

minutes

MEETING HELD ON **TUESDAY 15 MARCH 2016**

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CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP ON TUESDAY 15 MARCH 2016.**

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

ANNOUNCEMENT OF VISITORS

Mayor:

TROY PICKARD

Councillors:

CR KERRY HOLLYWOOD	North Ward	<i>absent from 7.19pm to 7.52pm</i>
CR TOM McLEAN, JP	North Ward – <i>Deputy Mayor</i>	
CR NIGE JONES	North Central Ward	
CR LIAM GOBBERT	Central Ward	
CR RUSSELL POLIWKA	Central Ward	
CR MIKE NORMAN	South-West Ward	
CR JOHN CHESTER	South-East Ward	
CR JOHN LOGAN	South-East Ward	
CR RUSS FISHWICK, JP	South Ward	
CR SOPHIE DWYER	South Ward	

Officers:

MR GARRY HUNT	Chief Executive Officer	
MR MIKE TIDY	Director Corporate Services	
MR JAMIE PARRY	Director Governance and Strategy	
MS DALE PAGE	Director Planning and Community Development	<i>absent from 8.31pm to 8.33pm</i>
MR NICO CLAASSEN	Director Infrastructure Services	
MR BRAD SILLENCE	Manager Governance	
MR STUART McLEA	Media and Communications Officer	
MR JOHN BYRNE	Governance Coordinator	
MRS DEBORAH GOUGES	Governance Officer	
MRS ROSE GARLICK	Governance Officer	

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

DECLARATIONS OF INTEREST

Disclosures of Financial Interest/Proximity Interest

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

Name/Position	Cr Kerry Hollywood.
Item No./Subject	CJ031-03/16 - Burns Beach Masterplan.
Nature of interest	Proximity Interest.
Extent of Interest	Cr Hollywood lives opposite Third Park which is mentioned in the Masterplan.

Disclosures of interest affecting impartiality

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

Name/Position	Cr John Logan.
Item No./Subject	CJ029-03/16 - Proposed Excision of a Portion of Reserve 38081 (72) Kingsley Drive, Kingsley.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan is an executive committee member of the Kingsley Amateur Football Club and a stakeholder in the Kingsley Memorial Clubrooms.

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ039-03/16 - Naming of Warwick Open Space Hockey – Infrastructure Project (WOSHIP).
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard is a member of the Whitford Hockey Club.

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ040-03/16 - Warwick Hockey Centre – Request for Additional Funds.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard is a member of the Whitford Hockey Club.

Name/Position	Cr Sophie Dwyer.
Item No./Subject	CJ040-03/16 - Warwick Hockey Centre – Request for Additional Funds.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A member of the Whitford Hockey Club committee is known to Cr Dwyer.

PUBLIC QUESTION TIME

The following question was taken on notice at the Council meeting held on 16 February 2016:

Ms M O'Byrne, Kinross:

Q1 *What is the City's preferred option regarding the type of signalised pedestrian crossing it would like to see installed at the Edinburgh roundabout?*

A1 At its meeting held on 15 December 2015 (CJ222-12/15 refers), Council supported the installation of a signalised pedestrian crossing on Marmion Avenue, Kinross. The City is currently developing a proposal for this crossing to be submitted to Main Roads WA for their consideration.

The following questions were received prior to the Council meeting held on 15 March 2016:

Mr A Shaw, Mullaloo:

Q1 *Will Council consider the introduction of a Ratepayer Privilege Card which would entitle the holder, and their dependents, to a percentile discount on admission prices at the City of Joondalup leisure centres?*

A1 Each year, part of the process for setting fees and charges at the leisure centres includes an industry review, where the City compares similar services against those of other local governments and private enterprise. The City always seeks to maintain prices similar to the average of all prices across metropolitan Perth.

The leisure centres are 'user pays' facilities, however, they still require significant financial support from the City of Joondalup to operate. This support would need to increase and therefore lead to an increase in rates if discounts were offered through a privilege card. The City has established memberships for residents or customers wishing to use the leisure centres on a regular basis, with payment options either being upfront in advance or via a monthly direct debit and that offers better pricing than once-off entry.

Q2 *Please provide details of the Personal Protective Equipment (PPE) used by Council employees, as well as contractors, when glyphosate is applied within the City of Joondalup.*

A2 There are number of glyphosate based herbicides available and each can have varying differences detailed in their respective material safety data sheet (MSDS) regarding Personal Protective Equipment requirements. The City's minimum requirement will always be as detailed in the product's MSDS.

Mr R Repke, Kallaroo:

Re: Urban Tree Canopy Evaluation

Q1 When will the Urban Tree Canopy evaluation be available?

A1 The City recently contracted the services of a company who has undertaken aerial mapping of the City to inform the development of Urban Tree Canopy data. This information is being analysed and it is anticipated that the tree canopy assessment will be completed by 30 April 2016.

Q2 Will that report be made public?

A2 The City's Urban Tree Canopy information will be made available to the public.

