012 of \$427,500 (GST exclusive). On presentation of this offer to Council at its meeting held on 15 May 2012 (CJ096-05/12 refers), Council resolved (with regard to 11 Moolanda Boulevard, Kingsley) that it:

- 3.5 *REJECTS the formal offer of \$427,500 (excluding GST) received from the MASONIC Care WA for the purchase of Lot 549 (11) Moolanda Boulevard, Kingsley and PURSUES other development opportunities and sale options for the site.*

## **DETAILS**

Council's resolution was forwarded to the MCWA and the City began examining the other potential opportunities for development, however, options for the site had been examined on other occasions as part of the valuation process and advice from property consultants. Some of the matters raised by these professionals were as follows:

- Commercial options were limited due to lack of exposure – possibly some potential for secondary commercial development including office and/or medical/consulting use.
- Considered that there was no 'mixed use' potential (mixed residential/commercial development) due to being at the rear of a neighbourhood shopping centre.
- Due to location of subject site, vehicle access will provide challenges in the event that the land is developed.
- Based on access issues, potential disposal to Silver Chain or MASONIC Care WA would be more appropriate.

On receipt of the City's letter rejecting the MCWA's formal offer, the MCWA contacted the City and requested recommencement of the negotiations. It was agreed at the meeting that the City and the MCWA would jointly instruct a valuer in order that an up-to-date market valuation was available to both parties.

The City and the MCWA received a valuation of \$950,000 on 7 August 2012 and the valuer's advice was as follows:

*“As a result of the only logical purchaser being the adjoining owner, given the lack of direct access to this portion from a gazetted street, I have adopted the highest and best use of the site. This relates to the pro-rata or “before and after” market value of the subject property based on my adopted market value of the whole site (1 hectare).”*

The City also advised the MCWA that to create the 4,040m<sup>2</sup> land area, the reconfiguration works to the existing car park on Lot 549 would cost in the region of \$100,000.

The City received a conditional offer from MCWA dated 5 October 2012 of \$1,050,000 (exclusive of GST). The conditions are that:

- 1 The City is responsible for obtaining all relevant approvals and titles related to the subdivision of Lot 549;
- 2 The City undertakes an amendment to District Planning Scheme No. 2 to ensure that the land for sale to MCWA is appropriately zoned and coded so as to allow various aged persons' accommodation land uses; and
- 3 The City bears all costs associated with the above applications, processes and titles.

Issues and options to be considered

#### Option 1 – Reject the MCWA's Conditional Offer

The City could reject the MCWA's offer and potentially consider Expressions of Interest on the open market. On examination of the options for the site, it is clear that any other party developing the vacant area within Lot 549, other than an adjoining landowner, creates a number of planning issues. These issues have the potential to make the property totally unattractive to developers, or unattractive to a point where the City only receives low offers.

#### Option 2 – Accept the MCWA's Conditional Offer

The MCWA's formal offer of \$1,050,000 is \$100,000 above the joint valuation for the subject land area of 4040m<sup>2</sup>. The MCWA appears to have taken into account the City's estimated construction costs for the reconfiguration of the car park on Lot 549. The MCWA require the City to undertake the necessary applications, together with the costs, to subdivide the land and create the titles. The MCWA also require the land to be appropriately zoned, at the City's cost to allow for '*various aged persons accommodation land uses.*'

Based on the MCWA's request for 4,040m<sup>2</sup>, the City drafted a concept plan showing a proposed redesign of the car park that indicated that approximately 4,040m<sup>2</sup> was available for disposal to MCWA (Attachment 2 refers). Two City lessees, Silver Chain and Community Vision, have not raised any objections to the disposal but have requested that the current number of their parking spaces be maintained. Advice to the lessees has been that a reduction in car bays for the leased premises is not envisaged.

The City will need to manage the inconvenience of the car park works in consultation with its lessees.

#### Legislation

Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property.

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

**Legislation:** Not Applicable.

**Strategic Community Plan**

**Key Theme:** Community Wellbeing.

**Objective:** Quality Facilities.

**Policy**

City Policy – Asset Management.

To ensure the organisation undertakes a structured and coordinated approach to asset management that will promote sustainable infrastructure for the City of Joondalup.

City Policy – Sustainability.

To establish the City's position on its responsibility towards developing, achieving and maintaining a sustainable community.

**Risk Management Considerations:**

Strict compliance with the requirements of the relevant sections of the *Local Government Act 1995* and associated Regulations is necessary, which are designed to ensure openness and accountability in the disposal process.

Should the offer from the MCWA be rejected and it is recommended that an area of land within Lot 549 is to be sold on the open market, there is a level of risk as to the proposed sale attracting an interested developer based on the constraints of the property.

**Financial/Budget Implications:**

Should the land be developed for aged persons' dwellings, such accommodation is generally non-rateable and would therefore impact on the City's annual revenue stream. A commercial development would produce a rates revenue stream to the City.

The costs for the reconfiguration of the car park on Lot 549 are estimated costs only.

Should the conditional offer be accepted, the City is to bear the costs of the amendment and subdivision processes and other costs associated with the land transfer.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Disposal of City freehold land that was acquired for community use should not be undertaken without there being a nominated purpose. Council considered that due to the ageing demographics of the community, it is purposeful to make available aged persons dwellings so that people can continue to reside in their local area.

**Consultation:**

The City has sought advice from valuers and property consultants and has met with landowners/occupiers adjacent to Lot 549 to ascertain their interest level in acquiring the land.

Due to changes in the legislation the minimum value at which local governments will be required to prepare and advertise a business plan has increased to \$10 million for metropolitan local governments and therefore the requirements of this section will no longer apply.

As an amendment to the City of Joondalup District Planning Scheme No.2 (DPS2) will be required, an advertising period will form part of that process.

**COMMENT**

From the advice received from valuers and planning consultants, an adjoining landowner purchasing the vacant land within Lot 549 is the best option given the constraints of the site.

The vacant land available for disposal within Lot 549 would be dependent on rezoning the site by an amendment to the DPS2, which may take approximately twelve months to finalise, in addition to an approved subdivision being in place. If the 4,040m<sup>2</sup> portion of land is approved for sale by private treaty to the MCWA, subdivision approval would be the first course action for the City to undertake, followed by rezoning the new lot.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Strategic Financial Management Committee at its meeting held on 24 October 2012.

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

**MOVED Cr Chester, SECONDED Mayor Pickard that Council:**

- 1 ACCEPTS the conditional offer of \$1,050,000 made by MASONIC Care WA – by private treaty - for an area of approximately 4,040m<sup>2</sup> of Lot 549 (11) Moolanda Boulevard, Kingsley as detailed on Attachment 2 to this Report, subject to:**
  - 1.1 the City, via the subdivision process creating a new Certificate of Title;**
  - 1.2 the City, via the scheme amendment process rezoning the new lot to Residential/R20;**

**1.3 the City, in accordance with Section 3.58(3) of the *Local Government Act 1995* giving local public notice of the proposed disposition of the new lot created; and**

**2 REQUESTS that the subdivision application process commences for Lot 549 (11) Moolanda Boulevard, Kingsley.**

**The Motion was Put and**

**CARRIED (8/1)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

**Against the Motion:** Cr Corr.

*Appendix 42 refers*

To access this attachment on electronic document, click here: [Attach42min201112.pdf](#)

**ART COLLECTION AND ADVISORY COMMITTEE REPORTS –  
25 OCTOBER 2012****CJ246-11/12 COMMISSIONING OF ARTWORK**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	14158
<b>ATTACHMENTS:</b>	Attachment 1 Artists Reviewed Attachment 2 Recommended Artist Biographies and Images

---

**PURPOSE**

For Council to consider options to commission an artwork for the City's art collection.

**EXECUTIVE SUMMARY**

This report recommends options for the commissioning of an artwork that documents and captures the iconic landmarks and people that represent the City of Joondalup.

Four artists are recommended to complete the commission. All artists are of high professional standing, can deliver the commission within the allocated budget, and are able to produce a complete work that would represent a valuable long-term investment for the City.

*It is recommended that Council:*

- 1 *SELECTS Lindsay Harris to complete the artwork commission with a contract value not to exceed \$15,000;*
- 2 *REQUESTS a further report examining alternative visual art commission models including:*
  - 2.1 *Completion of the artwork commission over a two year period to the value of \$30,000; and*
  - 2.2 *Inviting an international or national artist to undertake an arts residency in the City of Joondalup, developing an artwork commission documenting and capturing the iconic landmarks and people who represent the City of Joondalup, to the value of \$30,000.*

Note: All artists are available to undertake this commission at the time of writing. However, delays in confirming the preferred artists may result in artists becoming unavailable.

## BACKGROUND

At its meeting held on 19 April 2011 (CJ064-04/11 refers), Council resolved as follows:

- 1 *AGREES to commission on an annual basis various artworks depicting iconic landmarks within the City of Joondalup; and*
- 2 *LISTS for consideration in the 2011/12 budget, an amount of \$15,000 (excluding GST) for the commissioning of artworks depicting iconic landmarks within the City of Joondalup.*

The City's Art Collection comprises over 200 artworks, with a primary focus on the work of Western Australian contemporary artists. Artworks span a wide range of media. Over half of the collection is comprised of paintings, with the remainder of the collection including sculpture, drawings, ceramics, print works, photographs, textiles and glasswork.

The City's Art Collection operates on a yearly art acquisition budget of \$15,000, which enables the acquisition of two or three high quality contemporary artworks throughout the year from the Invitation Art Award, Community Art Exhibition or other exhibitions. In addition to the City's acquisition budget, a \$15,000 prize is awarded to the winning work from the Invitation Art Award, with the winning work being automatically acquired for the City's Art Collection, as set out in the Invitation Art Award criteria. The selection of artists to be included in the Invitation Art Award and the judging of the award is undertaken by independent panels of professional arts industry representatives. These acquisitions allow the City's Art Collection to grow and fulfil the objectives of the City's Art Collection Policy.

Council's resolution in April 2011 agreed to the annual commissioning of 'special purpose' artworks. A budget of \$15,000 was adopted in the 2011/12 Budget for this purpose.

In April 2012, a motion was carried and Council resolved as follows (CJ066-04/12 refers):

*That Council, in relation to the Commissioning of Artwork 2011/12 SELECTS Tony Windberg to complete the artwork commission with a contract value not to exceed \$15,000.*

Contemporary Western Australian artist Tony Windberg is undertaking the inaugural City of Joondalup Visual Art Commission, due for completion in 2013.

An amount of \$15,000 (excluding GST) has been adopted into the 2012/13 budget for the visual art commission.

## DETAILS

Commissioning involves the contracting of an artist to create an original artwork for a particular purpose, exhibition or collection. This report deals with the commissioning of visual art for the City's Collection, not public artwork. Visual art encompasses the media of painting, drawing, printmaking, textiles, mixed media, sculpture (non-fixed and for interior display) and photo media. The commissioning of artworks by the City allows themes and content to be determined to ensure artworks represent the people, places and culture of the City of Joondalup.

In recommending appropriate artists for the commission, the following selection criteria was applied:

- Level of engagement the artist proposed to have with Joondalup in creating the work (engagement with place, people, culture and history);
- The link of the commissioned work and the artist to the City's existing Art Collection (including the capacity of the City to appropriately house, display, conserve and manage the artwork);
- Artists' professional standing;
- Price, in relation to the City's commissioning Budget of \$15,000;
- Long term investment potential;
- Availability of artist to complete the commission within the 2012/13 financial year; and
- Only professional Western Australian artists or artists who predominantly practise in Western Australia were considered.

Note: Artists with work already, or whose current work is not significantly different to the works already held in the City's Collection, were not considered to ensure diversity of the Collection.

Three distinct Joondalup areas were identified and communicated to the four shortlisted artists to assist them develop concepts to, 'document and capture the iconic landmarks and people who represent the City of Joondalup', these being, the:

- Social Environment: people, community and history;
- Urban Environment: the City, urban and suburban; and
- Natural Environment: the local environment, including flora and fauna.

In consultation with professional galleries and artist representatives, over 40 professional artists were reviewed for the commission. See Attachment 1 for the full list of artists reviewed.

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

Four artists have been shortlisted taking into account the selection criteria and are put forward for the consideration of Council.

These respected Western Australian professional artists represent a strong cross-section of the arts sector and work in a variety of media with stylistically differing artistic approaches.

All artists recommended have indicated a significant level of engagement with the City of Joondalup in developing their artwork for the commission if successful.

The artists proposed are currently not represented in the City's Art Collection. Several of these artists do not enter the Invitation Art Award and therefore the commission presents a unique opportunity to acquire a work with dedicated City of Joondalup content by a well respected professional.

#### **Option 1**

##### ***Lindsay Harris***

Lindsay Harris is a contemporary Indigenous artist and his artwork references his Nyoongar heritage. Lindsay's professional profile has grown significantly over the last seven years with sell-out shows. He was recently selected and exhibited as one of the top 20 Indigenous Artists in Australia at the National Gallery of Australia's National Indigenous Art Triennial.

Joondalup is a significant site for Nyoongar peoples. The City's Art Collection is under-represented in significant contemporary Nyoongar artworks.

Lindsay proposes to explore Nyoongar connection to the land within Joondalup (Mooro country), respecting local Indigenous cultural protocols. Lindsay typically works in ochres and resin on canvas.

See Attachment 2 for a full biography on Lindsay and recent examples of his practice.

## **Option 2**

### ***Garry Pumfrey***

Garry Pumfrey is a highly skilled urban realist painter. His work investigates consumer culture and urban landmarks.

Garry has exhibited nationally and his work is held in the collections of a number of local Councils, Parliament House and Western Australian universities.

Garry proposes to explore the Joondalup region, in particular the urban and suburban landscape, seeking out forgotten landmarks of social significance, like the corner shop. Garry's practice typically consists of work in oil on canvas.

See Attachment 2 for a full biography on Garry and recent examples of his practice.

## **Option 3**

### ***Rebecca Dagnall***

Rebecca Dagnall explores suburbia and suburban landscapes through the medium of photography.

Rebecca has work in the Art Gallery of Western Australia Collection and many private collections and exhibits nationally.

Rebecca proposes to explore the stories of a large cross section of the community within the City of Joondalup, showcasing a rich cultural composition of the population. She would capture this through photographic images.

See Attachment 2 for a full biography on Rebecca and recent examples of her practice.

## **Option 4**

### ***Penny Coss***

Penny Coss is an abstract painter who captures landscapes.

Penny has exhibited widely in Australia, Japan and New Zealand. She is represented in Wesfarmers, Artbank, BankWest and numerous institutional and university collections.

Penny proposes to explore landscapes within the City of Joondalup. Physical immersion in the landscape is a crucial part of Penny's practice. The artwork would be created to reflect the physical presence of the scenes that she uncovers. These would be rendered in oil or acrylic on canvas.

See Attachment 2 for a full biography on Penny and recent examples of her practice.

**Legislation/Strategic Plan/Policy Implications**

**Legislation** Not Applicable.

**Strategic Community Plan**

**Key Theme:** Community Wellbeing.

**Objective:** Cultural Development.

**Policy:**

The City's Art and Memorabilia Collections Policy is currently being reviewed.

The current version of the policy states:

*“The City will support Western Australian art and artists through an art acquisition program. The City will adopt a multi-criteria approach to its art collection, acquisitions and awards. This approach will ensure that the collection, acquisitions and awards include contemporary art and art demonstrating local content and context.”*

Commissioning artists to document ‘the changing face of the City of Joondalup’ fulfils the objective to include works demonstrating local content and context.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

The 2012/13 Budget includes an amount of \$15,000 for the commissioning of artworks depicting iconic landmarks within the City of Joondalup. No funds have been expended.

**Regional Significance:**

The City's Art Collection, including its public art, archives and memorabilia, plays an important part in shaping and developing a sense of community.

The ongoing provision of an accessible and high calibre Art Collection is integral to the cultural development and vibrancy of the City of Joondalup region and to best practice standards for the development of the visual arts in local government.

**Sustainability Implications:**

The commissioning of special purpose artworks has positive social sustainability implications. Artworks that reflect the City of Joondalup in content or context would enhance the relevance of the City's Art Collection for the local community and would increase the value of the City's cultural resources. Works that reflect the City of Joondalup would also provide a historical perspective in years to come.

**Consultation:**

Not Applicable.

## COMMENT

An extensive examination of Western Australian professional artists was undertaken in recommending artists for the 2012-2013 commission for the City of Joondalup Art Collection.

The four artists put forward for consideration all represent high quality contemporary Western Australian artists whose work would be a culturally valuable asset for the City. The recommended artist would engage with the Joondalup community and place to deliver a work relating to Joondalup in content or context through representing one of the broad themes of the local social, urban or natural environments.

Looking beyond this commission for 2012-2013, it is worth bearing in mind that the pool from which to draw high-quality Western Australian artists is limited. There is some concern that if the City continues to commission in this way that the process will lead to diminishing outcomes.

There are other ways, however, to engage with artists as part of a commissioning program that could be explored to ensure that the outcome is always fresh. For example, the City may wish to consider commissioning every two years using the increased budget, this would facilitate to undertake a larger commission (currently this would equate to \$30,000). Alternatively, the City might be interested in exploring what an international artist would make of the local colour and context by creating an international visual arts residency that would not only include a commission to capture an iconic local landmark but also facilitate interaction with local artists and the community in a wider programme of engagement.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION:

The Committee recommendation to Council for this report (as detailed below) was resolved by the Art Collection and Advisory Committee at its meeting held on 25 October 2012.

The original recommendation as presented by City officers to the Committee was as follows:

*That Council:*

- 1 *SELECTS one of the four artists recommended to complete the artwork commission with a contract value not to exceed \$15,000;*
- 2 *REQUESTS a further report examining alternative visual art commission models including:*
  - 2.1 *Completion of the artwork commission over a two year period to the value of \$30,000; and*
  - 2.2 *Inviting an international or national artist to undertake an arts residency in the City of Joondalup, developing an artwork commission documenting and capturing the iconic landmarks and people who represent the City of Joondalup, to the value of \$30,000.*

The Committee's subsequent recommendation to Council is as follows (changes identified):

*That Council:*

- 1 *SELECTS Lindsay Harris to complete the artwork commission with a contract value not to exceed \$15,000;*
- 2 *REQUESTS a further report examining alternative visual art commission models including:*
  - 2.1 *Completion of the artwork commission over a two year period to the value of \$30,000; and*
  - 2.2 *Inviting an international or national artist to undertake an arts residency in the City of Joondalup, developing an artwork commission documenting and capturing the iconic landmarks and people who represent the City of Joondalup, to the value of \$30,000.*

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1 **SELECTS Lindsay Harris to complete the artwork commission with a contract value not to exceed \$15,000;**
- 2 **REQUESTS a further report examining alternative visual art commission models including:**
  - 2.1 **Completion of the artwork commission over a two year period to the value of \$30,000; and**
  - 2.2 **Inviting an international or national artist to undertake an arts residency in the City of Joondalup, developing an artwork commission documenting and capturing the iconic landmarks and people who represent the City of Joondalup, to the value of \$30,000.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 21 refers*

*To access this attachment on electronic document, click here: [Attach21brf131112.pdf](#)*

**CJ247-11/12      COMMUNITY ART EXHIBITION**

---

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	101774, 101515
<b>ATTACHMENTS:</b>	Nil

---

**PURPOSE**

For Council to consider options for further development of the City of Joondalup's Community Art Exhibition.

**EXECUTIVE SUMMARY**

This report presents details and options to the Art Collection Advisory Committee regarding the City of Joondalup's Community Art Exhibition, currently located at Lakeside Joondalup Shopping City. It is expected that the Community Art Exhibition will continue to contribute to the cultural identity of the City of Joondalup.

The background provides a description of the historical shaping of the Community Art Exhibition, a brief discussion of the events contribution to the community's sense of wellbeing, and details of its relationship to the City of Joondalup and the Lakeside Joondalup Shopping City.

This report presents two options to Council for consideration. Firstly, discontinuation of the Community Art Exhibition and research into an alternative delivery model for community arts through a series of exhibitions and events by local artists at blend(er) Gallery throughout the year. Secondly, continuing with the Community Art Exhibition with changes to the artistic direction including a new 50 x 50 centimetre format with a price cap of \$1,000 on each work.

**BACKGROUND**

The City of Joondalup Community Art Exhibition is an annual exhibition open to all Joondalup residents and members of local visual arts associations. It offers non-acquisitive awards in a variety of categories, such as the Most Outstanding Artwork Award, five media-specific categories and a variety of themed awards with specific criteria.

The Community Art Exhibition is not restricted to any medium and is a key focus of the visual arts calendar at the City. The visual arts form an important part of the cultural and economic development of the Joondalup Region.