Q3 If the result should be below 20% will the City take an active approach to decrease the tree removals and to replant native trees in appropriate locations with the necessary aftercare?

A3 The City will develop an approach based on the results of the Urban Tree Canopy assessment.

Q4 Would it make sense to lobby together with the City of Stirling and the City of Wanneroo for a State law protecting trees and requesting planting programs, as these three Cities represent 40% of the residents of the Metro area?

A4 The City is working collaboratively with other local governments to engage the State Government and explore appropriate planning mechanisms to better protect and expand Perth's urban forest.

The following questions were submitted verbally at the Council meeting:**Ms M O'Byrne, Kinross:**

Q1 When did the City of Joondalup last liaise with the Department of Education and PEET Ltd of the likely timing and development of the much anticipated future Burns Beach primary school adjacent to the new Bramston Park Community Centre?

Q2 Could the City of Joondalup apply polite pressure to the Department of Education and PEET Ltd so Burns Beach residents may have in their immediate future a timeframe for the development of this primary school?

A1- 2 Mayor Pickard advised that these questions would be taken on notice.

PUBLIC STATEMENT TIME

The following statements were submitted verbally at the Council meeting:

Ms M O'Byrne, Kinross:

Re: Development of the future Burns Beach primary school adjacent to the new Bramston Park Community Centre.

Ms O'Byrne spoke in relation to residents of Burns Beach seeking clarity on the development of a primary school site next to the Bramston Park Community Centre.

Mr D Moroney, Hillarys:

Re: Warwick Open Space Hockey Infrastructure Project.

Mr Moroney spoke in support of the officer's recommendation for Item CJ039-03/16 in relation to naming the facility, Warwick Hockey Centre and Item CJ040-03/16 in relation to retaining the budget already allocated to this project of \$6.5 million and reinstating the original project scope to include additional parking required.

Mr A Hill, Burns Beach:

Re: Item CJ 031-03/16 – Burns Beach Masterplan.

Mr Hill as Chairperson of Burns Beach Residents Association spoke on the observations made by the Burns Beach Residents Association in relation to documentation provided on the Burns Beach Masterplan.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence Previously Approved:

Cr Christine Hamilton-Prime	14 March to 4 April 2016 inclusive;
Cr Philippa Taylor	15 March to 18 March 2016 inclusive;
Cr Mike Norman	19 April to 27 April 2016 inclusive.

C10-03/16 REQUEST FOR LEAVE OF ABSENCE – CRS RUSSELL POLIWKA, SOPHIE DWYER, JOHN LOGAN AND RUSS FISHWICK, JP - [104767]

Cr Russell Poliwka requested Leave of Absence from Council duties covering the period 23 March to 31 March 2016 inclusive.

Cr Sophie Dwyer requested Leave of Absence from Council duties covering the period 17 April to 21 April 2016 inclusive.

Cr John Logan requested Leave of Absence from Council duties covering the period 20 April to 24 April 2016 inclusive.

Cr Russ Fishwick, JP requested Leave of Absence from Council duties covering the period 26 April to 6 June 2016 inclusive.

MOVED Cr Gobbert, SECONDED Cr Hollywood that Council APPROVES the requests for Leave of Absence from Council duties for:

1	Cr Russell Poliwka	23 March to 31 March 2016 inclusive;
2	Cr Sophie Dwyer	17 April to 21 April 2016 inclusive;
3	Cr John Logan	20 April to 24 April 2016 inclusive;
4	Cr Russ Fishwick, JP	26 April to 6 June 2016 inclusive.

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

CONFIRMATION OF MINUTES

C11-03/16

MINUTES OF COUNCIL MEETING HELD 16 FEBRUARY 2016

MOVED Cr McLean, SECONDED Mayor Pickard that the Minutes of the Council Meeting held on 16 February 2016 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

2016 Joondalup Festival

Mayor Pickard reported that excitement is definitely building in the City centre ahead of this year's Joondalup Festival which will be staged for its 18th consecutive year this weekend on Saturday 19 March and Sunday 20 March.

Mayor Pickard advised that in the past two years the festival has been named the Australian Event Awards - Best Community Event (WA) and all residents are encouraged to come along and enjoy two days of free family-friendly fun and entertainment.

Mayor Pickard stated that on the opening night of the 2016 festival, more than 1,500 people will take part in the colourful Twilight Lantern Parade, of fireworks display on the second evening ending this year's festival with a bang.

Mayor Pickard advised that three smaller, more intimate venues – the Commonwealth Cube, The Great Place (for kids!) and The Gold Digger – will be used in 2016, while an earlier start time on day two (12.00noon) will give festival-goers more time to enjoy the region's biggest cultural event.

Mayor Pickard encouraged all members of our community to attend this fantastic, free family-friendly event which transforms our City Centre into a cultural and vibrant hub for the two days of the festival.

Work Begins on Warwick Hockey Facility

Mayor Pickard advised that Warwick is a step closer to becoming the home of hockey in the northern corridor after a sod turning ceremony was held earlier this month at the site of the future Warwick Hockey Centre.

Mayor Pickard reported that the City has committed \$4.5 million to the project and received a further \$1.2 million from the State Government through its Community Sporting and Recreation Facilities Fund, while Whitford Hockey Club (the tenant at the facility) is contributing \$600,000.

Mayor Pickard advised that the development will feature a clubroom facility, one synthetic and two grass hockey pitches, parking, irrigation, landscaping and floodlighting, with work expected to take 12 months to complete.

Mayor Pickard advised that sport and recreation plays a vital role in strengthening and engaging communities, building community spirit and enjoying a greater level of health and well-being and this facility will not only service the vast numbers of people playing hockey in the northern metropolitan area but will also attract users from outside the region and showcase the suburb of Warwick which is now a sporting precinct of repute.

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

Nil.

PETITIONS**C12-03/16****PETITION REQUESTING COUNCIL TO RECONSIDER THE PROPOSED INSTALLATION OF THE FOOTPATH ON STRATHYRE DRIVE, DUNCRAIG – [07980, 05386]**

A 25 signature petition has been received from residents of the City of Joondalup requesting Council to reconsider the proposed installation of the footpath on Strathyre Drive, Duncraig.

MOVED Cr Fishwick, SECONDED Cr Dwyer that the following petition be RECEIVED, referred to the Chief Executive Officer and a subsequent report presented to Council for information:

- 1 Petition requesting Council to reconsider the proposed installation of the footpath on Strathyre Drive, Duncraig.**

The Motion was Put and**CARRIED (11/0)**

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

REPORTS**CJ028-03/16 DEVELOPMENT AND SUBDIVISION APPLICATIONS
– JANUARY 2016**

WARD	All			
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development			
FILE NUMBER	07032, 101515			
ATTACHMENT	Attachment 1	Monthly Development Applications Determined – January 2016		
	Attachment 2	Monthly Subdivision Applications Processed – January 2016		
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').			

PURPOSE

For Council to note the number and nature of applications considered under delegated authority during January 2016.

EXECUTIVE SUMMARY

Schedule 2 (deemed provisions for local planning schemes) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) provide for Council to delegate powers under a local planning scheme to the Chief Executive Officer (CEO), who in turn has delegated them to employees of the City.

The purpose of delegating certain powers to the CEO and officers is to facilitate the timely processing of development and subdivision applications. The framework for the delegations of those powers is set out in resolutions by Council and is reviewed every two years, or as required.

This report identifies the development applications determined by the administration under delegated authority powers during January 2016 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during January 2016 (Attachment 2 refers).

BACKGROUND

Schedule 2 clause 82 (deemed provisions for local planning schemes) of the regulations enables Council to delegate powers under a local planning scheme to the CEO, and for the CEO to then delegate powers to individual employees.

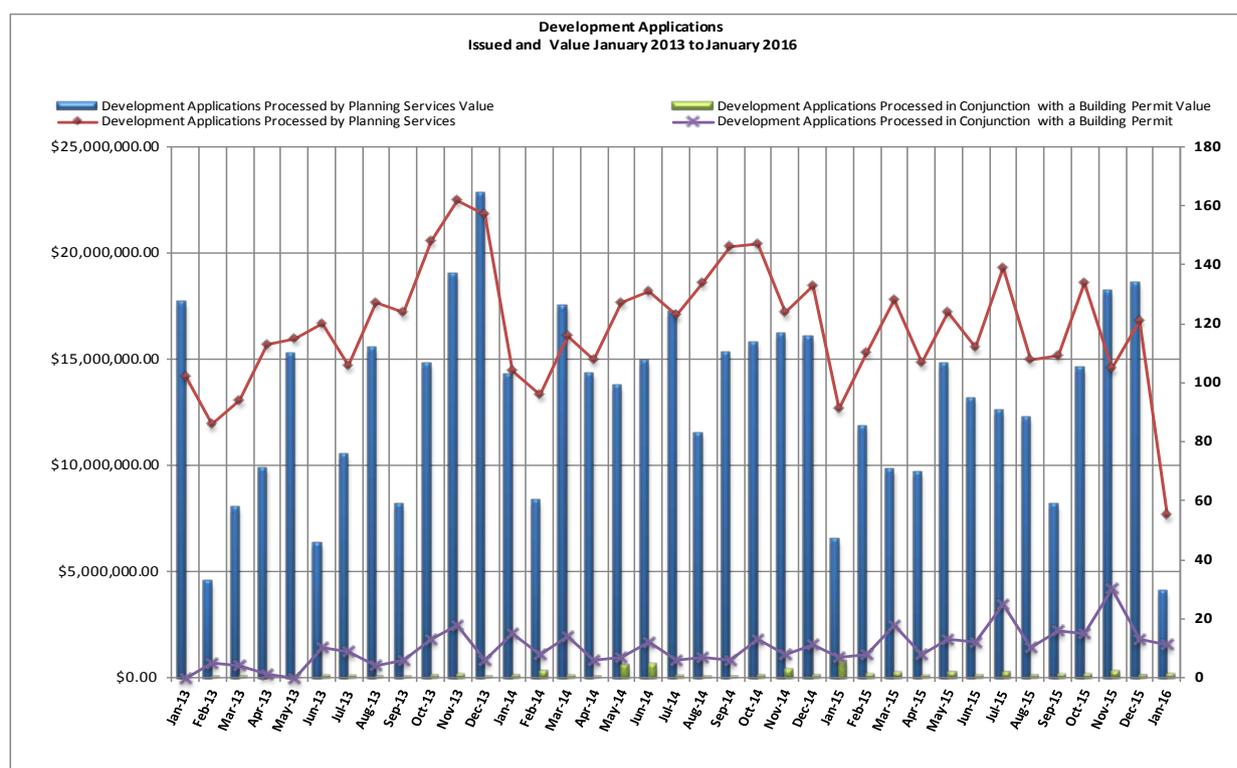
At its meeting held on 6 October 2015 (CJ167-10/15 refers) Council considered and adopted the most recent Town Planning Delegations, necessitated by the regulations taking effect from 19 October 2015.