The Community Art Exhibition contributes to the Joondalup community's sense of wellbeing through the promotion and support of local arts and culture culminating in a showcase exhibition run to a professional standard. The exhibition provides an engaging cultural experience for the general public and is much anticipated by local artists, who range from high school art students and hobbyists to professional artists.

For a small entry fee, local artists have the opportunity to gain exposure for their art practice and participate in an annual community exhibition. The exhibition has an ongoing partnership with the Joondalup Community Art Association (JCAA).

## **DETAILS**

Brief details are provided below of the Community Art Exhibitions venue, theme, award categories, the judging panel and process, the project benefits, and the project objectives and deliverables.

### **Venue**

The event has been traditionally held in the 'Great Space' within the Lakeside Joondalup Shopping City.

### **Theme**

At present the Community Art Exhibition does not have a theme, allowing all artists ample freedom to explore ideas and concerns of primary interest within their ongoing practice.

### **Award categories**

The award categories for the current Community Art Exhibition are listed below:

Overall Award	\$1,500
Media categories (5x\$1000)	\$5,000
Celebrating Joondalup Award	\$ 500
Popular Choice Award	\$ 500
Artist in Focus Award	\$ 500 and exhibition
Student Award	\$ 250

In the event that there are many works worthy of merit, in addition to the above mentioned prizes the judging panel may award up to three discretionary Judges' Commendation Awards. These awards take the form of a certificate and do not include a cash prize.

### **Judging panel**

The Community Art Exhibition requires the expertise of a judging panel. Three leading art industry panellists are engaged for the judging of the Community Art Exhibition in June.

City officers facilitate the panel and act in an advisory capacity. This is consistent with arrangements in previous years and is widely accepted as best practice during the operation of an art award.

### **Judging process**

It is suggested that the panel shortlist up to five works for consideration in each award and the winners are then chosen by consensus discussion. In the event a consensus cannot be reached, the artworks may be judged according to a scoring matrix.

No representative of the City takes part in the judging process, but are present to answer any questions the panel may have.

The judging panel is required to provide a brief written statement about each of the award winning artworks and why they were chosen. These statements may be quoted when announcing the winners on the opening night and for media and promotional purposes.

Members of the judging panel are granted an honorarium of \$100 to meet any incidental costs associated with the judging process.

### **Project benefits**

The Community Art Exhibition has the potential to provide the following benefits:

- an environment that is supportive of the visual arts within a local context;
- the opportunity for the City to engage with community members in a positive way and enhance public perception of the organisation; and
- a contribution to the local economy by attracting non-residents to the area.

### **Project objectives and deliverables**

#### **Objectives**

- To demonstrate the City's commitment to arts and cultural development in the Joondalup region;
- To create a professional development opportunity for local artists and foster artistic community building and networking through the opening event;
- To provide community access to a high quality visual art exhibition for educational and appreciation purposes;
- To raise awareness of the City of Joondalup as a regional centre; and
- To build on and promote the character and identity of the Joondalup region.

#### **Deliverables**

- Project plan and timeline;
- External stakeholder agreements;
- Marketing materials including flyers, posters, advertisements and signage; and
- Final report and evaluation.

## Issues and Options

### Option 1 – Continue Community Art Exhibition in Current Format

This option would see the Community Art Exhibition continue in its current format at its current location.

#### Advantages

- Continuation of a recognised community event.
- Continues to allow local artists to be able to exhibit work.

#### Disadvantages

- The Community Art Exhibition has been in its current format for some time and is in need of revitalisation.
- The current venue provides logistical and exhibiting challenges.

### Option 2 – Continue Community Art Exhibition with Changes

The Community Art Exhibition has been operating for a number of years and making changes to the event may revitalise the exhibition while also providing better opportunities to foster/develop the local art community.

- (a) Introduce a revised size restriction and price limit.

The City proposed a size restriction for the 2012 Community Art Exhibition of 30 centimetres x 30 centimetres, but it was not implemented. The Community Art Exhibition currently limits entries to a maximum size of 100 centimetres x 100 centimetres. In order to revitalise the Community Art Exhibition, it is proposed to amend the size restriction to 50 centimetres x 50 centimetres and introduce a price limit of artworks not to exceed \$1,000.

The alteration to the size restriction will have a dual advantage:

- present an interesting challenge for established artists; and
- encourage amateur artists to enter an exhibition for the first time.

A size and price restriction presents a level playing field for all participant artists and further presents the exhibition as a showcase of local artistic talent. It also offers an opportunity to present the exhibition in a more coherent and aesthetically pleasing way. In addition, the Community Art Exhibition has grown in the number of entries received which has caused issues with space availability. A reduced size restriction will assist in alleviating that.

By setting a maximum price of \$1,000 on any work, it is anticipated that members of the public may feel more inclined to purchase works while encouraging artists to set realistic boundaries for their own sales.

- (b) Review of Award Category

The Community Art Exhibition for some time has had the following cultural categories:

- Overall Award;
- Media Category;
- Celebrating Joondalup Award;
- Popular Choice Award; and
- Student Award.

In 2012, the City introduced a new annual 'Artist in Focus Award' which supports artistic development with a solo exhibition at 'blend(er)' Gallery along with a cash prize of \$500. 96% of participants entered this award.

It is recommended that research be undertaken to make awards that support the development of industrial artistic practice over and above straight financial remuneration.

(c) Alternative Venue

Both the City's CAE and IAA are staged within Joondalup Lakeside Shopping City and have been since their inception.

The venue was originally suitable and offered the advantage of exposing visual arts to many people who may not actively seek out art exhibitions, however the venue is becoming increasingly challenging in hosting the art awards, especially with access to it as a venue of seven days trading.

**Option 3 – Discontinue the Community Art Exhibition and replace with 'Arts in Focus Exhibition Program'**

This option would see the CAE being discontinued and replaced with an 'Arts in Focus Exhibition Program (AFEP)'.

The AFEP is a program that would be committed to supporting local artists through an annual program of exhibitions, projects and commissions rather than a one off exhibition.

**Option 4 – Discontinue the Community Art Exhibition**

This option would see the CAR being discontinued in totality and not replaced with an alternative community visual art program.

**Advantages**

- Annual savings of approximately \$30,000.
- Priorities would be realigned into other visual art programs.

**Disadvantages**

- Loss of the visual arts program, cultural tourism and community engagement.
- No public exhibition for the local community arts association.
- Loss of recognised community art event.

## Legislation/Strategic Community Plan/Policy Implications

**Legislation:** The moral rights section of the *Copyright Act 1968* (Cwth) states that individual creators have the right not to have their work treated in a 'derogatory' way, such as distorting, mutilating, modifying, altering, or removing the artistic work, without the creator's knowledge and consent. This would include a prohibition on professional handling or displaying of artwork without the artist's consent.

### Strategic Community Plan:

**Key Theme:** Community Wellbeing.

**Objective:** Cultural Development.

### Policy:

The City's art awards are directed by the City's Art and Memorabilia Collections Policy. The policy directs the City's approach to art and collections for the Joondalup community. The policy's multi-criteria approach ensures that the collection, acquisitions and awards primarily focus on leading contemporary art while also endeavouring to include art demonstrating local content and context.

### Risk Management Considerations:

Hosting exhibitions in a non-gallery specific space attracts large volume of traffic although the majority are not visiting the exhibition as a point of destination. This results in lack of understanding in the etiquette for attending and viewing exhibitions and has previously resulted in artworks persistently being inappropriately handled and damaged.

In 2012, three insurance claims were lodged against City of Joondalup due to patrons damaging artwork. Two claims involved damage to work from patrons touching work, one work was stolen from the space while a gallery attendant was on duty during shopping hours.

### Financial/Budget Implications:

The 2012/2013 Budget contains \$30,530 for the Community Art Exhibition.

Impact on budgeting amounts:

<b>Operation Code:</b>	4003
<b>Budget Item:</b>	Community Art Exhibition
<b>Budget Amount:</b>	\$30,530
<b>Amount Spent To Date:</b>	\$0
<b>Proposed Cost:</b>	\$30,530
<b>Balance:</b>	\$0

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

The creation of a high standard of professional art creates a cultural asset for the entire northern region. It promotes the City of Joondalup as an instigator of supporting development in local arts and culturally invigorates the City through engaging the local community.

**Sustainability Implications:**

Due to the restrictions of the current location, the hiring of temporary infrastructure is required at a large expense without best results of display or attribution to City of Joondalup assets.

Currently support to local artists is only available to the local community for one month of the calendar year, whereas other Cities have a full year of engagement in supporting local visual artists.

Visual art provides physical and educational enhancement of a locality and provides a catalyst for public discussion about current social, economic and environmental issues. Through creating more regular points of interest and interaction with visual arts the local community could possibly enjoy visual art all the year round. This would enhance the relevance of the City's cultural identity for the local community and would increase the value of the City's cultural resources.

**Consultation:**

In developing this recommendation, consultation was undertaken with a number of stakeholders throughout the City including Cultural Services, Lakeside City Shopping Centre Management, Community Safety, and Joondalup Community Art Association (JCAA) representatives. Feedback and correspondence from the community was also reviewed.

**COMMENT**

The Community Art Exhibition represents a great investment for the City of Joondalup's cultural identity and provides a great opportunity for the City to support developing local artists' practice.

This report proposes a re-alignment of the artistic direction of the Community Art Exhibition to reduce the current size restriction as a means of re-invigorating what it means as a local artist to contribute to this event and share a challenge with other artists living locally. Such a move would support further focus on promoting participating artists' work for sale to the general public with a \$1,000 price cap for each artwork that would be appropriate given the lower cost involved in producing a smaller work.

In order to hold a high calibre and respected art exhibition, it is necessary to attract all artists from around Joondalup. Implementing a size and price restriction creates a template for regional artists to explore their own motivations, processes and stories.

**VOTING REQUIREMENTS**

Simple Majority.

## **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Art Collection and Advisory Committee at its meeting held on 25 October 2012.

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

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

- 1 AGREES to host the 2013 Community Art Exhibition in the Great Space of the Joondalup Lakeside Shopping City in June 2013;**
- 2 AGREES to amend the Terms of Reference for the Community Art Exhibition by limiting:**
  - 2.1 Two dimensional artwork to a size of 50 x 50 centimetres (including frame);**
  - 2.2 Three dimensional artwork to a size of 50 centimetres high x 50 centimetres wide x 50 centimetres deep; and**
  - 2.3 The maximum price of artworks to \$1,000;**
- 3 REQUESTS further reports on:**
  - 3.1 Review of the Community Art Exhibition Award category; and**
  - 3.2 Possible alternative venue for the Community Art Exhibition from 2014 onward.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

## **CJ248-11/12 'INSIDE OUT BILLBOARD PROJECT' PUBLIC ART FOR CITY OF JOONDALUP**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	102552, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Examples of Similar Billboard Projects
	Attachment 2	Proposed Location for Billboard Project
	Attachment 3	Infrastructure Options

---

### **PURPOSE**

For Council to consider further information for the proposed 'Inside Out Billboard Project' for the City Centre, Joondalup.

### **EXECUTIVE SUMMARY**

This report provides Council with information regarding the proposal to install an 'Inside Out Billboard' within the City of Joondalup. If agreement is for the project to proceed, it is suggested that it be located in the City Centre and proposed for consideration in the 2013/14 budget for the commission of Public Art. It is expected to be completed within a timeframe of 12 months from approval.

It is proposed that the billboard installation will measure 6 metres x 3 metres, will be situated in an outside and visually prominent location, and will display consecutive works of art by different artists to be rotated on a three monthly basis. In addition, 20 A3 limited edition prints will be produced to accompany each new artwork, of which the City will retain the first for its Art Collection. The remaining 19 will be available to the public for purchase.

Various infrastructure options are explored for the billboard project – the purpose-built billboard, the traditional 24 sheet poster billboard, the super-8 billboard (located on a building), and the free-standing panel billboard. Three possible sites in the City Centre are also explored, followed by a list of the advantages and disadvantages of each. Attachment 1 to Report CJ248-11/12 illustrates international examples of billboard projects.

### **BACKGROUND**

At its meeting held on 17 April 2012 (CJ066-04/12 refers), it was resolved in part that Council:

- 7.3 *REQUESTS a further report be SUBMITTED to the Art Collection and Advisory Committee on the opportunities for the Inside-Out Billboard Project for the 2012/13 Financial Year.*

In 1991, the former City of Wanneroo commenced a public art program and began installing artworks throughout the City. In 1995 the former City of Wanneroo adopted a cultural policy, of which the implementation of public art was an important aspect.

Following the split of the City of Joondalup from the former City of Wanneroo in 1998, the existing works within the City of Joondalup's boundaries became part of the current Public Art Collection. Since then, the collection has been maintained and added to, however the majority of the works were created prior to 1999.

The most recent City public art projects include:

- 2001: Kevin Draper's commission to create the metal trees located in Central Park.
- 2004: Jon Tarry's commission to create the Bali bombing memorial at the Kingsley clubrooms.
- 2011: Kate McMillan's commission to create a work of public art at Seacrest Park Community Sporting Facility.

The City of Joondalup's current Public Art Collection includes 35 works (or series of works) of public art, including mosaics, murals, sculptures, street bollards, architectural details and street furniture. Works are situated throughout the region; however, the majority are located in and around the Joondalup City Centre area.

The 2011/12 annual budget of \$50,000 for public artwork remained unspent and has been placed in a reserve with a further \$50,000 being allocated in the 2012/13 budget for public art.

## **DETAILS**

Public art refers to works of art in any medium that have been planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to all. It signifies a particular working practice, often with implications of site specificity, community involvement or collaboration.

In recent years, public art has increasingly begun to expand in scope and application, both into more challenging areas of art form and across a much broader range of what might be called our 'public realm'. Cultural interventions of this kind have often been realised in response to creatively engaging a community's sense of 'place' or 'wellbeing' in society.

Such commissions can still of course result in physical, permanent artworks and sculptures. However, they are also beginning to include other much more process-driven and action-research based artistic practices as well. As such, these do not always rely on the production of a physical or permanent artwork. This expanded scope of public art can embrace many diverse practices and forms. The range of this type of artwork's potential is endless and ever-changing.

Monuments, memorials and civic statuary are perhaps the oldest and most obvious forms of officially sanctioned public art. Increasingly, most aspects of the built environment are seen as legitimate candidates for consideration as, or the location for, public art, including street furniture, lighting and graffiti. Public art is not confined to physical objects – dance, procession, street theatre and even poetry have proponents that specialise in public art.

## Issues and Options

The proposed 'Inside Out Billboard Project' involves an initial installation of a six metres x three metres commercial billboard that will be dedicated to displaying contemporary art. It is intended as an outside gallery in the public domain and will be one-sided. Infrastructure examples are detailed in Attachment 3.

This style of public art has been successfully implemented in other Cities across the United States and United Kingdom (Attachment 1 refers). The practice has resulted in increased tourism, the participation of high profile artists, excellent community engagement and interest, media coverage, the revitalisation of previously degraded areas and the creation of a regional landmark.

The objectives of such a project would be:

- promotion of the City as a Cultural destination;
- accessibility and public safety of the site and work;
- relevance and appropriateness of the work to the context of its site and the City of Joondalup;
- contribution to community amenity and the creation of a sense of place;
- articulation and celebration of the community and its diversity;
- creation and enhancement of cultural tourism experiences;
- animation and enrichment of public spaces and contribution to urban regeneration;
- facilitation of community cultural development;
- contribution to identification of the City;
- meeting high level design and aesthetic standards;
- integration of contemporary art and daily life;
- timeline: completion of project within the 2013/14 financial year and completion of program within each calendar year;
- consideration of maintenance and durability requirements;
- non-duplication of monuments commemorating the same or similar events; and
- use of best practice collection management.

## Selection of Artwork

It is proposed that every three months a new artist would be commissioned to create a new work specifically for the 'Inside Out Billboard Project' (see table below). It is anticipated that four artists will take part every year, including artists selected from the City's two annual art awards. It is proposed that the billboard year would begin in March (to coincide with the Joondalup Festival) and run until the end of February the following year.

Date	Selection Panel
March–May	Visual Art Officer and curator City of Joondalup.
June–August	Judges select artist from Community Art Exhibition.
September–November	Judges select artist from Invitation Art Award.
December–February	Guest curator.

There would be no prescribed theme, but the invited artist's work would need to meet appropriate standards concerning quality and suitability for public display. It is intended that the approval be issued by the Chief Executive Officer after engagement with the members of the ACAC.

To accompany each work, 20 limited edition A3 prints of the artist's image would be produced. Print number one of each commissioned series is to be retained by the City in order to enhance the City's collection and act as a record of the project.

Attachment 1 provides two examples of successful billboard art projects in other cities and displays the possibilities of project that are available within the above-mentioned project budget.

### Location

It would be proposed to install the 'Inside Out Billboard' within the Joondalup City Centre.

In selecting a preferred location, consideration was given to the need to be highly visible to the public, while having minimal impact on local residents. Locations will also allow passing traffic to engage with the work without it being too intrusive on the landscape, road traffic and surroundings.

### City Centre



For each alternative site proposed in the City Centre there are comments (Attachment 2 refers) from a brief investigation to ascertain suitability of each City Centre location. The comments are mainly in reference to ownership of land and installation restrictions.

Installation of the billboard at Site 1 will not interfere with any proposal the City has as part of the Joondalup City Centre Commercial Office Development at Lot 496 Davidson Terrace, Joondalup, as the structure will be outside the boundary line.

The following advantages and disadvantages apply to the 'Inside Out Billboard Project':

Advantages	Disadvantages
The proposal is for a statuesque work, which would be highly visible from around the city centre.	As a result of the size and scale of the structure, it may impact on the amenity of the City Centre.

Advantages	Disadvantages
The project would initiate a recurring attendance to the City Centre and may assist in space activation.	The structure might attract vandalism and graffiti.
In addition to its aesthetic qualities the project is also designed to constantly change, thereby adding life and variety to the city centre.	The artwork would have ongoing annual expenses.
This project could be opened to a range of artists, from emerging to well-respected at both a national and international level.	
The commission of the work would constitute a valuable and sound investment for the City's Public Art Collection.	

### Timeline

Design specifications finalised for billboard structure	One month
Building and development approvals	Two months
Commissioning of artists	Three months
Development of artwork by artist	Two months
Design approval from CEO	Two months
Manufacture and installation of billboard including artwork	Two months
<b>Total installation time (approx)</b>	<b>12 months</b>

### Legislation/Strategic Community Plan/Policy Implications

#### Legislation

As the construction and installation of the 'Inside Out Billboard' will be undertaken by the City, it would therefore be regarded as a 'public work' and no planning approval would be required. Section 6 (3) of the *Planning and Development Act 2005* requires the responsible authority to be consulted with at the time the public work is being formulated.

The structure would be classified as a class 10b within the *Building Code of Australia* and would require a building permit as required by the *Building Act 2011*. The structure may also require a Structural Engineer Certificate.

#### Strategic Community Plan

**Key Theme:** Community Wellbeing.

**Objective:** Cultural Development.

#### Policy

The City's Art and Memorabilia Collection Policy.

The current policy states:

*“The City will support Western Australian art and artists through an art acquisition program. The City will adopt a multi-criteria approach to its art collection, acquisitions and awards. This approach will ensure that the collection, acquisitions and awards include contemporary art and art demonstrating local content and context.”*

**Risk Management Considerations:**

All works considered would need to meet stringent public safety criteria.

**Financial/Budget Implications:**

Initial cost of development and installation of structure (including printing of first artwork and plaque)	\$20,000
---	----------

Artist installation:

Printing and installation of artwork (Covered in cost of structure above)	N/C
Printing of 20 limited edition A3 prints	\$ 1,500
Artist fee	\$ 3,000

<b>TOTAL for first instalment</b>	<b>\$24,500</b>
-----------------------------------	-----------------

Each installation thereafter:

Change of artwork (printing and installation)	\$ 3,000
Printing of 20 limited edition A3 prints	\$ 1,500
Artist fee	\$ 3,000

<b>TOTAL for each installation thereafter</b>	<b>\$ 7,500</b>
---	-----------------

Ongoing annual expenses – for a lifespan of five years

Change artwork: every three months (Including printing and installation)	(\$3,000 x 4)	\$12,000
---	---------------	----------

Printing of limited edition A3 prints	(\$1,500 x 4)	\$ 6,000
---------------------------------------	---------------	----------

Artist fees	(\$3,000 x 4)	\$12,000
-------------	---------------	----------

<b>TOTAL expense per annum</b>		<b>\$30,000</b>
--------------------------------	--	-----------------

All figures quoted in this report are exclusive of GST.