DETAILS

The number of development applications determined under delegated authority during January 2016 is shown in the table below:

Development Applications determined under delegated authority – January 2016		
Type of Application	Number	Value (\$)
Development applications processed by Planning Services	55	\$ 4,073,093
Development applications processed by Building Services	11	\$169,099
TOTAL	66	\$ 4,242,192

The total number and value of development applications determined between January 2013 and January 2016 is illustrated in the graph below:



The number of development applications received during January was 108. (This figure does not include any development applications to be processed by building as part of the building permit approval process).

The number of development applications current at the end of January was 259. Of these, 63 were pending additional information from applicants and eight were being advertised for public comment.

In addition to the above, 192 building permits were issued during the month of January with an estimated construction value of \$31,741,898.

The number of subdivision and strata subdivision referrals processed under delegated authority during January 2016 is shown in the table below:

Subdivision referrals processed under delegated authority for January 2016		
Type of referral	Number	Potential additional new lots
Subdivision applications	5	41
Strata subdivision applications	1	2

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation *City of Joondalup District Planning Scheme No. 2. Planning and Development (Local Planning Schemes) Regulations 2015.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Buildings and landscaping is suitable for the immediate environment and reflect community values.

Policy Not applicable.

All decisions made under delegated authority have due regard to any of the City's policies that apply to the particular development.

Schedule 2 clause 82 of the regulations permits the local government to delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties. Development applications were determined in accordance with the delegations made under Schedule 2 clause 82 of the regulations.

All subdivision applications were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

Risk management considerations

The delegation process includes detailed practices on reporting, checking and cross checking, supported by peer review in an effort to ensure decisions taken are lawful, proper and consistent.

Financial / budget implications

A total of 66 development applications were determined for the month January with a total amount of \$21,893 received as application fees.

All figures quoted in this Report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Consultation may be required by the provisions of the R-Codes, any relevant policy and/or DPS2 and the regulations.

COMMENT

Large local governments utilise levels of delegated authority as a basic business requirement in relation to town planning functions. The process allows for timeliness and consistency in decision-making for rudimentary development control matters. The process also allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

All proposals determined under delegated authority are assessed, checked, reported on and cross checked in accordance with relevant standards and codes.

VOTING REQUIREMENTS

Simple Majority.

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

- 1 development applications described in Attachment 1 to Report CJ028-03/16 during January 2016;**
- 2 subdivision applications described in Attachment 2 to Report CJ028-03/16 during January 2016.**

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ049-03/16, page 146 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf080316.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Cr John Logan.
Item No./Subject	CJ029-03/16 - Proposed Excision of a Portion of Reserve 38081 (72) Kingsley Drive, Kingsley.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan is an executive committee member of the Kingsley Amateur Football Club and a stakeholder in the Kingsley Memorial Clubrooms.

CJ029-03/16 PROPOSED EXCISION OF A PORTION OF RESERVE 38081 (72) KINGSLEY DRIVE, KINGSLEY

WARD	South-East
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	07174, 34534
ATTACHMENTS	Attachment 1 Location plan Attachment 2 Approved clubroom additions Attachment 3 Proposed excision area plan
AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

PURPOSE

For Council to consider a proposal to excise a 900m² portion of land from Reserve 38081 (72) Kingsley Drive, Kingsley, to facilitate additions to the Kingsley Memorial Clubrooms.

EXECUTIVE SUMMARY

Kingsley Park is a crown reserve for 'Public Recreation' and includes playing fields, tennis courts and clubrooms. A 953m² portion of Reserve 38081 was previously excised and contains a portion of the existing clubrooms (Attachment 1 refers). The clubrooms which are situated on Reserve 47094 are utilised by various cricket and football clubs.

At its meeting held on 15 December 2015 (CJ217-12/15 refers), Council approved refurbishment works at the Kingsley Memorial Clubrooms (Attachment 2 refers). In order to facilitate this project, a new land excision totalling 900m² is proposed that will allow the approved extensions to be wholly contained within Reserve 47094 (Attachment 3 refers). It is noted that the proposed excision of the reserve will also incorporate some previous additions to the clubrooms.

The proposal was advertised for public comment for 30 days and no submissions were received.

The proposed excision of an additional 900m² of Reserve 38081 will facilitate the extension of the existing clubrooms. It is considered that the proposal will not have any adverse impact on public access to the reserve and it is therefore recommended that Council support the land excision of 900m² from Reserve 38081.

BACKGROUND

Suburb/Location	Kingsley Park – Reserve 38081 (72) Kingsley Drive, Kingsley.
Applicant	City of Joondalup.
Owner	Crown Land with a Management Order to the City of Joondalup.
Zoning	DPS Local Reserve – Parks and Recreation.
	MRS Urban.
Site area	58,150m ² .
Structure plan	Not applicable.

Reserve 38081 is a crown reserve created under Section 20A of the former *Town Planning and Development Act 1928* as a reserve for 'Public Recreation'. The reserve is approximately 5.8 hectares in area and supports active sporting fields, passive park areas, tennis courts, car parking area and clubroom facilities.

At its meeting held on 29 April 2003 (CJ101-04/03 refers), Council approved the excision of a 953m² portion of Reserve 38081 to accommodate the Kingsley Memorial Clubrooms (now Reserve 47094). On 28 May 2003, a management order was issued to the City with power to lease for the purposes of club and club premises. It is noted for Reserve 47094 that the clubrooms are not currently subject to a lease agreement, however, the ability exists for this to occur in the future, if required.

At its meeting held on 15 December 2015 (CJ217-12/15 refers), Council approved refurbishment works at the Kingsley Memorial Clubrooms (Attachment 2 refers).

DETAILS

In order to facilitate extensions to the existing clubroom, an additional 900m² of land is proposed to be excised from existing Reserve 38081 (Attachment 3 refers).

Issues and options considered

The options available to Council are:

- support the land excision and forward the proposal to the Department of Lands
or
- not support the land excision.

Legislation / Strategic Community Plan / policy implications

Legislation *Land Administration Act 1997.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective	Quality open spaces.
Key theme	Community Wellbeing.
Objective	Quality facilities.
Policy	Not applicable.

Land Administration Act 1997

The Department of Lands through its publication '*Crown Land Administrative and Registration Practice Manual*' sets out the necessary procedures in respect to the land excision process for reserves created under Section 152 of the *Planning and Development Act 2005* (this includes reserves formerly created under Section 20A of the *Town Planning and Development Act 1928*).

As part of the process, any excision of a Section 152 Reserve is required to be referred to the Western Australian Planning Commission (WAPC) for comment. The proposal is also referred to service authorities to determine whether there is any service infrastructure that may be affected by the proposal.

Once approval is obtained from the WAPC and service authorities have provided comment, the proposal is advertised for public comment. While an exact consultation timeframe is not set in the *Land Administration Act 1997*, previous practice in respect to these proposals is to consult for a period of 30 days.

Upon closure of the advertising period, Council is required to consider submissions received and determine whether or not to support the land excision. Council's decision is then forwarded to Department of Lands for further action.

Risk management considerations

Not applicable.

Financial / budget implications

The City has incurred costs of \$1,167 (including GST) as a result of advertising the proposal. Should the Department of Lands progress the proposal, the City will incur future costs associated with the required survey of the excised area by a licensed land surveyor, which is estimated to be \$4,000 to \$5,000. Adequate funds exist in the Refurbishment of Kingsley Memorial Clubrooms project budget to cover the costs of both the advertising and land survey.

Current financial year impact

Account no.	W2820.
Budget Item	BCW2524. Refurbishment of Kingsley Memorial Clubrooms.
Budget amount	\$650,000
Amount spent to date	\$547,770 including commitments.
Proposed cost	\$ 5,000
Balance	\$ 97,230

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The proposed land excision was advertised for public comment for a period of 30 days closing on 29 September 2015, by way of:

- a notice placed in the Joondalup Community newspaper
- a sign on the site
- a notice placed on the City's website.

No submissions were received.

Advice was also sought from the following relevant authorities and service providers:

- ATCO Gas.
- WAPC.
- Western Power.
- Water Corporation.

The WAPC has no objection to the proposed excision. The Water Corporation advised that any future development on the site will require approval from their Building Services. ATCO Gas and Western Power had no specific comments to provide relating to the proposed land excision.

COMMENT

The area of the additions to the existing clubrooms is proposed to be excised from Reserve 38081 and amalgamated into Reserve 47094. Reserve 47094 has a management order which grants the City power to lease over the site which, after the excision process has been finalised, can be amended to include the Kingsley Memorial Clubroom additions. It is noted that currently there is no lease agreement between the City and any party regarding the clubrooms.