The 2012/13 budget has an amount of \$50,000 listed to undertake public artworks, in addition there is \$50,000 carried forward from 2011/12 for the same purpose. The City is currently examining options for another public artwork that would consume those funds (\$100,000). Therefore, unless there are savings from that project there are no funds specifically for this project this financial year. It is therefore suggested that if the project is supported that funds be listed for consideration in the 2013/14 budget. This will allow the City to undertake the preliminary works (community consultation) this financial year.

**Regional Significance:**

The City's art collection, including its public art, archives and memorabilia, plays an important part in shaping and developing a sense of community.

The on-going provision of an accessible and high calibre art collection is integral to the cultural development and vibrancy of the City of Joondalup region and to best practice standards for the development of the visual arts in local government.

**Sustainability Implications:**

The installation of public artworks has positive social sustainability implications. Public artworks physically enrich a locality and provide a catalyst for public discussion about current social, economic and environmental issues. Public artworks strengthen the public realm by creating points of interest, animating spaces and providing beauty, character and colour to places. A new public artwork will build upon the relevance of the City's public spaces for the local community and increase the value of the City's cultural resources.

**Consultation:**

When commissioning an artwork it is best practice to undertake some form of community consultation process from informing to consulting the community. The options for community consultation are as follows:

- No consultation.
- Community Consultation in accordance with the City's approved Community Consultation and Engagement Policy and Protocol.

It is suggested that if consultation is agreed to that it only occur on the site selected.

**COMMENT**

The 'Inside Out Billboard project' presents an opportunity for the City of Joondalup to provide an ongoing visual art display for the Joondalup community. The 'Inside Out Billboard Project' would represent a range of challenging and diverse works that could encourage the general public to re-examine their expectations and definitions of art through dialogue about the role of art in public spaces.

The selected artists would design an artwork to challenge an outdoor public site to serve as a catalyst for conversations about art and/or community issues within Joondalup and Western Australia. It would allow Joondalup to create a high professional standard and endure a cultural legacy for the City. 'Inside Out Billboard' would aim to become a cultural destination as well as continuing to support the artistic development of regional artists and introducing international artists to the region.

**VOTING REQUIREMENTS**

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Art Collection and Advisory Committee at its meeting held on 25 October 2012.

The original recommendation as presented by City officers to the Committee was as follows:

*That Council:*

- 1 *Subject to construction of the billboard not interfering with the Expression of Interest process for the Joondalup City Centre Commercial Office Development, ENDORSES the proposed Billboard Art Project to be located at site 1 on Central Walk and Boas Avenue, Joondalup as shown on Attachment 2 to this Report;*
- 2 *AGREES to list an amount of \$24,500 for consideration within the 2013/14 budget for the project; and*
- 3 *ADVISES the level of Community Consultation to be undertaken for the Public Art project:*
  - Option 1 No Consultation; and*
  - Option 2 Community Consultation as per the City's approved Community Consultation and Engagement Policy and Protocol.*

The Committee's subsequent recommendation to Council was as follows (changes identified):

*That Council:*

- 1 *Subject to construction of the billboard not interfering with the Expression of Interest process for the Joondalup City Centre Commercial Office Development, ENDORSES the proposed Billboard Art Project to be located at site 1 on Central Walk and Boas Avenue, Joondalup as shown on Attachment 2 to this Report;*
- 2 *AGREES to list an amount of \$24,500 for consideration within the 2013/14 budget for the project; and*
- 3 *ADVISES that no Community Consultation will be undertaken for the 'Inside Out Billboard' Public Art project for the City of Joondalup.*

**MOVED Cr Chester, SECONDED Mayor Pickard that Council:**

- 1 REJECTS the proposed Billboard Art Project being located at site 1 on Central Walk and Boas Avenue, Joondalup as shown on Attachment 2 to Report CJ248-11/12; and**
- 2 REQUESTS the Art Collection and Advisory Committee to consider an alternative location for the proposed Billboard Art Project.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

### **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 committee recommended is because the proposed location is not compatible with the pending office development at the suggested site.

*Appendix 22 refers*

*To access this attachment on electronic document, click here: [Attach22brf131112.pdf](#)*

**CJ249-11/12 INVITATION ART AWARD**

---

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	101779, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Community Education Program Attachment 2 Review of Current Venue (Lakeside Joondalup Shopping City)

---

**PURPOSE**

For Council to consider options for further development of the City of Joondalup's Invitation Art Award 2013 onwards.

**EXECUTIVE SUMMARY**

This report presents details and options to Council regarding the City of Joondalup's Invitation Art Award currently held at Lakeside Joondalup Shopping City.

The background provides a description of the historical shaping of the Invitation Art Award, a brief discussion of the event's structure and organisation, and details of its relationship to the City of Joondalup and Lakeside Joondalup Shopping City.

The Invitation Art Award is open to artists who have been selected by a panel to exhibit their works. The award does not stipulate a particular medium and is un-themed. In previous years a 'local content' theme was trialled, although without great success. Of the thirty or so works by Western Australian artists chosen each year for display, one is acquired by the City to contribute to its art collection.

Options for the future of the award are presented for consideration by Council, including changes that would develop the content, structure and delivery of the Invitation Art Award. The report also recommends further research be conducted on options for relocating the event from 2014.

**BACKGROUND**

At its meeting held on 17 April 2012 (CJ066-04/12 refers), Council resolved in part:

- 4 *In relation to the report on the City of Joondalup Invitation Art Award:*
  - 4.2 *REQUESTS a future report be presented to the ACAC on potential options for the Invitation Art Award.*

The City of Joondalup Invitation Art Award is an acquisitive art award and exhibition entering its 15<sup>th</sup> year in 2012.

The award aims to recognise the practice of prominent Western Australian artists and to provide the Joondalup community with an opportunity to engage with contemporary visual art. It offers one of the largest acquisitive cash prizes in local government in Western Australia (\$15,000 – prize pool \$18,000). The winning artwork is acquired and becomes part of the City's art collection.

By way of comparison, the following Cities offer the following prizes for their premier art exhibition:

- City of Perth - \$20,000 – acquisitive award, (prize pool of \$25,000).
- City of Stirling- \$5,000 - acquisitive award, (prize pool of \$11,000).
- City of Fremantle- \$15,000 - acquisitive award, (prize pool of \$20,000).
- City of Vincent - \$6,000 - acquisitive award, (prize pool of \$10,200).
- City of Geraldton- \$20,000 - CGG Award for Excellence, (prize pool of \$45,000).
- City of Albany- \$25,000 - acquisitive award, (prize pool of \$27,000).
- City of Swan - \$12,000 (prize pool of \$16,000).

All of these awards vary in prestige. The City of Fremantle is a specialised print award open only to professional artists. The Cities of Perth, Geraldton, Albany and Swan are mixed media awards and also only open to professional artists.

The Cities of Vincent and Stirling are community awards open to professional and non-professional artists.

The City of Joondalup event calls for initial expressions of interest from artists, attracting approximately 90 entries annually. From the entries received, an independent selection panel compiles a shortlist of approximately 30 artists and these artists receive an invitation to exhibit. A separate independent panel of expert judges review the exhibition and make awards.

The event is not restricted to any medium and is the main component of the Visual Arts calendar that in turn supports the cultural and economic development of the Joondalup region. It also plays a role in the City's on-going acquisition program for the City's art collection.

The exhibition begins with an opening function followed by a public exhibition period. Although all exhibited artworks are for sale, with the City of Joondalup taking a percentage of commission on any sales, the exhibition's importance as a cultural contribution to the City of Joondalup remains of primary interest.

## **DETAILS**

Brief details are provided below of the Invitation Art Award's venue, theme, discretionary invitations, award categories, the selection of the art and the judging panel, the project benefits, and the project objectives and deliverables. Options are then presented regarding the future of the award.

**Venue**

The Invitation Art Award has been situated in the 'Great Space' at Lakeside Joondalup Shopping City since its inception in 1998. Although originally suitable, Lakeside is becoming increasingly challenging as a venue for the event. For detailed comment please refer to Attachment 2.

**Theme**

At present the Invitation Art Award does not have a theme, allowing the invited artists ample freedom to explore ideas and concerns of primary interest within their ongoing practice.

In 2007, the City introduced the 'local content and context' component of the City's Art and Memorabilia Collections Policy to the award's entry criteria, which had a direct impact on the 2007 Invitation Art Award in particular on the size and overall quality of works in the exhibition. A number of high profile artists withdrew and artists who proceeded with the exhibition in 2007 indicated that they would not do so in future if the theme were to be retained.

When the City's art collection was assessed in December 2007, the valuer's comments noted that the City has a significant contemporary art collection of excellent financial and cultural value. Overall, selections have been made in order to build a coherent collection of high artistic and financial value.

However, the valuer also noted that the collection has a number of low value works, which are considered a detriment to the collection as a whole and which have depreciated, representing a negative investment for the City. Generally, those works that were purchased purely on the basis of 'local content', or due to a preference for traditional craft media, were noted by the valuer as being weak links in the collection.

**Discretionary invitations**

The concept of the Invitation Art Award is based on the premise that the City is free to invite any artist it wishes to exhibit or believe may contribute to its art collection. While the application process facilitates this and provides a field for consideration, the terms and conditions do not specify that the choice of exhibitors must be restricted to those who apply.

On occasion, high profile artists may not submit an application, or may miss the call for entries, despite extensive promotions. There can also be other influencing factors such as the state of the economy and other art events that may cause the number of applications to fluctuate from year to year.

To ensure a final exhibition that includes approximately 30 works each year from artists of suitable standing, it is sometimes necessary (on the advice of the selection panel) to issue supplementary discretionary invitations to artists who have not completed the application process in its entirety.

This has occurred successfully for past exhibitions when insufficient expressions of interest were received. Discretionary invitations were not required during the selection process for 2012 but these are expected to be issued in future years in order to achieve the highest standard of contribution to the City of Joondalup's ongoing art collection.

The following criteria apply to all artists entering the Invitation Art Award:

- Artists must have been residents of Western Australia for the 12 months prior to exhibition.
- Artists must have had at least one solo exhibition, or equivalent exhibiting experience, and be recognised as a professional artist.
- Entries must have been created within the two years preceding the exhibition and must not have been previously exhibited.

### **Award categories**

The management of the Invitation Art Award is directed by the City's Art and Memorabilia Collections Policy. This states that the Invitation Art Award does not have any particular thematic focus, yet it must include a voluntary category for works of local content and context.

The award categories for the current Invitation Art Award are listed below:

Acquisitive Award	\$15,000
Award for Excellence	\$ 1,000
Celebrating Joondalup Award	\$ 1,000
Popular Choice Award	\$ 1,000

In the event that there are many works worthy of merit, in addition to the above mentioned prizes, the judging panel may award up to three discretionary Judges' Commendation Awards. These awards take the form of a certificate and do not include a cash prize.

### **Selection and judging panels**

The Invitation Art Award requires the expertise of an external selection committee and an external judging panel. Both panels are appointed by the City.

Three leading art industry panellists are engaged for the selection committee process, which takes place seven months before the event. A further three leading art industry panellists are engaged for the judging of the Invitation Art Award in October.

City officers facilitate the selection panel meeting and act in an advisory capacity. This is consistent with arrangements in previous years and is widely accepted as best practice during the operation of art awards of this calibre.

### **Judging process**

It is suggested that the panel shortlist up to five works for consideration for each award and the winners are then chosen through discussion and agreement by the panel. In the event a consensus cannot be reached, the artworks may be judged according to a scoring matrix to produce a clear result.

Additional information on the Art Collection direction, capacity and criteria is supplied.

No representative of the City takes part in the judging process, but are present to answer any questions the panel may have.

The judging panel is required to provide a brief written statement about each of the award winning artworks and why they were chosen. These statements may be quoted when announcing the winners on the opening night and for media and promotional purposes.

In previous art awards the judges have been granted an honorarium of \$100 to cover any travel expenses.

### **Project benefits**

The Invitation Art Award has the potential to provide the following benefits:

- Develop an environment that is supportive of the visual arts and a wider cultural ethos.
- Create an opportunity for the City to engage with community members in a positive way and enhance public perception of the organisation.
- Make a contribution to the local economy by attracting non-residents to the area.

### **Project objectives and deliverables**

#### Objectives

- To encourage and recognise the artistic, creative and innovative skills of professional Western Australian artists.
- To provide community access to a visual art exhibition of high quality for education and appreciation purposes.
- To acquire a high quality contemporary artwork for the City's Art Collection.
- To raise awareness of the City of Joondalup as a regional centre.
- To build on and promote the character and identity of the Joondalup region.

#### Deliverables

- Project plan and timeline.
- External stakeholder agreements.
- Marketing materials including flyers, posters, advertisements and signage.
- Delivery of an exhibition featuring contemporary artworks by professional, practising artists, with the winning artwork being acquired for the City of Joondalup Art Collection.
- Final report and evaluation.

## Issues and Options

### **OPTION 1: Continue IAA with changes**

This option would see the City continue with the Invitation Art Award but approving one or more key changes detailed below that would serve to develop the content, structure and delivery of the Award.

#### **(a) Implement a Community Education Program to support the IAA**

This option would allocate a budget to develop an Education Program that would focus on community engagement to support future cultural events within the region.

Contemporary art is often seen to only appeal to a select group of art world insiders. The Community Education Program would focus on finding ways to connect members of the general public with contemporary visual art.

A thought-provoking series of conversations and events organised by the City would present discussions between artists, art historians, curators, critics, directors, dealers and the general public. The program would draw on the distinctions and affinities between socially engaged artistic, curatorial, writing and administrative practices in the region. It is proposed that four elements of an education program require additional attention, support and funding. For detailed comment on the Community Education Program please refer to Attachment 1.

#### **(b) Implement an artistic direction to focus on exhibiting multiple works by fewer artists**

This option would focus on exhibiting multiple works by fewer artists to achieve greater depth of presentation and align the Invitation Art Award more closely with the precise direction of the City's Art Collection.

By displaying a series of works by each selected artist this option would also provide the audience with a clearer understanding of each artist's practice and would enhance the general public's understanding of contemporary visual art.

It is proposed under this option to continue with a selection and judging panel as outlined above.

#### **(c) Implement an annual theme for each year that focuses on the media specific requirements of art collection**

This option would focus on implementing an annual theme to align the Invitation Art Award more closely with the curatorial requirements of the City's Art Collection. For example, limiting entries to a specific medium (such as sculpture or video) or a sub-section of a medium (such as pastel, watercolour, oil and acrylic).

The introduction of a medium-specific theme may provide a way to develop the range of the City's Art Collection in a way that is not currently possible.

However, this option may discourage leading WA artists from participating. Imposing a theme creates difficulties for many professional artists as they are driven by their own motivations, processes and stories, which rarely relate easily to a specified medium, such as painting, to which an artist may have no other direct relationship.

**(d) Implement an invited Guest Curator to select the Artists and curate the exhibition**

This option would introduce a guest curator to work closely with City staff in presenting an internationally respected Invitation Art Award.

In contemporary art, the title of curator is given to a person who selects and often interprets works of art. In addition to selecting works, the curator often is responsible for writing labels, catalogue essays, and other supporting content for the exhibition. Such curators may be permanent staff members, be "guest curators" from an affiliated organisation or university, or be "freelance curators" working on a consultancy basis.

The curator is an active producer of meaning. In the context of an exhibition, that meaning can be produced through their bringing together of works of art, or artists, and their development of a framework or a context through which those works can be viewed. Another way to conceive of the curator is as a catalyst, whose actions - the selection and interpretation of artists and artworks - initiate a dialogue between the audience, artist, and exhibition space.

An invited guest curator for the Invitation Art Award would decide on which artists' work would be featured, the title or name of the exhibition and the theme or subject of the exhibition. The guest curator would also provide a presentation for the ACAC on the event and make recommendations for purchase from the exhibition (where relevant).

The brief would be to provide a professional and thought-provoking exhibition that also supported artistic practice. The guest curator would be required to research new and upcoming artists that were aligned with the direction of the City's Art Collection. The ACAC would then select a work to add to the City's collection following a presentation by the guest curator.

**(e) Investigate alternative venues to host the IAA**

The Invitation Art Award has been situated in the 'Great Space' at Lakeside Joondalup Shopping City since its inception in 1998. Although originally suitable, Lakeside is becoming increasingly challenging. For detailed comment on Lakeside Shopping City as the current venue partner please refer to Attachment 2.

It is recommended that further investigative research be conducted for an alternate venue or temporary structure to host the 2014 Invitation Art Award and facilitate its growth and progression in identity and credibility.

**OPTION 2: Discontinue IAA in its current format**

**(a) Discontinue IAA**

This option would mean that no further Invitation Art Awards would be developed in the City and acquisitions for the art collection would be sourced entirely through other means.

If this option is selected, it is recommended that a further report be submitted to the ACAC to re-assess the City of Joondalup's approach to art and collections for the Joondalup community based on the options detailed below.

Advantages	Disadvantages
Annual savings of \$41,480.	Loss of the City showcasing leading WA contemporary art.
Avoids potential complaints from community members who do not like contemporary or conceptual artwork.	Loss of a service that challenges the horizons of the Joondalup community.
Provides the opportunity to purchase art from local, national & international artists that otherwise would not exhibit in the region.	Loss of the program's cultural, tourism and community engagement value derived from its specialisation in WA contemporary art.

**(b) Discontinue IAA and replace with an Annual Invitation Exhibition Program**

The Invitation Exhibition Program would be committed to supporting new visual art through an annual program of exhibitions, projects and commissions.

The Invitation Exhibition Program would allow for the production, research, presentation and distribution of contemporary art and culture with a specific focus on new visual art and contemporary arts practice. The primary aim being to foster, support and debate new artwork and practices in a way that was of mutual benefit to artists and audiences.

The Invitation Exhibition Program would support on average 10 artists a year to make new work and would make this work accessible through a range of exhibitions, events and opportunities to participate in making and learning. The Invitation Exhibition Program would operate primarily in the blend(er) Gallery facility and assist in delivering a full year program for all residents of the City of Joondalup.

The aim of the Invitation Exhibition Program would be to include opportunities for all visual artists to work with the City of Joondalup to foster, support, and debate new work and practices in a way that is of mutual benefit to artists and audiences. The Invitation Exhibition Program would not represent artists although it would produce a yearly guide of opportunities for new artists in Western Australia and act as a development service for regional artists.

**(c) Discontinue the IAA and replace with a City of Joondalup residency of one year for leading contemporary artist**

Artist-in-residence programs and other residency opportunities exist to invite artists, academics, curators, and all manner of creative people to take time and space away from their usual environment. They provide a time of reflection, research, presentation and/or production. They also allow individuals to explore their practice within another community; meeting new people, using new materials, experiencing life in a new location. Art residencies emphasise the importance of meaningful and multi-layered cultural exchange and immersion in another culture.

Artist-in-residence programs have been part of the international art world for over a century and are currently particularly popular internationally.

Some residency programs are incorporated within larger institutions. Other organisations exist solely to support residential exchange programs. Residencies can be a part of museums, universities, galleries, studio spaces, theatres, artist-run spaces, municipalities, government offices, and even festivals. They can be seasonal, ongoing, or tied to a particular one-time event. They exist in urban spaces, rural villages, and deep in nature. Hundreds of such opportunities and organisations exist throughout the world.

There is no single model, and the expectations and requirements vary greatly. The relationship between the resident and the host is often an important aspect of a residency program. It is anticipated that if a further report is selected on a City of Joondalup year-long residency that the selected leading artist become immersed in the community - giving presentations, workshops, or collaborating with local residents with the possibility of acquiring a work from the artist for the City's Art Collection.

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

**Legislation**                    The moral rights section of the *Copyright Act 1968* (Commonwealth) states that individual creators have the right not to have their work treated in a 'derogatory' way, such as distorting, mutilating, modifying, altering, or removing the artistic work, without the creator's knowledge and consent. This would include a prohibition on professional handling or displaying of artwork without the artist's consent.

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

**Key Theme:**                    Community Wellbeing.

**Objective:**                      Cultural Development.

#### **Outcome:**

Cultural and artistic opportunities within the City are maintained and enhanced whilst the City's libraries provide quality environments and learning opportunities.

#### **Policy:**

The City's art awards are directed by the City's Art and Memorabilia Collections Policy. The policy directs the City's approach to art and collections for the Joondalup community. The policy's multi-criteria approach ensures that the collection, acquisitions and awards primarily focus on leading contemporary art while also endeavouring to include art demonstrating local content and context.

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

Hosting exhibitions in a non-gallery specific space attract a large volume of traffic, although the majority are not visiting the exhibition as a point of destination. This results in lack of understanding in the etiquette for attending and viewing exhibitions and has previously resulted in artworks being inappropriately handled and damaged.

In 2012, three insurance claims were lodged against City of Joondalup due to patrons damaging artwork. Two claims involved damage to work from patrons touching work and one work was stolen from the space while a gallery attendant was on duty during shopping hours.

As a result, professional artists have raised concerns at the risk faced in participating at future events at the City of Joondalup.

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

<b>Operation Code:</b>	4006
<b>Budget Item:</b>	Invitation Art Award
<b>Budget Amount:</b>	\$ 41,480
<b>Amount Spent To Date:</b>	\$ 3,835
<b>Proposed Cost:</b>	\$ 0
<b>Balance:</b>	\$ 37,645

#### **Regional Significance:**

The creation of a high standard of professional art creates a cultural asset for the entire northern region. It promotes the City of Joondalup as an instigator of contemporary art and culturally invigorates the City through engaging the local community.

#### **Sustainability Implications:**

Due to the restrictions of the current location, the hiring of temporary infrastructure is required at a large expense without best results of display or attribution to City of Joondalup assets.

Currently contemporary art is only available to the local community for one month of the calendar year, whereas other Cities have a full year of engagement in leading contemporary visual arts.

Contemporary art provides physical and educational enhancement of a locality and provides a catalyst for public discussion about current social, economic and environmental issues. Through creating more regular points of interest and interaction with contemporary arts the local community could possibly enjoy leading contemporary art all the year round. This would enhance the relevance of the City's cultural identity for the local community and would increase the value of the City's cultural resources.

#### **Consultation:**

In developing this recommendation, consultation was undertaken with a number of stakeholders throughout the City including Cultural Services, Lakeside City Shopping Centre Management, Community Safety, and Joondalup Community Art Association (JCAA) representatives. Feedback and correspondence from the community was also reviewed.

#### **COMMENT**

Overall, the Invitation Art Award provides an opportunity for the general public to engage with contemporary Western Australian visual art and facilitates development of the City of Joondalup Art Collection. The event contributes to the cultural identity of the City of Joondalup.

At the same time, the event in its current format and following the same formulae that have hitherto applied runs the risk of being left behind as the contemporary art world explores other options such as residencies or curated exhibitions as a means of engaging with audiences.

Research into an alternative venue (and in particular a temporary pavilion) may offer further insights into creating greater public engagement with contemporary art as would adoption of the proposed supplementary education program.

In order to hold a high calibre and respected art exhibition, it is necessary to attract practising professionals from around Western Australia. Imposing a further theme creates difficulties for professional artists because they are driven by their own motivations, processes and stories, which rarely relate easily to a specified locality, such as Joondalup or to a specific medium, such as painting, to which an artist may have no direct relationship.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Art Collection and Advisory Committee at its meeting held on 25 October 2012.

The original recommendation as presented by City officers to the Committee is as follows:

*“That the Arts Collection and Advisory Committee:*

- 1 *PROVIDES comment on the options detailed within the report relating to the City’s Invitation Art Award; and*
- 2 *REQUESTS a further report to a future meeting of the Art Collection and Advisory Committee providing detail on the comments raised on the format of the Invitation Art Award.”*

The Committee’s subsequent recommendation to the Council is as follows (changes identified)

*“That the Art Collection and Advisory Committee REQUESTS that a further report be presented to a future meeting of the Art Collection and Advisory Committee detailing the following options relating to the City of Joondalup Invitation Art Award:*

- *Implement a Community Education Program to support the Invitation Art Award;*
- *Implement an artistic direction to focus on exhibiting multiple works by fewer artists;  
and*
- *Investigate alternative venues to host the Invitation Art Award.”*

### **Art Collection and Advisory Committee meeting held 5 November 2012**

At the Art Collection and Advisory Committee meeting held on 5 November 2012, Mayor Pickard submitted a motion revoking the Committee's previous decision at its meeting held on 25 October 2012 in relation to the Invitation Art Award as follows:

*That the Art Collection and Advisory Committee, BY AN ABSOLUTE MAJORITY, REVOKES its decision of 25 October 2012 in relation to Item 3 – Invitation Art Award as follows:*

*“That the Art Collection and Advisory Committee REQUESTS that a further report be presented to a future meeting of the Art Collection and Advisory Committee detailing the following options relating to the City of Joondalup Invitation Art Award:*

- *Implement a Community Education Program to support the Invitation Art Award;*
- *Implement an artistic direction to focus on exhibiting multiple works by fewer artists; and*
- *Investigate alternative venues to host the Invitation Art Award.*

Subsequent to that, the Committee resolved as follows:

*That Council AMENDS the Invitation Art Award to better reflect the aspiration of the local art community to include the following elements commencing in 2013:*

- 1 *The Invitation Art Award be RENAMED the Community Invitation Art Award;*
- 2 *Eligibility to the Community Invitation Art Award be restricted to the City of Joondalup residents or a member of the Joondalup Community Art Association;*
- 3 *Selection of the artists be by an external selection committee and awarded by an external judging panel;*
- 4 *an artistic direction be implemented to focus on exhibiting multiple work by fewer artists;*
- 5 *a possible alternative venue for the Community Invitation Art Award be investigated and reported back to the Art Collection and Advisory Committee; and*
- 6 *a further report be submitted to the Art Collection and Advisory Committee outlining the terms, conditions, award categories and potential community education program for the Community Invitation Art Award.*

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council AMENDS the Invitation Art Award to better reflect the aspiration of the local art community to include the following elements commencing in 2013:**

- 1 The Invitation Art Award be RENAMED the Community Invitation Art Award;**
- 2 Eligibility to the Community Invitation Art Award be restricted to the City of Joondalup residents or a member of the Joondalup Community Art Association;**
- 3 Selection of the artists be by an external selection committee and awarded by an external judging panel;**
- 4 an artistic direction be implemented to focus on exhibiting multiple work by fewer artists;**
- 5 a possible alternative venue for the Community Invitation Art Award be investigated and reported back to the Art Collection and Advisory Committee; and**
- 6 a further report be submitted to the Art Collection and Advisory Committee outlining the terms, conditions, award categories and potential community education program for the Community Invitation Art Award.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 23 refers*

*To access this attachment on electronic document, click here: [Attach23brf131112.pdf](#)*

**ART COLLECTION AND ADVISORY COMMITTEE REPORTS – 5 NOVEMBER 2012****CJ250-11/12 PUBLIC ARTWORK COMMISSION FOR CITY CENTRE, JOONDALUP**

<b>WARD:</b>	North	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	102552, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Leading Contemporary Artists
	Attachment 2	Western Australian Contemporary Artists
	Attachment 3	Artist Profile - Lorenna Grant
	Attachment 4	Artist Profile - Brendan Van Hek
	Attachment 5	Artist Profile - Miik Green
	Attachment 6	Proposed Sites

**PURPOSE**

For Council to consider commissioning a Public Artwork for a City Centre location in Joondalup.

**EXECUTIVE SUMMARY**

This report presents details and options to Council regarding the commission of a public artwork for the City of Joondalup. The artwork is to be located in the City Centre and will be completed in the 2013/14 financial year within the allocated budget. It is anticipated that the artwork will contribute to the revitalisation of the City Centre, Joondalup.

The background provides a definition and a description of the practice of public art, a brief discussion of its contribution to a community's sense of wellbeing, and a history of its relationship to the City of Joondalup.

Potential artists and suppliers are detailed, the advantages and disadvantages of each are listed. The attachments to this report provide examples of the works of three Western Australian artists with a brief biography and CV of each. Also attached are the potential sites for the artwork including advantages of each site.

*It is recommended that Council:*

- 1 *AGREES that the total funds available for the public artwork project being \$50,000 carried forward from 2011/12 financial year and \$50,000 allocated as part of the 2012/13 financial year be combined for a single \$100,000 project;*
- 2 *REQUESTS a further report be presented to the Art Collection and Advisory Committee investigating the preferred location being the intersection of Central Walk for the purposes of a water feature sculpture and present further alternative options to the committee if a sculpture at this location is an unviable option.*

## BACKGROUND

The Council at its meeting held on 17 April 2012 (CJ066-04/12 refers) resolved in part:

7 *In relation the Public Artwork Proposal:*

- 7.1 *NOMINATES the City Centre as the ideal location for the Public Artwork Proposal;*
- 7.2 *ENDORSES Option 2.2 Commissioning of an Artist for the sourcing of public artwork for a piece of art at the central intersection of Central Walk;*
- 7.3 *REQUESTS a further report be SUBMITTED to the Art Collection and Advisory Committee on the opportunities for the Inside-Out Billboard Project for the 2012/13 Financial Year;*
- 7.4 *REQUESTS the Policy Committee to ESTABLISH a Developer Contribution Policy;*
- 7.5 *REQUESTS a presentation from the Chief Executive Officer regarding the project scope and whether it is achievable in reaching the desirable outcomes; and*
- 7.6 *INITIATES an Expression of Interest for the Public Art Proposal and the results be SUBMITTED to the Art Collection and Advisory Committee for its consideration.*

In 1991, the former City of Wanneroo commenced a public art program and began installing artworks throughout the district. In 1995, the former City of Wanneroo adopted a cultural policy, of which the implementation of public art was an important aspect.

Following the division of the City of Joondalup from the former City of Wanneroo in 1997, the existing works within the City of Joondalup's boundaries became part of the current Public Art Collection. Since 1997, the collection has been maintained and added to; however, the majority of the works were created prior to 1999, when a number of major developments were taking place in the Joondalup City Centre (such as the development of the City's civic facilities on Boas Avenue).

The most recent City public art projects include:

- 2001: Kevin Draper was commissioned to create the metal trees located in Central Park.
- 2004: Jon Tarry was commissioned to create the Bali bombing memorial at the Kingsley Memorial Clubrooms.
- 2011: Kate McMillan was commissioned to create a work of public art at Seacrest Park Community Sporting Facility.

The City of Joondalup's current Public Art Collection includes 35 works of public art, including mosaics, murals, sculptures, street bollards, architectural details and street furniture. Works are situated throughout the district; however, the majority are located in and around the Joondalup City Centre area.

The 2011/12 budget allowed an amount of \$50,000 to commission public art. This amount remained unspent and was carried forward to 2012/13. In addition, a further \$50,000 was allocated for 2012/13 for the same project. As the 2011/12 allocation remained unspent, it is suggested that both allocations be spent in one project.

## **DETAILS**

Public art refers to works of art in any media that have been planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to all. It signifies a particular working practice, often with implications of site specificity, community involvement or collaboration.

In recent years, public art has expanded in scope and application – both into more challenging areas of art form and across a much broader range of what might be called our 'public realm'. Cultural interventions of this kind have often been realised in response to creatively engaging a community's sense of 'place' or 'wellbeing'.

Such commissions can still, of course, result in physical, permanent artworks and sculptures. However, they are beginning to include other much more process-driven and action-research based artistic practices as well. As such, these do not always rely on the production of a physical or permanent artwork. This expanded scope of public art can embrace many diverse practices and art forms. The range of this type of artwork's potential is, of course, endless and ever-changing.

Monuments, memorials and civic statuary are perhaps the oldest and most obvious forms of officially sanctioned public art. Increasingly, most aspects of the built environment are seen as legitimate candidates for consideration as, or the location for, public art, including street furniture, lighting and graffiti. Public art is not confined to physical objects; dance, procession, street theatre and even poetry have proponents that specialise in public art.

When considering a public art proposal within the City, the intended objectives should be:

- to promote the City as a cultural destination;
- to meet accessibility and public safety requirements;
- to be relevant and appropriate to the context of its site and the City of Joondalup;
- to contribute to community amenity and the creation of a sense of place;
- to articulate and celebrate the community and its diversity;
- to create and enhance cultural tourism experiences;
- to animate and enrich public spaces and contribute to urban regeneration;
- to facilitate community cultural development;
- to contribute to identification of the City;
- to be designed to a high level;
- to possess aesthetic standards suitable for permanent display;
- to support the integration of contemporary art and daily life;
- to be completed within the 2012/13 financial year; and
- to fit within the budget of \$100,000.

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

Council has nominated the Joondalup City Centre as the ideal location to commission a public artwork.

To meet the objectives outlined for the public art project to start in the 2012/13 financial year, it is recommended that Council endorses the commissioning of an artist to create a site-specific artwork. The commissioning of an artist is common practice when planning a development and currently a modest budget exists for the creation and implementation of one artwork. The proposed commissioning process would involve the following steps:

### Estimated Timeline

Project approval	October 2012
Artists visit site	November 2012
Artists submit brief	December 2012
Selected artist develops concept plan	February 2013
Community Consultation	May 2013
Development of detailed plan of artwork by artist	August 2013
Approval from CEO	October 2013
Manufacture and installation of artwork	July 2014
Estimated delivery date of installation	August 2014

Within the context of 'leading contemporary artists' (Attachment 1) that represent international best practice but at a cost beyond the City's budget, three Western Australian artists were approached (Attachment 2) with a brief of the preferred site (City Centre) and preferred medium (water). The City invited these artists to visit the proposed site in the City Centre and later received a detailed description of how they would approach the commission if selected.

The following advantages and disadvantages apply to commissioning artwork:

Advantages	Disadvantages
Allows the artwork to be created specifically for the site and environment in which it is located.	Commissioning process is a lengthy process and artwork implementation alone requires at least nine months for the creation of a successful artwork following approval of the artist and their concept design. Timeline for complete commissioning process is approximately 25-27 months.
The proposed work will be of a high standard and each artist is very well established in Western Australian.	Inability to know what the final artwork will look like until the final stages of the project.
Work will be important in awareness of revitalisation of City Centre.	With the amount of funds available being modest in terms of commissioning public artwork, this may result in a smaller work or one that is aesthetically compromised.

## Options for Possible Sites



Following the resolution of Council at its meeting held on 17 April 2012 for a preference of a City Centre location for the public art commission, six alternative sites in the City Centre have been submitted, including information from a brief investigation to ascertain the suitability of each City Centre location, ownership of land and installation restrictions where relevant.

Attachment 6 shows the City locations proposed for consideration and includes comments as a result of conducting preliminary research. Also included for each site is a map showing the known location of the main utilities and services that may impact on the ability to install public art at that location.

Of the proposed locations, Site 1 (Central Walk) is the most problematic due to issues of land ownership including that the east west lane is private land, Central Walk is covered by a management order held by the Department of Regional Development and Lands, the location of significant utility services in Central Walk and the potential for any installation to restrict emergency service access. It is recommended that consideration be first given to the other proposed sites for public art.

### Legislation/Strategic Community Plan/Policy Implications

#### Legislation

As the construction and installation of the public art will be undertaken by the City, it would therefore be regarded as a 'public work' and no planning approval would be required. Section 6 (3) of the *Planning and Development Act 2005* requires the responsible authority to be consulted with at the time the public work is being formulated.

The structure would be classified as a class 10b within the Building Code of Australia and would require a building permit as required by the *Building Act 2011*. The structure may also require a Structural Engineer Certificate.

**Strategic Community Plan:**

**Key Theme:** Community Wellbeing.

**Objective:** Cultural Development.

**Policy**

The City's Art and Memorabilia Collection Policy.

The current version of the policy states:

*The City will support Western Australian art and artists through an art acquisition program. The City will adopt a multi-criteria approach to its art collection, acquisitions and awards. This approach will ensure that the collection, acquisitions and awards include contemporary art and art demonstrating local content and context.*

**Risk Management Considerations:**

All works considered would need to meet stringent public safety criteria.

The risk of commissioning any artwork is the inability to know what the final artwork will look like until the final stages of the project.

**Financial/Budget Implications:**

The 2011/12 budget allowed an amount of \$50,000 to commission public art. This amount remained unspent and was carried forward to 2012/13. In addition, a further \$50,000 was allocated for 2012/13 for the same project. As the 2011/12 allocation remained unspent, it is suggested that both allocations be spent in 2012/13.

**Regional Significance:**

The City's Art Collection, including its public art, archives and memorabilia, plays an important part in shaping and developing a sense of community.

The ongoing provision of an accessible and high calibre art collection is integral to the cultural development and vibrancy of the City of Joondalup region and to best practice standards for the development of the visual arts in local government.

**Sustainability Implications:**

The installation of public artworks has positive social sustainability implications. Public artworks physically enrich a locality and provide a catalyst for public discussion about current social, economic and environmental issues. Public artworks strengthen the public realm by creating points of interest, animating spaces and providing beauty, character and colour to places. A new public artwork will build upon the relevance of the City's public spaces for the local community and increase the value of the City's cultural resources.

**Consultation:**

Given the scope of the Public Artwork Commission it is recommended that no community consultation take place.

## COMMENT

Council approved the commission and development of a piece of public art for the City Centre. Overall the commission will be a sound investment for the City of Joondalup's Public Art Collection and should provide a distinguishing and relevant artwork for City Centre. The commissioning of a public artwork will also aid in the revitalisation of Joondalup City Centre.

Public art will add meaning to and builds a stronger sense of place, identity and uniqueness to the City Centre and community. Other non tangible benefits public art contributes are:

- reflects and reveals societies;
- humanises the built environment;
- invigorates public spaces;
- is freely accessible and enables people to experience art in their daily lives;
- invites interaction and response and promotes discussion and debate;
- offers alternative perspectives that can challenge assumptions, beliefs and community values;
- gives community pride and spirit; and
- establishes unique, culturally active, liveable places.

The artists listed represent a range of challenging and diverse work that could encourage the general public to re-examine their expectations and definitions of art through dialogue about the role of art in public spaces. The selected Western Australian artist will design an artwork to challenge an outdoor public site to serve as a catalyst for conversations about art and/or community issues within Joondalup and Western Australia. It is proposed that Loreenna Grant undertake the public artwork as the style and aesthetic of the artist best reflects the City Centre location and the artist has a good track record in working with local government.

In regards to the proposed locations, due to the problems associated with Site 1 (Central Walk) it is recommended that consideration be first given to the other proposed sites for the location of public art.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Art Collection and Advisory Committee at its meeting held on 5 November 2012.

The original recommendation as presented by City officers to the Committee is as follows:

*That Council:*

- 1 *AGREES that the total funds available for the public artwork project being \$50,000 carried forward from 2011/12 financial year and \$50,000 allocated as part of the 2012/13 financial year be combined for a single \$100,000 project;*
- 2 *SELECTS its preferred site for the proposed public artwork;*

- 3 *SELECTS Loreнна Grant to undertake the public artwork with a combined value not to exceed \$100,000 including installation costs on the condition of further exploration of her concept and re-submitting an alternative full design within budget; and*
- 4 *AGREES not to undertake community consultation for the proposed public artwork.*

The Committee's subsequent recommendation to the Council is as follows (changes identified):

*That Council:*

- 1 *AGREES that the total funds available for the public artwork project being \$50,000 carried forward from 2011/12 financial year and \$50,000 allocated as part of the 2012/13 financial year be combined for a single \$100,000 project; and*
- 2 *REQUESTS a further report be presented to the Art Collection and Advisory Committee investigating the preferred location being the intersection of Central Walk for the purposes of a water feature sculpture and present further alternative options to the committee if a sculpture at this location is an unviable option.*

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1 **AGREES that the total funds available for the public artwork project being \$50,000 carried forward from 2011/12 financial year and \$50,000 allocated as part of the 2012/13 financial year be combined for a single \$100,000 project; and**
- 2 **REQUESTS a further report be presented to the Art Collection and Advisory Committee investigating the preferred location being the intersection of Central Walk for the purposes of a water feature sculpture and present further alternative options to the committee if a sculpture at this location is an unviable option.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 24 refers*

*To access this attachment on electronic document, click here: [Attach24brf131112.pdf](#)*

**CAPITAL WORKS COMMITTEE REPORTS – 6 NOVEMBER 2012****CJ251-11/12 TOM SIMPSON PARK - ADDITIONAL FUND REQUIREMENT**

**WARD:** North-Central

**RESPONSIBLE A/DIRECTOR:** Mr Charlie Reynolds  
Infrastructure Services

**FILE NUMBER:** 00468, 101515

**ATTACHMENTS:** Nil

---

**PURPOSE**

For Council to be advised of potential over-expenditure on the Tom Simpson Park upgrade and to endorse additional funding from identified surplus funds carried forward from the 2011/12 financial year to finalise the project in 2012/13.

**EXECUTIVE SUMMARY**

The Final Concept Design for the redevelopment of Tom Simpson Park was approved by Council at its meeting held on 17 May 2011 (CJ092-05/11 refers). There was a total budget of \$750,000 allocated for Tom Simpson Park in the Five Year Capital Works Program.

The works to the southern section of Tom Simpson Park started in May 2012 and are nearing completion at an estimated cost of \$525,000. This leaves funds of \$225,000 to complete the scope of works for the northern section of the park. The works to the northern section of the park that reflects the final concept design have been costed by a Quantity Surveyor at \$572,900. This is almost \$56,000 higher than quotes received by the City for the work to be undertaken.