The area proposed to be excised includes the proposed additions to the existing clubrooms as well as previous additions.

The proposal is not considered to have any adverse impact upon public access to the reserve and it is therefore recommended that Council supports the land excision.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Gobbert that Council:

- 1 SUPPORTS the proposed excision of portion of Reserve 38081 and amalgamation into Reserve 47094 Kingsley Drive, Kingsley, in accordance with Attachment 3 to Report CJ029-03/16;**
- 2 REQUESTS the Department of Lands to:**
 - 2.1 proceed with the excision of portion of Reserve 38081 in accordance with Attachment 3 to Report CJ029-03/16 and its amalgamation into Reserve 47094 Kingsley Drive, Kingsley;**
 - 2.2 in the event that the excision process is finalised, provide the City of Joondalup a management order with power to lease over of the excised land area.**

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ049-03/16, page 146 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf080316.pdf](#)

CJ030-03/16 PROPOSED AMENDMENT NO. 83 TO INCLUDE THE LAND USE 'STORAGE' IN DISTRICT PLANNING SCHEME NO. 2 – CONSIDERATION FOLLOWING ADVERTISING

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	105118, 101515
ATTACHMENTS	Attachment 1 Original Advertising Notice Attachment 2 Modified Advertising Notice
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider Scheme Amendment No. 83 to *District Planning Scheme No. 2* (DPS2), following public advertising.

EXECUTIVE SUMMARY

The intended purpose of proposed Scheme Amendment No. 83 was to include the land use 'storage' in DPS2 and remove 'salvage yard' and 'storage yard' from DPS2. This proposal aligned with the then draft *Planning and Development (Local Planning Schemes) Regulations 2014*.

However, the final version of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), which commenced operation on 19 October 2015, has modified the land use and definition of 'storage' to 'warehouse/storage'.

As Scheme Amendment No. 83 no longer aligns with the LPS Regulations, it is recommended that the scheme amendment be modified to accord with the gazetted version of the LPS Regulations. It is therefore proposed to modify the amendment by replacing the land use and definition of 'storage', with the land use and definition of 'warehouse/storage'.

The land use permissibility of 'warehouse/storage' is slightly different to that previously proposed for the land use 'storage'. 'Storage' was proposed to be a 'D' (discretionary) use in the 'Service Industrial' zones and an 'X' (not permitted) use in all other zones. However, in order to align with the existing permissibility of 'warehouse' in DPS2, 'warehouse/storage' is proposed to be a 'D' (discretionary) use in the 'Business' zone, a 'P' (permitted) use in the 'Service Industrial' zone and an 'X' use in all other zones. It is not considered that this change will have an impact on the 'Business' or 'Service Industrial' zones given the storage land use is considered appropriate in the 'Service Industrial' zone, and control is still maintained, allowing a storage use to be refused on land use grounds in the 'Business' zone.

The amendment was advertised for a period of 42 days closing on 21 January 2016. No submissions were received.

It is therefore recommended that proposed Scheme Amendment No. 83 be supported subject to modification.

BACKGROUND

At its meeting held on 23 June 2015 (C31-06/15 refers), Council resolved as follows:

“That Council REQUESTS the Chief Executive Officer prepare a report on the initiation of an amendment to District Planning Scheme No. 2 to include the use class ‘storage’ to replace the uses classes ‘storage yard’ and ‘salvage yard’.”

DPS2 controls how land may be developed and utilised within the City of Joondalup. Land use classes that may be considered within the City of Joondalup are listed in the Zoning Table (Table 1) of DPS2 and defined in Schedule 1. Table 1 also details the permissibility of land use classes within each zone set out in DPS2.

DPS2 does not include a land use which has a broad definition related to storage. Currently, the two storage related land uses in DPS2 are ‘storage yard’, which relates to the storage of materials related to a particular trade, and ‘salvage yard’ which relates to the storage and sale of salvaged materials. As a result of the specific restrictions contained within each definition, the City is unable to readily use DPS2 to undertake compliance action against inappropriate general storage activities. This is particularly problematic where land owners in a residential area have excessive storage on their property that is not associated with a trade.

Scheme Amendment No. 83 to DPS2 proposed to include the definition of ‘storage’ in DPS2 as provided in the draft *Planning and Development (Local Planning Schemes) Regulations 2014* and remove the use classes ‘salvage yard’ and ‘storage yard’ (Attachment 1 refers).

At its meeting held on 17 August 2015 (CJ131-08/15 refers), Council resolved that it:

“Pursuant to Part 5 of the Planning and Development Act 2005 and Regulations 13 and 25 of the Town Planning Regulations 1967, PROCEEDS with Amendment No. 83 to the City of Joondalup District Planning Scheme No. 2 as follows:

- 1 *Deleting the use class ‘Storage yard’ and ‘Salvage yard’ from Table 1;*
- 2 *Inserting the use class ‘Storage’ before the use class ‘Take Away Food Outlet’ in Table 1 as a ‘D’ use in the ‘Service Industrial’ zone and a ‘X’ use in all other zones;*
- 3 *Deleting the definitions of ‘salvage yard’ and ‘storage yard’ in Schedule 1;*
- 4 *Inserting the definition ‘storage’ before the definition of ‘Street alignment’ in Schedule 1 as follows:*
 - 4.1 *‘storage: means premises used for the storage of goods, equipment, plant or materials.’,*

for the purposes of public advertising for a period of 42 days.”