An additional allocation of funds of \$312,000 (including a \$20,000 contingency sum) is required to enable the full scope of works to be completed on the northern section of Tom Simpson Park in 2012/13.

*It is therefore recommended that Council, BY AN ABSOLUTE MAJORITY, APPROVES:*

- 1 *The unbudgeted additional expenditure of \$312,000 for the completion of the construction of Tom Simpson Park (MPP2022);*
- 2 *The expenditure in Part 1 above to be sourced from identified surplus funds carried forward from the 2011/12 financial year.*

## BACKGROUND

Tom Simpson Park is classified as Regional Open Space and consists of two land parcels:

- 1 To the north, Crown Reserve 32074 (Loc 8891, Vol. 3046, Fol. 981) was vested in the City of Joondalup in March 2000 for the purposes of “Recreation and Parking”.
- 2 To the south, Lot 1 (Vol. 1139, Fol. 205) held in fee simple by the City of Joondalup.

The Final Concept Plan for the upgrade of Tom Simpson Park was supported by Council at its meeting held on 17 May 2011 (CJ092-05/11 refers) following an extensive public consultation process.

Works to the southern section of Tom Simpson Park commenced in May 2012 in accordance with the Final Concept Plan. This portion of the project is nearing completion and has been re-opened to the public, with the exception of the new playground currently under construction. The cost of the upgrade of the southern section of the park is estimated at \$525,000.

## DETAILS

The detailed design for the northern section of the park that reflected the Final Concept Plan approved by Council was submitted to an independent quantity surveyor who submitted a cost estimate of \$572,900. Quotes received by the City for the majority of the upgrade work to be undertaken in the northern section of the park indicate costs in the vicinity of \$517,000.

The total budget in the Capital Works Program for 2011/12 and 2012/13 is \$750,000 leaving \$225,000 available for works to the northern section.

The northern section of the park was fenced off on 15 October 2012 for the following works that can be funded within the existing budget, to commence:

- erection of shade structure over the playground.
- demolition of existing shelters, seating and concrete pads.
- electrical works to disconnect and connect lighting.
- survey work for the new shelters and pathways.
- installation of concrete pads and erection of new shelters.

With the works to complete the northern section of Tom Simpson Park in accordance with the detailed design expected to cost in the vicinity of \$537,000 (allowing for contingencies), there is an anticipated funding shortfall of \$312,000 to complete the following works to the project:

- Retaining walls and fence.
- Beach access stairs.
- Path lighting.
- Reticulation and returfing.
- Bollards.
- BBQs.
- Entry statement and paths.

Surrounding residents and park users have been advised that the northern section of Tom Simpson Park will be closed for ten weeks to enable the works to be completed prior to the summer school holidays.

**Issues and options considered:**

There are a range of options to deal with this funding shortfall:

- Partial completion of the works in 2012/13 by only undertaking the works outlined above that are supported by the current budget at a cost of approximately \$225,000. Significant works such as retaining walls and fencing along Oceanside Promenade will not be undertaken which could create a risk with children running onto the road from the park.
- Consideration of funding in the vicinity of \$312,000 in the 2013/14 budget to enable the remaining works to be completed in accordance with the detailed design. This will require further closure of the northern section of Tom Simpson Park in 2013/14 and pose a short term risk to park users.
- Using identified surplus funds carried forward from the 2011/12 financial year to provide sufficient budget to complete the northern section of Tom Simpson Park in accordance with the detailed design.

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

**Legislation** Subdivision 2 of Division 2 of Part 5 of the *Local Government Act 1995*.  
City of Joondalup *Standing Orders Local Law 2005*.

A Committee cannot make decisions, on behalf of the Council, that require an absolute majority decision (Section 5.17 of the *Local Government Act 1995*), in which case, and in accordance with Section 6.8 of the *Local Government Act 1995*, including approving expenditure not included in the City's Annual Budget. The Capital Works Committee can only recommend to the Council to approve or modify capital works projects.

**Strategic Community Plan**

**Key Theme:** Community Wellbeing.

**Objective:** Quality Facilities.

**Policy:**

Not Applicable.

**Risk Management Considerations:**

The non-completion of the full scope of works until 2013/14 could create some hazards to park users in relation to the interface between the park and Oceanside Promenade.

If the full scope of proposed works on the northern section of Tom Simpson Park are not completed during the current closure (that is October to December 2012) residents and park users could complain that the park has not been upgraded in accordance with the Final Concept Design and will be unavailable for use for a second extended period of time.

**Financial/Budget Implications:**

The total funding provided for the upgrade of Tom Simpson Park is \$750,000. In order to complete the full scope of works on the northern section in 2012/13, further funding of \$312,000 is required.

This funding shortfall could be sourced from the identified surplus funds carried forward from the 2011/12 financial year of \$998,429.

**Regional Significance:**

Tom Simpson Park is a Regional Open Space that attracts users from a wide catchment of localities both within and outside the City of Joondalup.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Extensive community consultation took place on the Concept Plan for the redevelopment of the southern and northern sections of Tom Simpson Park from 23 February to 6 April 2011. The outcomes of the community consultation were reported to Council at its meeting held on 17 May 2011 (CJ092-05/11 refers).

**COMMENT**

There are significant risks involved in delaying the completion of the full scope of works on the upgrade of the northern section of Tom Simpson Park. Additional funds in the vicinity of \$312,000 are required to complete the works in 2012/13. The cost of the works for the upgrade of the northern section of Tom Simpson Park has been verified by an independent Quantity Surveyor based on the detailed design.

**VOTING REQUIREMENTS**

Absolute Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Capital Works Committee at its meeting held on 6 November 2012.

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

**MOVED Cr McLean, SECONDED Cr Taylor that Council BY AN ABSOLUTE MAJORITY, APPROVES the:**

- 1 unbudgeted additional expenditure of \$312,000 for the completion of the construction of Tom Simpson Park (MPP2022); and**
- 2 expenditure in Part 1 above to be sourced from identified surplus funds carried forward from the 2011/12 financial year.**

**The Motion was Put and**

**CARRIED (8/1)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

**Against the Motion:** Cr Corr.

## **CJ252-11/12      2013/14 FACILITY REFURBISHMENT PROJECTS – ADMIRAL PARK CLUBROOMS**

<b>WARD:</b>	North-Central
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	08434, 08575, 11809, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Draft Floor Plan for Admiral Reserve Clubrooms

---

### **PURPOSE**

For Council to consider the refurbishment of the Admiral Park Clubrooms in 2013/14.

### **EXECUTIVE SUMMARY**

At its meeting held on 23 October 2012 (CJ214-10/12 refers), Council agreed to amend the facility refurbishment projects to be undertaken in 2013/14 by removing Sorrento Football (\$180,143) and Sorrento Tennis (\$180,143) Clubs and replacing them with Timberlane Park Clubrooms and another site to be determined. Further to that resolution the Council also resolved for a further report to be submitted detailing the requirements to upgrade the Admiral Park, Heathridge facility.

The Admiral Park facility currently comprises a change room/public toilet facility with a recent addition of a covered colourbond spectator viewing area, which also acts as a storage area and clubroom.

To enable the facility to be upgraded to allow greater change room area along with amenities for the club to utilise in the form of storage, function area and kitchen facility it is estimated to be \$330,000. In addition there will be the requirement of (estimated costs only):

• Power Upgrade Proposal (Provisional)	\$20,000
• Floodlight (four floodlight towers 50 lux)	\$100,000
• Connection to deep sewer (provisional)	\$50,000
• Professional/Consultant fees (not including internal costs)	\$60,000
• Contingencies (5%)	\$30,000

It is estimated that the total project cost is \$590,000. These costings are an order of magnitude and are based on a preliminary sketch plans and scope of work in order to provide advice to the Capital Works Committee within the timeframes allowed. No consultation has been undertaken with the user groups on the design elements.

More detailed costings can be established with more time and investigation when detailing the scope of works.

## BACKGROUND

Each year the City undertakes one or two refurbishments (mini-makeovers) of community and sporting facilities. The scope of the projects is confined to refurbishing particular aspects of the facility such as the following:

- Painting;
- Replacing fixtures and fittings;
- Upgrading external environments such as pathways, landscapes, playgrounds signage;
- Kitchen facilities;
- Floor coverings;
- Toilets and Change rooms (including refurbishment or new extensions to the facility);
- Storage facilities (extensions to the facility);
- Heating/cooling system; and
- Window treatments.

The construction of new buildings or major facility extension works/redesign of a facility is a redevelopment project and is considered outside the scope of a facility refurbishment project. These projects are normally addressed as a separate redevelopment project within the Capital Works Program.

Refurbishment projects are undertaken in line with the City's endorsed Master Planning Process. The first phase is the Consultation and Scope of Works stages - this phase involves consultation with the regular user groups of the facility to determine functionality and aesthetic issues that can be addressed through the facility refurbishment. Also taken into consideration as part of the refurbishment are community safety, environmental health and access and inclusion issues regarding the particular facility. This information is then developed into a scope of works document and concept plans. These documents are then used for the second phase of the project – Estimated Costs and Construction.

At its meeting held on 23 October 2012, after considering a recommendation from the Capital Works Committee (CJ214-10/12 refers), Council resolved as follows:

*“That Council:*

- 1 *BY AN ABSOLUTE MAJORITY APPROVES a change to the listed refurbishment projects to be undertaken in 2013/14 from Sorrento Football (Soccer) Clubrooms and Sorrento Tennis Clubrooms to Timberlane Park Clubrooms and one other site to be determined in November 2012; and*
- 2 *REQUESTS a further report be submitted to the Capital Works Committee in November 2012 on the opportunity for upgrade of the Admiral Park facility to address requirements of sporting clubs utilising this facility.”*

## DETAILS

Admiral Park, Heathridge is currently utilised by the Ocean Ridge Junior Cricket Club and Whitford and Districts Senior Cricket Club in the summer and Joondalup and Districts Rugby League Club (Juniors and Seniors) in the winter.

There is a small toilet/change room facility at the park that was built in 1989. Recently, the Joondalup and Districts Rugby League Club undertook an extension of the toilet/change rooms to create a covered, enclosed spectator area and clubhouse where they also have some storage facilities.

The Rugby League Club is a member of Arena Community Sport and Recreation Association (ACSRA) which is based at Arena Joondalup. Other members of ACSRA are Joondalup Brothers Rugby Union Club, Joondalup Netball Association and the Joondalup Little Athletics Association.

Rugby League shares the playing surface at the Arena with the Joondalup Brothers Rugby Union Club which provides challenges with regards to training and match fixturing.

In order to refurbish the facility at Admiral Park to allow occupation by the sporting clubs that currently use the existing facilities, the following basic scope of works would be required to improve the facility:

- Extension of the existing change rooms into the rear verandah and in brickwork – possible new slab and footings.
- Extend the line of the brickwork for the change room extension to form a new external store and kitchen store to the existing clubroom/covered viewing area.
- The retaining wall on the northern side of the facility will need to be modified to allow access to the new external store from the east.
- The shed internal and external cladding should be removed leaving only the columns, studs and girts. The windows will also need to be removed and replaced.
- Reclad all the external faces with new sheet metal cladding with insulation.
- Install new windows and glazed doors and screens to the front elevation.
- Install appropriate floor and wall coverings.
- Reclad the inside with single skin of full height brickwork to be plastered or flush pointed and painted.
- Both stores to be flush pointed brickwork and painted.
- Install a flush plaster board ceiling.
- The kitchen and kitchen store to be brickwork with hard wall plaster. Both to have flush plasterboard ceilings.
- West side to have two metre wide footpath. This will require a retaining wall.
- Allow for a grease trap and connection to the existing septic tank (allow to connect to deep sewerage if practical). If connection to deep sewerage is not possible need to ascertain if current septic tank has sufficient capacity to take kitchen waste.
- Allow for evaporative cooling.
- Allow for repainting of refurbished facility.

These refurbishments will provide users of the reserve with a facility that has larger change rooms along with an internal facility including function space and a kitchen facility and appropriate storage. It has been estimated by a Quantity Surveyor that costs of the refurbishment to be approximately \$330,000.

The Quantity Surveyor advised provision would be required for the following additional works (these are approximate costs):

- |   |           |
|---|-----------|
| • Power upgrade (Provisional – pending detailed quote from Western Power) | \$20,000  |
| • Floodlight (four floodlight towers 50 lux)                              | \$100,000 |
| • Connection to deep sewer (provisional)                                  | \$50,000  |
| • Professional/Consultant fees (estimated – not including internal costs) | \$60,000  |
| • Contingencies (5%)  | \$30,000  |

Estimated total cost of the proposed works is \$590,000.

**Issues and options considered:**

The role of the Capital Works Committee:

- Oversee the recent progress of the City's annual Capital Works Program and review of the City's Five Year Capital Works Program.
- Oversee the long term planning of major capital works projects not being the role of a Council Committee established for such purposes.
- Consider recommendations to modify the City's Capital Works.

The Capital Works Committee can either recommend to Council:

- 1 Agree to consider the upgrade of the Admiral Park facility as part of the 2013/14 facility refurbishments projects;
- 2 Request a further report that provides a more detailed scope of works following consultation with the user groups and a more comprehensive costing of the proposed refurbishment; and
- 3 Not agree to include Admiral Park facility as part of the 2013/14 facility refurbishment projects and reconsider other possible options.

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

**Legislation:** Not Applicable.

**Strategic Community Plan:**

**Key Theme:** Community Wellbeing.

**Objective:** Quality Facilities.

**Policy:**

Not Applicable.

**Risk Management Considerations:**

Any capital project brings risks in relation to contingencies and over runs against original design. The proposed costings prepared for the project are an order of magnitude. The design elements at this stage have not been consulted with the user groups and may need to be adjusted subject to those discussions.

**Financial/Budget Implications:**

The 2013/14 capital works program listed the following facility refurbishments:

- Sorrento Tennis Club \$180,143
- Sorrento Football Club \$180,143

With the Council's decision of 23 October 2012, refurbishment of the Timberlane Clubrooms will replace one of the projects above, with the other to be decided.

The current estimate of \$590,000 for the Admiral Park Clubrooms significantly exceeds the \$360,286 of freed up funds from the removal of the Sorrento Tennis and Football Clubs from the proposed 2013/14 refurbishment projects. The Admiral Park Clubroom project is also only in the very early stages of development and is based on preliminary sketch plans and scope that have not included any consultation. A portion of the freed up funds is already proposed to be used for refurbishment of the Timberlane Clubrooms which itself has yet to be scoped and estimated.

If the Admiral Park Clubrooms project is to proceed there will need to be further review of the other facility refurbishment projects proposed in 2013/14 as part of the 2013/14 budget deliberations.

### **Regional Significance:**

In accordance with the City's adopted Parks Classification, Admiral Park is classified as a local park.

### **Sustainability Implications:**

All facility refurbishment projects are planned to reduce the impact of the carbon footprint and consider environmental sustainability design features where possible.

The project will include consultation with existing sporting clubs and community groups of the facility to ensure that feedback received represents the needs of the user groups. All facility refurbishment projects will consider access and inclusion principles and will aim to enhance the amenity of the public space.

### **Consultation:**

To date no consultation has been undertaken with the user groups or the community. The design and costings have been prepared to allow consideration to be given to including it as part of the capital works program.

Once a decision is made on the facilities to undergo refurbishment in 2013/14 planning for the projects will commence with consultation with the regular hire groups to be undertaken in late 2012. The feedback received will be used to develop a scope of works document and concept plans. Following this, cost estimates are determined, budget allocations reviewed, works are tendered (if necessary) and the works are scheduled.

Any consultation required for the project will be undertaken in accordance with the City's approved Community Consultation and Engagement Policy and Protocol.

### **COMMENT**

There are current challenges being experienced by the two winter users of the playing surface at Arena being Rugby League and Rugby Union. Upgrading the facilities at Admiral Park will provide a base for the Rugby League to operate from and allow the Joondalup Rugby Union Club to be the sole winter hirer of the playing surface at the Arena.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION:

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Capital Works Committee at its meeting held on 6 November 2012.

The original recommendation as presented by City officers to the Committee is as follows:

*That Council REQUESTS that the refurbishment of Admiral Park Clubrooms be listed for consideration in the 2013/14 budget deliberations.*

The Committee's subsequent recommendation to the Council is as follows (changes identified):

*That Council REQUESTS that the refurbishment of Admiral Park Clubrooms be listed for consideration in the 2013/14 budget deliberations, with appropriate project planning completed prior to the end of the current financial year.*

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council REQUESTS that the refurbishment of Admiral Park Clubrooms be listed for consideration in the 2013/14 budget deliberations, with appropriate project planning completed prior to the end of the current financial year.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 25 refers*

*To access this attachment on electronic document, click here: [Attach25brf131112.pdf](#)*

**CJ253-11/12 ENTRY STATEMENTS**

---

<b>WARD:</b>	All
<b>RESPONSIBLE A/DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services
<b>FILE NUMBER:</b>	102315, 55541, 102623, 101515
<b>ATTACHMENTS:</b>	Nil

---

**PURPOSE**

For Council to consider as to the next steps for the Entry Statements project proposed to be constructed on the northern and southern entrances to the City.

**EXECUTIVE SUMMARY**

This report has been prepared in response to the resolution of the October Council meeting relating to the Entry Statements. This resolution requested the Chief Executive Officer review the concept design and project scope for the two Entry Statements to be sited:

- 1 North of Beach Road; and
- 2 Adjacent to the northern boundary of Cranston Park.

As requested the Chief Executive Officer has reviewed the chronology of the project from the original presentation to Elected Members. As part of this the Chief Executive Officer has assessed the design modifications made during the course of this project and any opportunity to align the project to Councils original intent. In doing so it is considered difficult to make any further changes and retain the integrity of the original designs.

It is clear there was a failure to adequately consider MRWA Road Safety specifications in the original design. This flaw has impacted the progress of the project and despite best endeavours to modify the design to achieve the original agreed project outcomes the City has not been successful within the assigned budget parameters. Accordingly as reported to the October Capital Works Committee the revised estimate to construct the two Entry Statements is \$263,000 per entry statement. This estimate represents a variation of \$196,000 over and above the 2012/13 approved project budget.

The recommendations in this report as such are based on the revised estimate of \$526,000.

## BACKGROUND

The concept for the City's Entry Statements is to provide a memorable gateway into the City of Joondalup. *"A clear Joondalup sign informs people of where they are entering while the rest of the design mimics a city skyline and the individual elements are an interpretive reflection of what is the City of Joondalup (past, present and future)"*. The northern entry sign is sited on the local government boundary; while the southern statement is setback from the City boundary to preserve the agreed concept design. This project initially commenced in 2002/03 following the allocation of \$75,000 for the development of Entry Statements into the City. Based on the results of the community consultation research process Council resolved not to proceed with either of the two design prototypes. These prototypes were installed at the junction of Hepburn Avenue, West Coast Drive and Whitfords Avenue, Hillarys.

This project was not revisited until 2006/07. At that time Elected Members were surveyed on various Entry Statement options by way of a visual report between December 2006 and March 2007. Generally past reports indicate Elected Members did not support box like, block or square Entry Statements with the majority response indicating the need for a cost effective clean, simple design with clear signage. This feedback was in turn reported to Council with the officers' recommendation being that Council develop the Entry Statement hard landscaping component using the original LandCorp signage at the northern and southern extremities within Marmion Avenue and the landscaping component to be completed in alignment with the Master Landscape Plan (utilising native plant species). Council subsequently resolved in September 2007 to appoint a suitably qualified designer to assist in designing the Entry Statements for the City of Joondalup. The Entry Statements project was again considered by elected Members in early 2008 and Urban Design and Landscape Architecture (UDLA) were appointed to the project to prepare a design.

Following endorsement of the concept design by Council, and approval of a budget allocation in 2009/2010 of \$375,750 to construct three Entry Statements (based on the architects 2008 cost estimate), Main Roads Western Australia (MRWA) were consulted. The City negotiated with MRWA the six metre clear zone being reduced to two metres if a wire rope barrier was installed between the road edge and the Entry Statement. MRWA also conditioned that any proposed site landscaping be approved by MRWA. The MRWA approved design shows no trees. Following this conditional approval by MRWA a revised project estimate was in turn reported to Council where it was subsequently resolved to limit the Entry Statements to two only at the north and south entries. This change was made to fit the estimated cost within the approved budget.