DETAILS

Scheme Amendment No. 83 proposed to incorporate the land use 'storage' into DPS2, in accordance with the model provisions for local planning schemes in the then draft *Planning and Development (Local Planning Schemes) Regulations 2014*.

The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) were gazetted on 25 August 2015 and came into operation on 19 October 2015. The definition of 'storage' in the gazetted version of the LPS Regulations is different to the definition in the draft version of the LPS Regulations. The definition has been combined with the land use 'warehouse' and is now as follows:

warehouse/storage means premises including indoor or outdoor facilities used for:

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods.

Due to the change to the definition, Scheme Amendment No. 83 no longer aligns with the model provisions of the LPS Regulations. New local planning schemes and amendments to existing schemes should accord with the model provisions of the LPS Regulations. It is therefore proposed to modify Scheme Amendment No. 83 to align with the gazetted LPS Regulations by replacing the land use and definition of 'storage', with the land use and definition of 'warehouse/storage' (Attachment 2 refers).

The following table outlines the proposed modifications to Scheme Amendment No. 83 to align with the LPS Regulations. It is proposed to retain the permissibility currently applied to the land use 'warehouse' and apply this to the land use of 'warehouse/storage'. This would have the effect of storage becoming a 'D' (discretionary) use in the 'Business' zone, and a 'P' (permitted) use in the 'Service Industrial' zone.

ZONES	RESIDENTIAL	MIXED USE	BUSINESS	COMMERCIAL	CIVIC & CULTURAL	SERVICE INDUSTRIAL	PRIVATE CLUBS/RECREATION	SPECIAL RESIDENTIAL	RURAL
USE CLASSES									
Salvage Yard (DPS2)	X	X	X	X	X	D	X	X	X
Storage Yard (DPS2)	X	X	X	X	X	D	X	X	X
Warehouse (DPS2)	X	X	D	X	X	P	X	X	X
Storage (original Amendment No. 83)	X	X	X	X	X	D	X	X	X
Warehouse/Storage (modified Amendment No. 83)	X	X	D	X	X	P	X	X	X

Issues and options considered

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

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

Legislation / Strategic Community Plan / policy implications

Legislation *Planning and Development Act 2005.
Planning and Development (Local Planning Schemes)
Regulations 2015.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Not applicable.

Policy Not applicable.

Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015

Part 5 of the *Planning and Development Act 2005* along with the *Planning and Development (Local Planning Schemes) Regulations 2015* enables a local government to amend a local planning scheme and sets out the process to be followed.

At its meeting held on 17 August 2015 (CJ131-08/15 refers), Council resolved to initiate the scheme amendment for the purposes of public advertising. The proposed amendment was then referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review was necessary. The EPA did not consider that Amendment No. 83 should be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* and as such the amendment was advertised for public comment.

Upon closure of the advertising period, Council is required to consider all submissions received and to either adopt the amendment, with or without modifications, or refuse to adopt 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.

Since the initiation of the scheme amendment the *Planning and Development (Local Planning Schemes) Regulations 2015* (the LPS Regulations) have come into effect replacing the *Town Planning Regulations 1967*. Under the LPS Regulations the amendment would have been considered a basic amendment as it is consistent with the model provisions of the LPS Regulations. However, as the Council had already resolved to advertise the amendment, the advertising was undertaken in accordance with the Council resolution.

Risk management considerations

Not applicable.

Financial / budget implications

The City, as the proponent is required to cover the costs associated with the scheme amendment process. The costs incurred are for the advertising of the scheme amendment which consisted of placing a notice in the local newspaper. The total cost of advertising was \$440. A notice will also be placed in the *Government Gazette* and the local newspaper in the event that the scheme amendment is approved. Adequate funds exist in the budget to cover the costs of both the advertising and notice.

Current financial year impact

Account no.	3277
Budget Item	Advertising – Public/Statutory
Budget amount	\$10,000
Amount spent to date	\$ 7,163
Proposed cost	\$ 400
Balance	\$ 2,437

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 21 January 2016, by way of:

- a notice placed in the *Joondalup Weekender* newspaper
- a notice placed on the City's website.

At the close of the advertising period, no submissions had been received.

COMMENT

The scheme amendment is proposed to be modified (Attachment 2 refers) to align with the model provisions of the gazetted version of the LPS Regulations. This is considered appropriate as amendments to existing schemes are required to accord with the LPS Regulations, where those matters are covered by the LPS Regulations.