In December 2011 Council resolved to invite tenders, based on the revised design and agreed locations, for the construction of the two Entry Statements. Tender proposals received April 2012 ranged in value from \$572,691 to \$885,987. Consequently tenders were declined and UDLA requested to revise and reduce the scope of works to fit the budget. Notwithstanding this request, the revised estimate as reported to the October 2012 Capital Works Committee, is \$263,000 per Entry Statement. This represents a variation of \$196,000 over and above the 2012/13 budget allocation.

This revised cost was derived having taken into account the following scope revisions:

- Reconstituted limestone walls rather than natural limestone blocks;
- Aluminium interpretive poles rather than mild steel;

- Paving and soft landscaping to be removed from the tender scope and undertaken by City staff. The reason this has been removed is the previous tender required the contractor to consolidate the landscaping for three months. It was identified this could be more efficiently managed by City staff. Even so the revised estimate of \$526,000, including a landscaping component of \$24,000, is subject to a final landscaping plan and allows for the planting of a small number of trees. Presently final designs show no landscaping at either site. Indeed the southern site may require the removal of some trees.

## **DETAILS**

The Entry Statements project has been sustained over the years in the interests of providing a memorable gateway into the City of Joondalup. In the early days (2006/07), the implications of road safety standards on aspects of the project including the concept design and cost were not contemplated. The failure to adequately consider MRWA Road Safety specifications in the original design has impacted the progress of the project and added to the overall cost. The road safety requirements involving the construction of the cable wire barrier (estimated to cost \$100,000) has been reflected within the revised project estimate of \$526,000.

If Council wishes to retain the status quo designs and progress the project, based on the revised scope of works, an additional budget allocation of \$196,000 is required. A risk attached to this option is actual tender prices received exceed this cost estimate, requiring Council to re-evaluate the future of this project.

Another option Council may consider relevant is to abandon the current design and undertake a total redesign.

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

#### **Option 1**

Council may proceed with the entry statement project, based on the final designs, at the additional cost of \$196,000.

#### **Option 2**

Council may abandon the current design of the project and undertake a total redesign.

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

**Legislation**                      Not Applicable.

#### **Strategic Community Plan**

**Key Theme:**                      Quality Urban Environment.

**Objective:**                        Quality Open Spaces.

#### **Policy:**

Not Applicable.

**Risk Management Considerations:**

The Entry Statements have been designed in accordance with Australian Standards to minimise any risks associated with vehicle and pedestrian movement through the proposed Entry Statement.

**Financial/Budget Implications:**

<b>Account No:</b>	SSE2019
<b>Budget Item:</b>	Entry Statements
<b>Budget Amount:</b>	\$ 340,000.00
<b>Amount Spent to Date:</b>	\$ 10,018.32
<b>Balance:</b>	\$ 329,981.68

Additional expenditure from commencement of the project in June 2011 to 30 June 2012 is \$25,857.60 for consultancy works and ground service surveys. All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Elected Members have approved the Entry Statement design following a number of workshops with the architect designer.

**COMMENT**

The Entry Statement project provides the opportunity to construct a gateway into the City of Joondalup. The most recent estimate of \$263,000 per Entry Statement is \$196,000 over and above the 2012/13 Budget allocation. This report provides two options for Council's consideration and seeks direction on the level of commitment to progress the Entry Statements project as a priority.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Capital Works Committee at its meeting held on 6 November 2012.

*That the Capital Works Committee PROVIDES ADVICE on the level of commitment to progress the Entry Statements project as a priority.*

The Committee's subsequent recommendation to the Council is as follows (changes identified):

*That Council:*

- 1 CONFIRMS its commitment to the erection of entry statements in Marmion Avenue north of Beach Road and adjacent to the northern boundary to Cranston Park and Joondalup Drive, near the intersection of Burns Beach Road;
- 2 RETAINS the key principles of the originally approved concept design;
- 3 ERECTS the entry statements only in the road median island at the designated locations;
- 4 PREPARES the revised design, scope and cost estimates, together with confirmation from Main Roads WA that the proposed design is approved;
- 5 in preparing an alternate revised design, GIVES CONSIDERATION to the entry statements running parallel to the road network, mitigating the need for crash barriers.

**MOVED Mayor Pickard, SECONDED Cr Chester that Council:**

- 1 CONFIRMS its commitment to the erection of entry statements in Marmion Avenue north of Beach Road and adjacent to the northern boundary to Cranston Park and Joondalup Drive, near the intersection of Burns Beach Road;**
- 2 RETAINS the key principles of the originally approved concept design;**
- 3 ERECTS the entry statements only in the road median island at the designated locations;**
- 4 PREPARES the revised design, scope and cost estimates, together with confirmation from Main Roads WA that the proposed design is approved; and**
- 5 in preparing an alternate revised design, GIVES CONSIDERATION to the entry statements running parallel to the road network, mitigating the need for crash barriers.**

**The Motion was Put and**

**CARRIED (6/3)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Fishwick, Hollywood, Norman and Ritchie.

**Against the Motion:** Crs Corr, McLean and Taylor.

**POLICY COMMITTEE REPORTS – 12 NOVEMBER 2012****CJ254-11/12 REVIEW OF STATE ADMINISTRATIVE TRIBUNAL -  
MEDIATION AND REVISED DEVELOPMENT  
PROPOSALS POLICY**

---

<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

---

**PURPOSE**

For Council to consider the draft State Administrative Tribunal – Mediation and Revised Development Proposals Policy following advertising, and decide whether to adopt the policy as final.

**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 the line with the new standard policy template. However, at its meeting held on 15 May 2012 (CJ093-05/12 refers), Council requested that a separate report be prepared on this policy.

The current 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 is to be titled 'Development Proposals before the State Administrative Tribunal Policy'.

At its meeting held on 21 August 2012 (CJ163-08/12 refers), Council resolved to advertise the draft policy for public comment. The draft policy was advertised for 21 days, closing on 4 October 2012. No submissions were received.

*It is therefore recommended that Council ADOPTS as final the draft Development Proposals before the State Administrative Tribunal Policy, as detailed in Attachment 1 to Report CJ254-11/12.*

## 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. At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council resolved in part 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.”*

At its meeting held on 21 August 2012 (CJ163-08/12 refers), Council considered a revised policy and resolved as follows:

- “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.”*

## 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:

- Adopt the draft policy as final;
- Adopt the draft policy as final, with modifications; or
- Refuse to adopt the policy.

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

**Legislation**                      *State Administrative Tribunal Act 2004.*

**Strategic Community Plan**

**Key Theme:**                      Quality Urban Environment.

**Objective:**                        Quality Built Outcomes.

**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:**

The costs associated with advertising the policies in the local paper and notice of the final adoption of the policies will be 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 4 October 2012, as follows:

- A notice published in the Joondalup Times for two consecutive weeks (13 and 20 September 2012);
- A notice placed on the City's website.

**COMMENT**

No submissions were received during the advertising period and no further changes are proposed to the draft policy.

As the advertising of the draft Development Proposals before the State Administrative Tribunal Policy has not raised any issues that would warrant not proceeding with the proposal, it is recommended that the policy be adopted as final.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION:**

The Committee recommendation to the Council for Report CJ254-11/12 (as detailed below) was resolved by the Policy Committee at its meeting held on 12 November 2012.

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

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council ADOPTS as final the draft Development Proposals before the State Administrative Tribunal Policy, as detailed in Attachment 1 to Report CJ254-11/12.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 26 refers*

*To access this attachment on electronic document, click here: [Attach26agn201112.pdf](#)*

## **CJ255-11/12      REVIEW OF ENVIRONMENTALLY SUSTAINABLE BUILDINGS IN THE CITY OF JOONDALUP POLICY**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	21452, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Environmentally Sustainable Design Policy

---

### **PURPOSE**

For Council to consider the amended Environmentally Sustainable Building in the City of Joondalup Policy (now named Environmentally Sustainable Design Policy) following advertising, and decide whether to adopt the policy as final.

### **EXECUTIVE SUMMARY**

The City has recently undertaken a review of the Policy Manual. The Environmentally Sustainable Buildings in the City of Joondalup Policy (adopted 2011 – CJ041-03/11 refers) is proposed to be updated in line with the new standard policy template, including several formatting and wording improvements. The policy name has been changed to Environmentally Sustainable Buildings to better reflect the purpose of the policy.

At its meeting held on 21 August 2012 (CJ165-08/12 refers), Council resolved to advertise the amended policy for the purpose of public comment for a period of 21 days. The comment period ended on 4 October 2012 and no submissions were received during the advertising period.

*That Council:*

- 1      *APPROVES the Environmentally Sustainable Design Policy as shown in Attachment 1 to Report CJ165-08/12 for the purpose of public advertising with the following amendments:*
  - 1.1      *An additional dot point be ADDED under heading 4 - Details, subheading 4.1 - Design Principles to read as follows:*
    - *“Designing buildings so materials can be easily recycled if in the future the building is to be demolished.”;*
  - 1.2      *The words ‘seek to’ between the words ‘will’ and ‘prioritise’ in paragraph two under heading 3 – Statement be DELETED;*
- 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.*

## 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;...”*

A report was prepared outlining that the policies were prepared under different legislation, and therefore it was not appropriate to combine the policies.

At its meeting held on 21 August 2012 (CJ165-08/12 refers), Council considered the report on the combining of policies, and resolved as follows:

- “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.”*

## DETAILS

The Environmentally Sustainable Buildings 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 policy has been updated in line with the current review of the Policy Manual, therefore several formatting and wording improvements are proposed as well as a change to the policy name to better reflect the purpose of the policies. These proposed modifications are highlighted in red underlined (additions) and red strikethrough (deletions) at Attachment 1 to Report CJ255-11/12.

### Issues and options considered:

Council has the option to:

- Adopt the amended policy as final;
- Adopt the amended policy as final, with modifications; or
- Refuse to adopt the policies.

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

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

Clause 8.11 of DPS2 enables Council to prepare, amend and add to local planning policies that relate to any planning and development matter within the Scheme area.

**Strategic Community Plan**

**Key Theme:**                      Quality Urban Environment.

**Objective:**                      Quality Built Outcomes.

**Policy:**

City Policy - Environmentally Sustainable Buildings Policy.

City 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:**

The Environmentally Sustainable Design Policy was advertised for public comment for a period of 21 days, closing on 4 October 2012, as follows:

- A notice published in the Joondalup Times for two consecutive weeks (13 and 20 September 2012);
- A notice placed on the City's website.

No submissions were received.

## COMMENT

No submissions were received during the advertising period and no further changes are proposed to the draft policy.

As the advertising of the modified Environmentally Sustainable Design Policy has not raised any issues that would warrant not proceeding with the proposal, it is recommended that the policy be adopted as final.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to the Council for Report CJ255-11/12 (as detailed below) was resolved by the Policy Committee at its meeting held on 12 November 2012.

The original recommendation as presented by City officers to the Committee is as follows:

*That Council, in accordance with Clause 8.11 of the City of Joondalup Planning Scheme No. 2, ADOPTS as final the modified Environmentally Sustainable Design Policy, as detailed in Attachment 1 to this Report.*

The Committee's subsequent recommendation to the Council is as follows (changes identified):

*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 with the following amendments:

1.1 An additional dot point be ADDED under heading 4 - Details, subheading 4.1 - Design Principles to read as follows:

- "Designing buildings so materials can be easily recycled if in the future the building is to be demolished."

1.2 The words 'seek to' between the words 'will' and 'prioritise' in paragraph two under heading 3 – Statement be DELETED;

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.

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

- 1 APPROVES the Environmentally Sustainable Design Policy as shown in Attachment 1 to Report CJ165-08/12 for the purpose of public advertising with the following amendments:**
  - 1.1 An additional dot point be ADDED under heading 4 - Details, subheading 4.1 - Design Principles to read as follows:**
    - ***“Designing buildings so materials can be easily recycled if in the future the building is to be demolished.”;***
  - 1.2 The words ‘seek to’ between the words ‘will’ and ‘prioritise’ in paragraph two under heading 3 – Statement be DELETED;**
- 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*.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 27 refers*

*To access this attachment on electronic document, click here: [Attach27agn201112.pdf](#)*

## **CJ256-11/12 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 Public Space Policy Attachment 2 Draft Closure of Pedestrian Accessways Policy Attachment 3 Uniform Fencing – Subdivision Policy

---

### **PURPOSE**

For Council to consider the draft Subdivision and Dwelling Development Adjoining Public Space, the draft Closure of Pedestrian Accessways policies, and revoking of the Uniform Fencing – Subdivision policy following advertising, and decide whether to adopt the policies as final.

### **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 was 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 revoked.

At its meeting held on 21 August 2012 (CJ164-08/12 refers), Council resolved to advertise the revised policies for the purpose of public advertising for a period of 21 days ending on 4 October 2012.

No submissions were received during the advertising period.

It is recommended that the draft Subdivision and Dwelling Development Adjoining Public Space and the draft Closure of Pedestrian Accessways policies be adopted as final, and the Uniform Fencing – Subdivision policy be revoked.

## 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.

At its meeting held on 21 August 2012 (CJ164-08/12 refers), Council resolved as follows:

- “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 2 to Report CJ164-08/12, for the purposes of public advertising;*
- 2 *APPROVES the revocation of the Uniform Fencing – Subdivision Policy for the purposes of public advertising;*
- 3 *ADVERTISES the draft Subdivision and 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.”*

## 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 revoked.

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 500 millimetres 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; and
- 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.

The draft policies are provided in Attachments 1 and 2 to Report CJ256-11/12.

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

Council has the option to:

- Adopt the draft policies as final;
- Adopt the draft policies as final, with modifications; or
- Refuse to adopt the policies.

### **Legislation/Strategic Community 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 local planning policies that relate to any planning and development matter within the Scheme area.

### **Strategic Community Plan**

**Key Theme:**                      Quality Urban Environment.

**Objective:**                        Quality Built Outcomes.

### **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 for owners of sites adjoining public space.

**Financial/Budget Implications:**

The costs associated with advertising the policies in the local paper and notice of the final adoption of the 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:**

The proposed policy was advertised for public comment for a period of 21 days, closing on 4 October 2012 as follows:

- A notice published in the Joondalup Times for two consecutive weeks (13 and 20 September 2012);
- A notice placed on the City's website.

No submissions were received.

**COMMENT**

No submissions were received during the advertising period, and no further changes are proposed to the draft policies.

The draft policies are considered to address concerns with current policies over lack of privacy and perception of security for land owners adjoining public space and pedestrian accessways, while still ensuring that surveillance is provided to these areas. The changes also align with current State Planning Policies and planning guidelines including Crime Prevention Through Environmental Design guidelines.

It is recommended that the draft Subdivision and Dwelling Development Adjoining Public Space and the draft Closure of Pedestrian Accessways policies be adopted as final (as per Attachments 1 and 2 of this Report), and the Uniform Fencing – Subdivision policy be revoked.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION:**

The Committee recommendation to the Council for Report CJ256-11/12 (as detailed below) was resolved by the Policy Committee at its meeting held on 12 November 2012.

The Committee recommendation is the same as recommended by City Officers.

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1** In accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2* **ADOPTS** as final the draft Subdivision and Dwelling Development Adjoining Areas of Public Space Policy and the draft Closure of Pedestrian Accessways Policy, as detailed in Attachments 1 and 2 to Report CJ256-11/12; and
- 2** In accordance with Clause 8.11.4(b) of the *City of Joondalup District Planning Scheme No. 2* **REVOKES** the Uniform Fencing - Subdivision Policy as detailed in Attachment 3 to Report CJ256-11/12.

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 28 refers*

*To access this attachment on electronic document, click here: [Attach28agn201112.pdf](#)*

## **CJ257-11/12      DEVELOPMENT      REQUIREMENTS      FOR      WIND TURBINES AND SATELLITE DISHES**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development	
<b>FILE NUMBER:</b>	102705, 101515, 81513	
<b>ATTACHMENTS:</b>	Attachment 1	Satellite Dishes, Aerials and Radio Equipment Policy
	Attachment 2	Small Scale Renewable Energy Systems Policy
	Attachment 3	Foxtel Installer Products Domestic List

---

### **PURPOSE**

For Council to re-examine certain existing provisions contained in the City's planning policies on satellite dishes, aerials and radio equipment and small scale renewable energy systems, specifically regarding the size of satellite dishes exempt from planning approval and the height requirements and noise requirements for wind turbines.

### **EXECUTIVE SUMMARY**

At its meeting held on 21 August 2012 (CJ160-08/12 refers), Council requested a report to examine the development standards relating to height and noise requirements for wind energy systems and the size of satellite dishes which are exempt from planning approval.

Research has been undertaken and it was found that the current policy standard of exempting satellite dishes 90 centimetres or less in diameter is consistent with the industry standard for domestic satellite dishes for pay television.

In regard to the provisions for wind turbines, the standards outlined in the City's Small Scale Renewable Energy Systems Policy are consistent with other local government policies. As concern has been expressed regarding the blade clearance for pole mounted wind turbine, a clearance of three metres from the blade to the natural ground level is proposed. However, this clearance distance is suggested only and not based on an industry standard or similar local government policy.

As such, it is recommended that the existing Satellite Dishes, Aerials and Radio Equipment Policy be retained without modifications and the Small Scale Renewable Energy Systems Policy be modified to include a blade clearance distance of three metres. As a minor modification to the policy is proposed, it is also recommended that the policy be advertised for public comment for a period of 21 days.

## BACKGROUND

The City has recently undertaken a review of the Policy Manual. As part of the review the Satellite Dishes, Aerials and Radio Equipment Policy and the Small Scale Renewable Energy Systems Policy were reviewed. Minor modifications were made to these policies which included format improvement and wording changes to improve consistency and clarity. Subsequently the policies were required to be advertised for a period of 21 days in accordance with Council's resolution made at its meeting held 20 March 2012 (CJ032-03/12 refers).

Following the public consultation period, during which no submissions were received, Council was requested to adopt the policy as final at its meeting held on 21 August 2012 (CJ160-08/12 refers).

Council resolved as follows:

*"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;"*

## DETAILS

### Satellite Dishes

The City's Satellite Dishes, Aerials and Radio Equipment policy provides standard requirements for satellite dishes. The policy states the erection of a satellite dish is exempt from requiring planning approval when:

- A satellite dish is located on the roof and has a diameter of not greater than 0.9 metres;
- A satellite dish (combined dish and support) is located at existing ground level and is 2.4 metres or less in any dimension. The dish is to be located so as not to be visible from any street or adjoining property;
- A maximum of one satellite dish and one form of radio equipment is permitted exclusive of a domestic antenna. Where additional equipment is sought an application for planning approval is required.

In reviewing the policy specifically in regard to the size of satellite dishes, the City contacted an independent satellite dish installer as well as Foxtel to determine what the industry standards were for roof mounted satellite dishes. Comment provided from the installer indicated that satellite dishes for pay television were normally solid and a maximum of 85-90 centimetres in diameter with Foxtel dishes being 65-85 centimetres in diameter. This was reiterated by the consultant from Foxtel who indicated the Foxtel dishes were a maximum of 90 centimetres in diameter. Additionally, the Foxtel Installer Products Domestic list indicates the standard dishes to be 65 centimetres (Attachment 3 refers).

The independent installer commented that for domestic satellite dishes people generally select smaller solid dishes for pay television as they are preferable cost wise. The larger mesh dishes, which are usually ground mounted, are normally preferred on commercial sites or where inclement weather may interfere with the signal.

A review of other local government planning policies for satellite dishes was also undertaken. It was found that City of Stirling's Satellite Dish Policy indicates approval is required for a dish with a diameter of 0.9 metres or greater and the City of Vincent and the City of Subiaco permit a satellite dish with a diameter of less than one metre as a right. There are provisions in the City of Gosnells TPS 6 which exempt satellite dishes with a maximum diameter of one metre.

### Wind turbines

The City's Small Scale Renewable Energy Systems Policy includes development requirements for wind turbines. One of the key requirements of the policy is the need for planning approval for all wind turbines. This means the applicant is required to demonstrate compliance with the policy requirements including height, diameter and noise standards in order for the application to be considered.

Research was undertaken to determine if other local government authorities had a policy guiding small scale renewable energy systems and if they addressed noise requirements for wind turbines.

The City of Stirling's Renewable Energy Systems Policy was found to closely align with the City's policy including the requirement for compliance with the *Environmental Protection (Noise) Regulations 1997*. The City of Cockburn and the Shire of Augusta-Margaret River Renewable Energy Systems policies also refer to compliance with the *Environmental Protection (Noise) Regulations 1997*.

The policy requirements relating to the height and diameter of wind turbines were also reviewed. Comparing the City's policy to the relevant policies from the Shires of Esperance and Augusta-Margaret River and the Cities of Stirling and Cockburn, it was found:

- The maximum height limit for pole mounted wind turbines within the Residential zone is one metre less than what is permitted by these other authorities (that is five metres rather than six metres);
- The development standards for blade diameter and setbacks were consistent with similar policies;
- The only clearances specified for the turbine blades applied to roof mounted systems. Where the clearance was stated, it was consistent with the one metre recommended in the City's policy.

It is understood concern has been expressed regarding safety clearances from the blades to the ground for pole mounted wind turbines. None of the policies reviewed prescribed a clearance for blades on pole mounted turbines.

The Satellite Dishes, Aerials and Radio Equipment policy is shown as Attachment 1 to Report CJ257-11/12.

The Small Scale Renewable Energy Systems policy is shown as Attachment 2 to Report CJ257-11/12.

**Issues and options considered:**

Council has the option to:

- Advertise the amended Satellite Dishes, Aerials and Radio Equipment policy for public comment;
- Advertise the amended Satellite Dishes, Aerials and Radio Equipment policy for public comment with modifications; or
- Not support the advertising of the amended Satellite Dishes, Aerials and Radio Equipment policy for public comment.

**Legislation/Strategic Community 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 Community Plan**

**Key Theme:**                      Quality Urban Environment.

**Objective:**                        Quality Built Outcomes.

**Policy:**

City Policy - Satellite Dishes, Aerials, and Radio Equipment policy; and  
City Policy - Small Scale Renewable Energy Systems 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:**

Not Applicable. The modifications to the policies relate predominantly to the format and wording updates and improvements and do not alter the intent of the policies.

**Consultation:**

Clause 8.11 of DPS2 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;
- A notice and documents placed on the City's website.

**COMMENT**Satellite Dishes

Minor modifications (formatting and wording improvements) were made to the City's Satellite Dishes, Aerials and Radio Equipment policy in line with the City's Policy Manual review. The policy was advertised for public comment in June 2012. No comments were received during this period.

Given the feedback from an installer and Foxtel indicates that domestic satellite dishes for pay television are normally 90 centimetres or less in diameter, it is not considered necessary to amend the policy to increase the permitted diameter. Any landowner wanting to install a larger roof mounted satellite has the right to apply for planning approval and any application would be considered on its merits.

Small Scale Renewable Energy Systems

The issue of noise generated by wind turbines is complex as the level of noise produced by the system is influenced by the wind gusts being experienced which can vary at different times throughout the day as well as seasonally. However, the City's policy requires the applicant to demonstrate how the wind turbine will comply with the *Environmental Protection (Noise) Regulations 1997*.

As previously indicated, the City requires the applicant to demonstrate at the development application stage that the proposal will comply with the assigned noise levels under the noise regulations. If this cannot be demonstrated then the application is unable to be supported. If the development is approved and constructed and then noise complaints are received, the City would investigate the complaint in line with normal practices. The outcome of the investigation would determine if any further action is undertaken. In some instances, the noise may comply with the relevant noise levels, or where non compliance occurs at a certain time during the day (based on prevailing wind speeds), there is potential for the turbine to be switched off temporarily.

As there are a number of variables which may contribute to the level of noise generated by a wind turbine as well as a number of options for demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997*, it is considered appropriate to retain the existing provision regarding noise, rather than specify a set of requirements.

As for a clearance height from the blades of pole mounted wind turbines, should Council wish to incorporate an additional development standard to guide this element, the clearance distance of three metres from natural ground level is suggested. This distance is based on the wall height of a single storey dwelling which on average varies from 2.5 metres to three metres (for example boundary wall). This is considered appropriate as the wind turbine needs to be clear of any impediments which might reduce the efficiency of the turbine. Given structures below this height, which are common on residential properties, could act as an impediment it is unlikely a lower blade clearance would be proposed by an applicant. It should be noted that this proposed height is not an industry endorsed standard or based on any engineering requirement for wind turbines.

### **VOTING REQUIREMENTS**

Simple Majority.

### **COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for Report CJ257-11/12 (as detailed below) was resolved by the Policy Committee at its meeting held on 12 November 2012.

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

### **MOVED Cr Chester, SECONDED Cr Norman that Council:**

- 1 NOTES the information regarding domestic satellite dish standards contained within Report CJ257-11/12;**
- 2 ADOPTS as final the modified Satellite Dishes, Aerials and Radio Equipment Policy, as detailed in Attachment 1 to Report CJ257-11/12; and**
- 3 In accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2* ADVERTISES the proposed amendment to the Small Scale Renewable Energy Systems Policy as detailed in Attachment 2 to Report CJ257-11/12 for public comment for a period of 21 days.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 29 refers*

*To access this attachment on electronic document, click here: [Attach29agn201112.pdf](#)*

**CJ258-11/12 CHILD CARE CENTRES POLICY REVIEW**

---

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	85510, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Modified Child Care Centres Policy

---

**PURPOSE**

For Council to consider advertising proposed amendments to the Child Care Centres policy for public comment.

**EXECUTIVE SUMMARY**

At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council requested a report on the Child Care Centres Policy be provided to the Policy Committee.

The Child Care Centres Policy provides guidance on the location, siting and design of Child Care Centres. A review of the policy has found it is generally operating well. It is considered, however, that updates are required in regard to the road classifications referenced in the policy, as well as format and text changes in line with the current review of the City's Policy Manual.

In addition, it is considered additional clarity can be provided in regard to the development requirements and locational criteria.

It is recommended that the modified Child Care Centres policy be advertised for public comment for a period of 21 days.

**BACKGROUND**

At its meeting held on 15 July 2008 (CJ126-07/08 refers), Council adopted amendments to the Child Care Centres policy to bring the policy into line with community expectations and assist with the assessment of child care centre applications. The following issues were addressed in the amended policy:

- Amenity;
- Appropriate location;
- Traffic and car parking;
- Noise attenuation;
- Operating hours;
- Location of outdoor play areas.

The Child Care Centres Policy has been in operation for a number of years and the current review has found it generally continues to operate well.

At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council resolved that a report be prepared on the Child Care Centres Policy with a view to including in the policy provisions to permit child care centres to be located within residential precincts subject to noise and traffic impact statements being submitted demonstrating that the proposal would not adversely impact the amenity of surrounding residences in terms of noise and traffic. This matter arose from a recent application to extend an existing child care centre in a residential precinct in Duncraig where, despite the proposal having merit and limited impact on adjoining neighbours, it did not meet the locational requirements of the existing policy.

## **DETAILS**

The proposed modifications to the Child Care Centres Policy are as follows:

- Additional wording within the policy in regard to the development requirements and locational criteria to:
  - Clarify that when a child care centre is proposed to be located next to residential properties, the applicant is required to demonstrate that the proposal will not unduly impact the surrounding uses, for example by way of noise or traffic impacts;
  - Clarify that a Traffic and Road Safety Impact Report is required for all new child care centres or expansion in capacity of existing centres;
  - Apply the operating time restrictions to child care centres that abut or are opposite a residential property.
- Update references to the Main Roads road hierarchy by including reference to District Distributor A and District Distributor B (previously only one category of District Distributor);
- Text and format changes in line with the current policy manual review.

The proposed modifications are outlined in Attachment 1 to Report CJ258-11/12.

### **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 modified policy for public comment.

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

#### **Legislation**

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

Clause 8.11 of the DPS2 enables Council to prepare, amend and add to local planning policies that relate to any planning and development matter within the Scheme area.

**Strategic Community Plan**

**Key Theme:** Quality Urban Environment.

**Objective:** Quality Built Outcomes.

**Policy**

Council Policy - Child Care Centres Policy.

This policy is the subject of Report CJ258-11/12.

**Risk Management Considerations:**

If the policy remains unchanged, the ability for the City to consider new applications for child care centres within the Residential zone is restricted. The proposed amendments will provide greater flexibility in the locating of child care centres in appropriate areas of the Residential zone.

**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 DPS2 requires a new policy or amendment to a policy to be advertised for public comment for a period of 21 days. The proposed amendment would be advertised as follows:

- A notice published once a week for two consecutive weeks in the local newspaper;
- A notice and documents placed on the City's website.

**COMMENT**Development requirements and locational criteria

The proposed amendments to the policy are aimed at improving wording of the policy and do not change the objectives of the policy.

While it is preferred that Child Care Centres be located adjacent to non-residential uses such as shopping centres or medical centres, it is acknowledged that this is not always possible. Therefore, the policy is proposed to be amended to add a statement to the effect that, if a child centre is located adjacent to a residential property, the applicant must demonstrate that the proposal will not unduly impact or be impacted by the surrounding use (for example by way of noise, traffic and the like).

### Road Hierarchy

In reviewing this policy, the provisions of other local government policies were reviewed. Those policies reviewed utilised a similar methodology to the City's policy. In general, the policies aim to ensure child care centres do not unduly impact on surrounding uses, and encourage the centres to be located on Local Distributor Roads rather than District Distributor or Access Roads. The locating of child care centres in cul-de-sacs is also discouraged.

Since the last review of the Child Care Centres Policy, Main Roads Western Australia have updated the titles of roads within their road hierarchy. The roads previously identified as 'District Distributors' are now referred to as 'District Distributor A' or 'District Distributor B'. This does not change the policy provision that the preferred locations for Child Care Centres be Local Distributor roads in order to minimise impact on existing traffic flows and the amenity of residential properties.

### 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 proposed modifications are highlighted in red (additions) and black strikethrough (deletions) in Attachment 1 to Report CJ258-11/12.

It is recommended that the modified Child Care Centres Policy be advertised for public comment for a period of 21 days.

## **VOTING REQUIREMENTS**

Simple Majority.

## **COMMITTEE RECOMMENDATION:**

The Committee recommendation to the Council for Report CJ258-11/12 (as detailed below) was resolved by the Policy Committee at its meeting held on 12 November 2012.

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

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:**

- 1 ADOPTS the proposed amendments to the Child Care Centres Policy as detailed in Attachment 1 to Report CJ258-11/12, for the purpose of public advertising; and**
- 2 In accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2* ADVERTISES the proposed amendments to the Child Care Centre Policy for public comment for a period of 21 days.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 30 refers*

*To access this attachment on electronic document, click here: [Attach30agn201112.pdf](#)*

**CJ259-11/12      DRAFT CONSULTING ROOMS POLICY**

---

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	102788, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Draft Consulting Rooms Policy

---

**PURPOSE**

For Council to consider advertising the draft Consulting Rooms Policy for public comment.

**EXECUTIVE SUMMARY**

The *City of Joondalup District Planning Scheme No. 2 (DPS2)* includes 'Consulting Rooms' as a use class within the zoning table. However, DPS2 provides no further guidance regarding the development of consulting rooms. In addition, the draft Local Planning Strategy includes an action to prepare a Consulting Rooms policy.

A draft policy has been prepared to provide guidance on the establishment of consulting rooms to ensure they do not have an adverse impact on the amenity of nearby residents. The draft policy provides guidelines on the location, car parking design, building design and landscaping of consulting rooms. The draft policy applies to consulting rooms within the Residential, Special Residential and Urban Development zones that contain residential development as it is within these areas that they are most likely to have an impact on residential amenity.

It is recommended that the draft policy be advertised for public comment for a period of 21 days.

**BACKGROUND**

At its meeting held on 16 February 2010 (CJ007-02/10 refers), Council adopted a draft Local Planning Strategy (LPS) for the City. The LPS contains a strategy and action relating to consulting rooms as set out below:

*Strategy      Encourage the establishment of local medical centres and consulting rooms in appropriate locations.*

*Action      Prepare a local planning policy on medical consulting rooms to provide guidance on appropriate locations, preservation of residential character and amenity, design, traffic and parking.*

This report presents a draft policy for consideration.

## DETAILS

Consulting rooms is defined under DPS2 as:

**“consulting rooms”** means a building used by no more than one health consultant for the investigation or treatment of human injuries or ailments and for general patient care.

DPS2 identifies ‘consulting rooms’ as being able to be considered for approval in the following zones:

Residential zone	D (discretionary).
Mixed Use zone	P (permitted).
Business zone	P (permitted).
Commercial zone	P (permitted).
Civic and Cultural zone	D (discretionary).
Special Residential zone	D (discretionary).

Consulting rooms are not permitted in the following zones:

- Private Clubs/Recreation zone.
- Service Industrial zone.
- Rural zone.

The draft policy has been prepared to provide guidelines for the establishment of consulting rooms in the Residential, Special Residential and Urban Development zones only. Key aspects of the draft policy include:

- Outlining that consulting rooms that contribute to the concentration of consulting rooms along a street will generally not be supported;
- Outlining that battle-axe lots and lots at the head of cul-de-sacs be avoided due to the constraints of those sites;
- Requiring all parking to be provided on-site and in such a way that it does not detract from the streetscape;
- Requiring the building to maintain a residential appearance and outlining that variations to DPS2 setback requirements may be considered to achieve this;
- Not permitting the verge to be paved in order to discourage parking and requiring the verge area to be landscaped;
- Outlining that applications for all new consulting rooms will be advertised for public comment.

The draft policy is shown as Attachment 1 to Report CJ259-11/12.

### Issues and options considered:

Council has the option to:

- Advertise the draft policy for public comment;
- Advertise the draft policy for public comment with modifications; or
- Not support the advertising of the draft policy for public comment.

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

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

Clause 8.11 of the DPS2 enables Council to prepare, amend and add to local planning policies that relate to any planning and development matter within the Scheme area.

**Strategic Community Plan**

**Key Theme:**                      Quality Urban Environment.

**Objective:**                        Quality Built Outcomes.

**Policy:**

Council Policy - Draft Consulting Rooms Policy.

**Risk Management Considerations:**

If there is no policy in place, there is the risk that consideration and approval of consulting rooms may occur in an ad hoc manner with no ability to adequately defend decisions in the State Administrative Tribunal.

**Financial/Budget Implications:**

Costs associated with advertising the draft policy in the local newspaper and notice of final adoption of the policy will be approximately \$810.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Clause 8.11 of DPS2 requires a new policy or amendment to a policy to be advertised for public comment for a period of 21 days. The proposed amendment would be advertised as follows:

- A notice published once a week for two consecutive weeks in the local newspaper;
- A notice and documents placed on the City's website.

**COMMENT**

The provision of small consulting rooms in close proximity to medical facilities and commercial centres is common throughout the City, with consulting rooms providing a valuable service to the community. However, there are potential impacts on nearby residents such as traffic and loss of amenity that need to be carefully considered.

A policy has therefore been developed to provide guidance on the establishment of consulting rooms to ensure that when they are proposed within residential areas they do not have an adverse impact on the amenity of nearby residents. The policy applies to the Residential, Special Residential and Urban Development zones, and structure plans areas that contain residential development.

It is recommended that the draft policy be advertised for public comment for a period of 21 days.

### **VOTING REQUIREMENTS**

Simple Majority.

### **COMMITTEE RECOMMENDATION:**

The Committee recommendation to the Council for Report CJ259-11/12 (as detailed below) was resolved by the Policy Committee at its meeting held on 12 November 2012.

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

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

- 1 ADOPTS the draft Consulting Rooms Policy as detailed in Attachment 1 to Report CJ259-11/12 for the purpose of public advertising; and**
- 2 In accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2* ADVERTISES the draft Consulting Rooms Policy for public comment for a period of 21 days.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 31 refers*

*To access this attachment on electronic document, click here: [Attach31agn201112.pdf](#)*

## **CJ260-11/12      COMMUNITY FACILITIES – BUILT POLICY - MAJOR REVIEW**

---

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	101265
<b>ATTACHMENTS:</b>	Attachment 1      Revised Community Facilities – Built Policy Attachment 2      Revised Terms and Conditions for Hire of City Facilities and Reserves

---

### **PURPOSE**

For Council to consider proposed major amendments to the Community Facilities – Built Policy as a result of the Policy Manual Review process.

### **EXECUTIVE SUMMARY**

The current Community Facilities – Built Policy was originally adopted in 2005 (CJ206-10/05 refers), as an outcome of the last Policy Manual Review process.

In its current format the policy combines policy statements on; requests for new or alterations to existing community facilities; child protection clearances; hire arrangements; and alcohol management provisions. Many of these provisions are considered either more applicable to other policies, a duplication of existing legislative provisions or operational in nature.

If their removal is supported, it is recommended that the residual aspects of the policy be used as the basis of a new policy that focuses on the discrete issue of considering applications for new or alterations to existing community facilities.

Elements of the policy relating to alcohol management are recommended to be incorporated into the Alcohol Management Policy (presented as a separate report to the Policy Committee) child protection clearances will be covered by existing legislation, while hire arrangements are considered operational.

It is recommended that Council adopt the amended Community Facilities – Built Policy (to be renamed the Requests for New or Capital Upgrades to Existing Community Buildings Policy), as shown in Attachment 1 to Report CJ260-11/12.

### **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 Facilities – Built Policy was identified as requiring major amendments, based on a preliminary review of its relevance and last review date. This report outlines the proposed amendments to this policy and the justification for the changes.

## DETAILS

### *Former Policies*

The Community Facilities – Built Policy is a consolidation of several policies identified during the 2005 Policy Manual Review process. Below is an outline of the history of these policies, their relevance within the current Community Facilities – Built Policy and a recommendation for their proposed removal or retention within the revised policy, outlined in Attachment 1 to Report CJ260-11/12.

- Condition of Hire for City of Joondalup Facilities Child Protection Policy (CJ269-11/04 refers).

Introduced in 2004, this policy required community groups with members under the age of 18 to provide the City with a copy of the organisation's Child Protection Policy in order to secure a permanent booking within a City facility.

In 2005, the provisions were consolidated into the current Community Facilities – Built Policy as part of the Policy Manual Review process. In 2006 the State Government's *Working With Children (Criminal Record Checking) Act 2004* came into effect and the policy was amended again to reflect the new requirements under the Act until the five year phase in period for the legislation was complete (CJ168 – 09/06 refers).

On 1 January 2011, the phase in period expired and the State Government became fully responsible for administering all legislative requirements pertaining to working with children. While the legal obligations under the Act reside with the Department of Child Protection, WALGA recently circulated information requesting local governments to consider promoting compliance with the Act to their facility hirers. This is considered best achieved through the incorporation of a statement within the City's Terms and Conditions of Hire for City Buildings, Parks, Reserves and Beaches, as hirer's are more likely to refer to an operational document than a policy to obtain awareness of external legal obligations.

Given the promotional rather than policy-oriented nature of the provision and its duplication of existing legislation, it is considered unnecessary to be retained within the Community Facilities – Built Policy.

Recommendation: Child protection provisions within the Community Facilities – Built Policy be removed and reflected in the City's Terms of Conditions of Hire for City Buildings, Parks, Reserves and Beaches (as shown in Attachment 2).

- Lending Authority or Loan Guarantor for Sporting Clubs or Other External Organisations Policy (CJ205 - 08/04 refers).

This policy was adopted by the Joint Commissioners in 2004 as a result of a decision in 2003 for the City to write off a significant debt for the Wanneroo Basketball Association Inc. (CJ57 – 04/03 refers). To avoid a similar situation in the future, the policy articulated the City's decision not to enter into any agreements with sporting clubs or other external organisations to act as a lending authority or provide guarantees for loans raised by these groups.

This provision is still relevant and consistent with financially sustainable practices across local governments today.

Recommendation: Loan and guarantee provisions within the Community Facilities – Built Policy be retained.

- Procurement of Council Buildings Policy (CJ213 – 06/99 refers).

Introduced by the former City of Wanneroo, this policy provided guidance on the circumstances in which new City buildings or additions to existing buildings would be considered and approved by the City. The current Community Facilities – Built Policy features many elements of this former policy, particularly with regard to aligning proposals to the City's strategic objectives and the requirement to undergo a formal assessment process when submitting an application.

Recommendation: Procurement and upgrade provisions within the Community Facilities – Built Policy be retained and reviewed to reflect current City practices (as shown in Attachment 1).

- Consent to Alter Council Leased Premises Policy (CJ281 – 08/01 refers).

This policy was adopted by Council in 2001 with the objective of delegating authority to the Chief Executive Officer to approve alterations or additions to leased Council premises, where the market value was less than \$20,000. This aimed to reduce delays associated with obtaining Council approval for minor works and was resolved by Council to be incorporated into the Register of Delegation of Authority to formalise the authorisation.

In 2005, the value of the delegation was increased to \$50,000 as part of the Policy Manual Review process (CJ206-10/05 refers), however, a resolution of Council to approve the increased value was not obtained when the amendment to the Policy was adopted. In 2006, a review of the Register of Delegation of Authority identified the delegation for deletion, justifying that it was operational in nature (CJ208-11/06 refers). As a result of Council adopting the amended Register in 2006, the delegation no longer applies.

Lease agreements are generally executed under common seal and as such, the agreement is established between the local government as an entity and the lessee. Therefore, for the Chief Executive Officer to make decisions under lease agreements, a delegation of authority is required, unless Council permission is obtained for the Chief Executive Officer to enter into a lease agreement on behalf of the local government. This extends to supporting alterations to leased premises prior to the submission of a building and/or development application, in accordance with most of the City's current lease agreements.

In most circumstances, requests for alterations to leased buildings are presented and approved by Council in the following manner:

- 1 Through a Community Sport and Recreation Facility Fund (CSRFF) application, in which Council would endorse the application and a subsequent building and/or development application would be submitted to the City for approval under existing delegated authorities; or
- 2 The City partially or fully funds a refurbishment through its obligations under a lease agreement and the project is listed on the Capital Works Program, which is presented to Council.

In either of these scenarios, a delegation is not applicable as the Council would be presented with the projects for endorsement.

A third scenario is that a lessee fully funds alteration works, which requires support from the City before submitting a building and/or development application, in accordance with individual lease agreements. This scenario does not occur often and the circumstances in which prior support would be required can vary between leases. Notwithstanding, in most cases the Council would need to approve the request in the absence of a delegation of authority.

In light of this authorisation gap, it is suggested that the provision be retained in the revised version of the Community Facilities – Built Policy, but it is generalised to refer to such requests being dealt with in accordance with individual lease agreements; given that the lease agreement is the mechanism to which the approval process is determined and that not all lease agreements are the same. It is further suggested that in adopting the revised policy, Council also re-establishes a delegation of authority for the Chief Executive Officer to approve alterations or additions to leased City premises for an amount not exceeding \$50,000. This seeks to reflect the significant increase in building costs since the original delegation of \$20,000 was established in 2001.

The City currently implements a comprehensive process to assess requests for new, or upgrades to, existing community facilities. For proposals to be supported they must align with the City's strategic objectives, demonstrate low levels of adverse impacts on the community and environment and identify sufficient financial capacity to support the project. In exercising powers under delegation, the City would apply its current assessment processes to ensure beneficial outcomes are achieved on behalf of the Council.

Recommendations: 1 Alterations to leased premises provisions within the Community Facilities – Built Policy be retained and reviewed to relate the application of approval processes to individual lease agreements.

- 2 A new delegation of authority is established to authorise the Chief Executive Officer to approve alterations or additions to leased City premises for an amount not exceeding \$50,000 and incorporate the delegation into the City's Register of Delegation of Authority.

- Leisure Facilities Capital Works Funding Policy (CJ021 - 02/03 refers).

This policy was adopted by Council in 2003 to complement the City's Formal Facilities Assessment Process that is used for assessing Community Sport and Recreation Facility Fund (CSRFF) Applications (now referred to as the Community Facilities Assessment Process).

The policy outlined the eligibility and funding criteria for community and sporting groups to apply for capital works projects. Most of the content was procedural in nature and duplicated the supporting assessment process. As such, most of the policy content was removed when consolidated into the Community Facilities – Built Policy in 2005, except for several high level needs assessment criterion. For example: financial impacts, community benefits, projected needs, sustainability outcomes, as described above in relation to alterations to leased facilities.

Recommendation: That high level needs assessment criterion for community building upgrade requests be retained within the Community Facilities – Built Policy.

- Storage and Consumption of Alcohol at Community Recreation Facilities and Reserves Policy (CJ213 – 06/99 refers).

Introduced by the former City of Wanneroo, this policy outlined the circumstances in which alcohol could be sold and/or stored in City facilities and on City reserves. Much of the original content of this policy was transferred to the current Community Facilities – Built Policy in 2005 and still remains.

Given that Council adopted an Alcohol Management Policy in 2011 (CJ159-09/11 refers), it is considered appropriate that all alcohol management related provisions contained within the current Community Facilities – Built Policy be transferred to this policy. A complementary report on this matter is being presented to the Policy Committee.

Recommendation: That alcohol management related provisions within the Community Facilities – Built Policy be removed and incorporated into the Alcohol Management Policy.

### **Residual Elements of the Policy**

Should the above recommendations be supported, the residual elements of the Community Facilities – Built Policy relate only to requests for new or upgrades to existing community facilities. As such, it is proposed that the title of the policy be amended to reflect this discrete policy matter, namely, Requests for New or Upgrades to Existing Community Facilities Policy.

As outlined in Attachment 1 to Report CJ260-11/12, an application statement and definitions have been included in the revised policy to limit the scope to sport and recreation facilities, clubrooms, community centres and community halls. The term “capital upgrades” has also been introduced throughout the policy to replace references to “extensions and alterations” and reflect more recent terminology utilised by the City.

The proposal categories remain the same, however, a fourth category has been introduced to account for proposals that are fully funded by a hirer or lessee. The category also reflects current application and assessment processes.

With regard to the original proposal categories, the revised policy makes general reference to alignment with strategic objectives and master planning principles, rather than identify specific strategic documents. It also outlines some of the key assessment criteria that must be addressed as part of the application process.

Finally, an additional provision has been included to reference that minimum standards apply to City managed facilities and that any requests over and above these standards are the responsibility of the applicant to provide. This provision is currently contained within the Management of Community Facilities Policy, which will be presented to Council for repeal following the adoption of the Property Management Framework. It proposed that minimum standards will be incorporated into the City’s Building Asset Management Plan 2010-2030 as part of the general asset management planning review in 2012/2013 to align with the Department of Local Government’s Integrated Planning and Reporting Framework.

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

Council can either choose to:

- 1 Adopt the proposed amendments to the Community Facilities – Built Policy, as outlined in Attachment 1 to Report CJ260-11/12;
- 2 Request further modifications to the Community Facilities – Built Policy; or
- 3 Retain the Policy in its current format.

It is recommended that Option 1 be adopted by Council.

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

**Legislation** Elements of the Community Facilities – Built Policy are informed by the following pieces of legislation:

- *Local Government Act 1995.*
- *Building Code of Australia.*
- *Access to Premises Standards 2010.*

#### **Strategic Community Plan**

**Key Theme:** Community Wellbeing.

**Objective:** Quality Facilities.

**Policy:**

This report outlines the outcome of a review of the current Community Facilities – Built 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 Facilities – Built Policy will not have financial implications on the City.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The revised Community Facilities – Built Policy demonstrates the incorporation of sustainability principles into the assessment process for proposals for new and capital upgrades to existing community buildings. This includes the consideration of social, financial and environmental impacts prior to supporting applications for capital works projects.

**Consultation:**

The revised Community Facilities – Built Policy informs internal processes and therefore, it is not recommended that it be released for public consultation.

**COMMENT**

In reviewing the Community Facilities – Built Policy the City proposes reverting previous consolidation efforts to re-establish a policy with a discrete purpose and objective. The decision to reverse the approach acknowledges that in 2005, the City's policy and planning framework was less sophisticated than it is today and as such, many of the current provisions within the policy are now superseded by new plans, policies and legislation.

In order to remain relevant and reflective of the City's current policy and planning environment, the Community Facilities – Built Policy has been significantly amended and redefined as policy that deals specifically with the issue of assessing requests for new, or upgrades to, existing community facilities.

**VOTING REQUIREMENTS**

Absolute Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for Report CJ260-11/12 (as detailed below) was resolved by the Policy Committee at its meeting held on 12 November 2012.

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

**MOVED Mayor Pickard, SECONDED Cr McLean that Council:**

- 1 ADOPTS the revised Community Facilities – Built Policy, as detailed in Attachment 1 to Report CJ260-11/12 (to be renamed the Requests for New or Upgrades to Existing Community Facilities Policy); and**
- 2 BY AN ABSOLUTE MAJORITY, DELEGATES to the Chief Executive Officer the authority to approve of alterations and additions to City premises by the lessee, where the cost is less than \$50,000, subject to the exercise of the delegation being reported to the Audit Committee on an annual basis.**

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 32 refers*

*To access this attachment on electronic document, click here: [Attach32agn201112.pdf](#)*

**CJ261-11/12 ASSET MANAGEMENT POLICY - MAJOR REVIEW**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services
<b>FILE NUMBER:</b>	101257, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Asset Management Policy

---

**PURPOSE**

For Council to consider proposed amendments to the Asset Management Policy to align with the Department of Local Government's Integrated Planning and Reporting Framework and the City's new strategic objectives under the Strategic Community Plan 2012-2022.

**EXECUTIVE SUMMARY**

The Asset Management Policy was first introduced in 2007 (CJ048-03/07 refers) as a result of the City joining the WALGA-developed Western Australian Asset Management Improvement Program (WAAMI). The program sought to facilitate improved asset management practices across Western Australian local governments.

The current objective of the Asset Management Policy is to ensure the City implements a coordinated and sustainable approach to asset management. There have been no amendments to the policy since its original adoption in 2007.

Following the introduction of the Department of Local Government's Integrated Planning and Reporting Framework and the adoption of the City's Strategic Community Plan 2012-2022, the Asset Management Policy has since been reviewed.

As a result of the review the policy has been significantly revised to reflect the City's new strategic objectives, the Department of Local Government's Integrated Planning and Reporting Framework and current best practice standards.

*It is recommended that Council ADOPTS the revised Asset Management Policy, as detailed in Attachment 1 to Report CJ261-11/12.*

**BACKGROUND**

In 2010, the Department of Local Government released its Integrated Planning and Reporting Framework to guide and strengthen the strategic planning and reporting capacity of local governments within Western Australia.

One of the key components of this framework is asset management. The Department released supplementary planning guidelines in 2011 to assist local governments to achieve best practice standards for asset management in accordance with the Integrated Planning and Reporting Framework.

During this period the City also commenced a process to review its Policy Manual. Given the significance of asset management to strategic planning activities, a decision was made to postpone the review of the Asset Management Policy until the City's Strategic Community Plan 2012-2022 was adopted by Council.

As a result of Council's adoption of the Strategic Community Plan 2012-2022 at its October 2012 meeting (CJ210-10/12 refers), the Asset Management Policy has been reviewed to:

- Reflect the City's new standardised policy template;
- Reflect the City's new strategic objectives under the Strategic Community Plan 2012-2022 as they relate to asset management;
- Align with the Department of Local Government's Asset Management Framework and Guidelines;
- Acknowledge international standards for asset management practices; and
- Consider example policies from leading local governments with regard to asset management.

This report presents the outcomes of the review and suggests significant changes to the Asset Management Policy for the Policy Committee's consideration.

## **DETAILS**

The City's infrastructure assets include roads, storm water drainage, buildings, parks, footpaths and car parks and represent a significant investment by the City to support modern living in our community. The City's asset portfolio is within approximately \$800 million.

The City's Asset Management Policy provides guidance and high level principles in the coordination of asset management planning and delivery.

### **Policy History**

The Asset Management Policy was first introduced to Council in 2007 (CJ048-03/07 refers), after the City joined the Western Australia Asset Management Improvement Program (WAAMI). This program was developed by a local government working group comprising the Western Australian Local Government Association and the then Department of Local Government and Regional Development amongst others.

The program aimed to facilitate asset management improvement in Western Australian local governments via three core elements:

- Building awareness;
- Providing tools;
- Developing a self-assessment and improvement framework.

In accordance with the requirements of the WAAMI Program, Council adopted an Asset Management Policy in 2007 (CJ048 - 03/07 refers), to define a vision for asset management, establish key asset management decision-making principles and guide the City in maximising infrastructure performance for the lowest 'whole of life' cost.

The Asset Management Policy has not been subject to review since its inception in 2007.

## Strategic Community Plan 2012-2022

The City's new Strategic Community Plan 2012-2022 imbeds statements and objectives pertaining to effective asset management across several key themes within the document. Most evidently, the City has committed to the following objectives that will have direct implications on the manner in which asset management activities are undertaken in the future, which include:

- Quality built outcomes - For the City's commercial and residential areas to be filled with quality buildings and appealing streetscapes.
- Integrated spaces - To have integrated land use and transport planning that provides convenient and efficient movement across the City.
- Quality facilities- To provide facilities of the highest quality which reflect the needs of the community now and into the future.
- Effective management - To conduct business in a financially sustainable manner.

These objectives apply to all asset classes including roads, buildings, drainage, fleet, and parks, as well as minor asset groups such as bridges, paths and others.

In summary, strategic initiatives within the Strategic Community Plan 2012-2022, as they relate to asset management, support the following key principles:

- Demographic considerations.
- Enduring and relevant designs.
- Agreed service levels.
- Long-term funding capacity.
- Community values.
- Utilisation.
- High standards of liveability.

In order to reflect these new directions and terminology, the above principles have been considered for incorporation in some way within the revised Asset Management Policy provided at Attachment 1 to Report CJ261-11/12.

## Asset Management Guidelines and Framework

According to the Department of Local Government's Asset Management Guidelines and Framework, an Asset Management Policy outlines:

*"...a local government's asset management objectives, targets and plans. It establishes a platform for service delivery and provides the framework that enables the Asset Management Strategy and Plans to be produced. The Asset Management Policy must support a 'whole of life' and 'whole of organisation' approach to asset management.*

*The local government administration develops the Asset Management Policy with the Council based on its priorities and community needs."*

The revised version of the Asset Management Policy provided at Attachment 1 takes into consideration the key features proposed in the guidelines above, particularly with regard to a long-term management (or 'whole of life'), defining service levels and demonstrating cost-effectiveness in planning decisions. This is also consistent with eastern-states local governments and the International Infrastructure Management Manual, which highlight these key principles and features.

### ***Proposed Amendments***

As a result of research, benchmarking and strategic alignment activities, the following amendments are recommended to the Asset Management Policy:

- Amend the objective to better reflect the purpose of the policy;
- Amend the policy statement to remove background information and outline the City's commitment to maintaining and managing assets in accordance with best practice standards, taking into consideration principles contained within the Strategic Community Plan 2012-2022 and the Department of Local Government's Asset Management Guidelines and Framework;
- Realign the format of the policy to the new standardised policy template; and
- Amend the details section of the policy to update the high-level principles upon which assets are managed by the City, based on recent benchmarking and research exercises into current asset management practices.

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

With regard to the Asset Management Policy, Council can either choose to:

- 1 Adopt the proposed amendments to the Asset Management Policy, as outlined in Attachment 1 to Report CJ261-11/12;
- 2 Adopt the Asset Management Policy with modifications; or
- 3 Retain the Asset Management Policy in its current format.

It is recommended that option 1 is adopted by Council.

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

**Legislation:** Not Applicable.

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

**Key Theme:** Financial Sustainability.

**Objective:** Effective Management.

#### **Policy:**

This report considers the review of the Asset Management Policy.

### **Risk Management Considerations:**

This policy has an objective to minimise risk through a co-ordinated approach to asset management.

**Financial/Budget Implications:**

The manner in which the Asset Management Policy guides City activities will impact on the financial costs associated with the planning, acquisition, maintenance, renewal, replacement and disposal of asset infrastructure.

The policy directs the City to take a long-term view on the planning and management of assets to ensure that expenditure is affordable and aligned to pre-determined service levels.

**Regional Significance:**

It is acknowledged that some of the City's infrastructure will be provided on a regional scale however, the regional nature of an asset will not impact on the manner in which it is managed according to the Asset Management Policy.

**Sustainability implications:**

The Asset Management Policy is underpinned by general principles relating to sustainability, particularly with regard to the financial costs of managing infrastructure which must be balanced against the social benefits of its provision.

**Consultation:**

Not Applicable.

**COMMENT**

The review of the Asset Management Policy will provide a catalyst for all asset planning documents to be re-evaluated and compared to the Department of Local Government's Integrated Planning and Reporting Framework.

As such, it intends to be a high level policy that covers general principles as they relate to all asset classes. Further work will be conducted later this year in reviewing the current Asset Management Plan and Asset Management Strategy in alignment with the revised Policy.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for Report CJ261-11/12 (as detailed below) was resolved by the Policy Committee at its meeting held on 12 November 2012.

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

**MOVED Mayor Pickard, SECONDED Cr Hollywood that Council ADOPTS the proposed amendments to the Asset Management Policy, as detailed in Attachment 1 to Report CJ261-11/12.**

**The Motion was Put and CARRIED (9/0) by En Bloc Resolution prior to consideration of Report of the Chief Executive Officer, Page 278 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

*Appendix 33 refers*

*To access this attachment on electronic document, click here: [Attach33agn201112.pdf](#)*

**C77-11/12                      COUNCIL DECISION – EN BLOC RESOLUTION**

**MOVED** Mayor Pickard, **SECONDED** Cr Hollywood that Council that pursuant to the Standing Orders Local Law 2005 – Clause 48 – Adoption of Recommendations En Bloc, Council adopts the following items CJ220-11/12, CJ221-11/12, CJ222-11/12, CJ224-11/12, CJ225-11/12, CJ226-11/12, CJ229-11/12, CJ233-11/12, CJ235-11/12, CJ236-11/12, CJ240-11/12, CJ241-11/12, CJ242-11/12, CJ244-11/12, CJ246-11/12, CJ247-11/12, CJ249-11/12, CJ250-11/12, CJ252-11/12, CJ254-11/12, CJ256-11/12, CJ258-11/12, CJ259-11/12 and CJ261-11/12.

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

**REPORT OF THE CHIEF EXECUTIVE OFFICER**

Nil.

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****C78-11/12                      NOTICE OF MOTION - MAYOR TROY PICKARD - RESIDENT AND RATEPAYER GROUPS DONATION FOR INSURANCE PURPOSES**

In accordance with Clause 26 of the *Standing Orders Local Law 2005*, Mayor Troy Pickard has given notice of his intention to move the following Motion at the Council meeting to be held on Tuesday, 20 November 2012:

***"That the Council:***

- 1        *ACKNOWLEDGES that designated Ratepayer and Residents Groups provide community service through activities such as litter clean up days, tree planting days and similar activities;***
- 2        *ACKNOWLEDGES that such activities when undertaken are of benefit to the community of the City of Joondalup;***
- 3        *ACKNOWLEDGES that when such activities are undertaken by the Ratepayer and Residents Groups that there are public liability risks that require insurance coverage;***
- 4        *AGREES to contribute the sum of \$300 per annum, by way of a sponsorship donation to each of the designated Ratepayer and Residents Groups operating within the City of Joondalup, subject to the group using the donation to acquire public liability insurance from a City approved specialist insurance provider for community groups; and***

- 5** *NOTES that the public liability insurance coverage identified above can be obtained from the Jardine Lloyd Thompson, via the City of Joondalup insurance brokers Local Government Insurance Services, for the estimated sum of \$300 per annum provided that a minimum of ten groups join the scheme."*

**Reason for motion:**

The above notice of motion is submitted to Council to seek endorsement of the proposal to contribute to designated Ratepayer and Residents Group by way of a donation that can be used to offset the cost of acquiring Public Liability Insurance for activities that those groups undertake on behalf of the local community.

If a Ratepayer or Residents Group conducts an activity in conjunction with the City of Joondalup, then the City's public liability insurance extends to their activity. However, if a Ratepayer or Residents Group conducts an activity in isolation, then the City's public liability coverage is not extended, and to gain such coverage in isolation would be cost prohibitive.

The City has negotiated a discounted public liability insurance cover for Ratepayer or Residents Groups, however the Local Government Act prohibits the City directly paying for the cover, hence the suggestion of a donation to offset the costs of the desired insurance cover.

**Officer's Comment:**

No comment.

**MOVED Mayor Pickard, SECONDED Cr Chester that the Council:**

- 1** **ACKNOWLEDGES** that designated Ratepayer and Residents Groups provide community service through activities such as litter clean up days, tree planting days and similar activities;
- 2** **ACKNOWLEDGES** that such activities when undertaken are of benefit to the community of the City of Joondalup;
- 3** **ACKNOWLEDGES** that when such activities are undertaken by the Ratepayer and Residents Groups that there are public liability risks that require insurance coverage;
- 4** **AGREES** to contribute the sum of \$300 per annum, by way of a sponsorship donation to each of the designated Ratepayer and Residents Groups operating within the City of Joondalup, subject to the group using the donation to acquire public liability insurance from a City approved specialist insurance provider for community groups; and
- 5** **NOTES** that the public liability insurance coverage identified above can be obtained from the Jardine Lloyd Thompson, via the City of Joondalup insurance brokers Local Government Insurance Services, for the estimated sum of \$300 per annum provided that a minimum of 10 groups join the scheme.

**The Motion was Put and**

**CARRIED (9/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Hollywood, McLean, Norman, Ritchie and Taylor.

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

Nil.

## **CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 8.25pm the following Elected Members being present at that time:

MAYOR TROY PICKARD  
CR KERRY HOLLYWOOD  
CR TOM McLEAN, JP  
CR PHILIPPA TAYLOR  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR BRIAN CORR  
CR RUSS FISHWICK, JP  
CR TERESA RITCHIE