The proposed change to the use class permissibility, necessary to align with the existing permissibility of 'warehouse', is considered to be appropriate as although the land use 'storage' is now able to be contemplated in the 'Business' zone, control is still maintained as it is designated a 'D' (discretionary) land use. This allows for storage in the 'Business' zone to be refused on land use grounds. In addition, the change to a 'P' land use in the 'Service Industrial' zone is considered appropriate as the storage land use is considered appropriate in that zone.

There is the option to retain the scheme amendment as originally proposed, with separate definitions for 'warehouse' and 'storage'. However, any proposals to alter or vary the model provisions must be fully justified to the WAPC and Minister for Planning.

No issues have been identified in aligning the proposed scheme amendment with the LPS Regulations. It is therefore recommended that proposed Scheme Amendment No. 83 be supported subject to modifications to align with the model provisions of the LPS Regulations.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Gobbert that Council:

- 1 Pursuant to Section 75 of the *Planning and Development Act 2005* and Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, SUPPORTS Scheme Amendment No. 83, as contained in Attachment 1 to Report CJ030-03/16, with the following modifications:
 - 1.1 Deleting point two and replacing with the following:

“Modify the use class ‘Warehouse’ in Table 1 by inserting ‘/Storage’ after ‘Warehouse’.”;
 - 1.2 Deleting point four and replacing with the following:

“Replace the definition of ‘warehouse’ in Schedule 1 with:
‘warehouse/storage: means premises including indoor or outdoor facilities used for:
(a) the storage of goods, equipment, plant or materials; or
(b) the display or sale by wholesale of goods.”;
- 2 **AUTHORISES** the affixation of the Common Seal and signing of the documents associated with Amendment No. 83 to the *City of Joondalup District Planning Scheme No. 2*;
- 3 Pursuant to Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* **FORWARDS** Amendment No. 83 and Council's decision to the Western Australian Planning Commission for consideration.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ049-03/16, page 146 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf080316.pdf](#)

Disclosure of Proximity Interest

Name/Position	Cr Kerry Hollywood.
Item No./Subject	CJ031-03/16 - Burns Beach Masterplan.
Nature of interest	Proximity Interest.
Extent of Interest	Cr Hollywood lives opposite Third Park which is mentioned in the Masterplan.

Cr Hollywood left the Chamber at 7.19pm.

CJ031-03/16 BURNS BEACH MASTERPLAN

WARD	North
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	101571, 101515
ATTACHMENTS	Attachment 1 Draft Burns Beach Masterplan Attachment 2 Indicative Coastal Node concept designs
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider options and determine the most appropriate course of action in relation to progressing the *Burns Beach Masterplan* project.

EXECUTIVE SUMMARY

At its meeting held on 28 August 2007 (C54-08/07 refers), Council requested a report on:

“The Master Plan Project for Burns Beach focussing on the future enhancement of the provision of facilities within the foreshore catchment area including, but not limited to, the establishment of a surf club, redevelopment of Jack Kikeros Hall, provision of a restaurant, cafe facility, parking, groyne refurbishment, enhancement of Burns Beach foreshore park, a safe swimming beach and a snorkelling trail.”

The draft *Burns Beach Masterplan* and associated indicative concept design for the possible future upgrade and development of the coastal node in Burns Beach were consequently presented to the Council at its meeting held on 23 June 2015 (CJ087-06/15 refers).

As a result of concerns expressed at the meeting by certain members of the public, Council resolved:

“ ... that report CJ087-06/15 Draft Burns Beach Masterplan and Indicative Coastal Node Concept Design BE REFERRED BACK to the Chief Executive Officer to allow for additional work to be undertaken on the design and in particular the relocation of the 110 bay car park marked F as shown on the concept design.”

Further work has now been undertaken to produce additional design ideas for the possible future development of the Burns Beach Coastal Node. The draft *Burns Beach Masterplan* is at Attachment 1 and all indicative concept designs considered so far are at Attachment 2.

There is no current provision for funding of detailed design or implementation of any of the indicative concept designs in the City's *20 Year Strategic Financial Plan* or the City's *Five Year Capital Works Budget*.

BACKGROUND

Burns Beach comprises approximately 290 hectares of land, of which 147.5 hectares is zoned 'Urban' and the remaining 144 hectares is reserved as "Parks and Recreation" under the Metropolitan Region Planning Scheme (MRS).

There are a number of documents which relate to and assist in the management of the Burns Beach area as follows:

- The *Burns Beach Structure Plan* (2004): This structure plan articulates the intentions and objectives; and the nature and extent of the urban development for the Burns Beach Estate.
- The *Burns Beach Foreshore Management Plan* (2006) and the *Beach Management Plan*: The *Burns Beach Foreshore Management Plan* and the *Beach Management Plan* documents ensure the appropriate management and preservation of these areas, while promoting integrated and sustainable community use with the conservation of the coastline and associated natural features.
- The *Tamala Park Conservation Park Draft Establishment Plan* (2011): The proposed *Tamala Park Conservation Park Draft Establishment Plan* articulates a proposal for integrating sustainable community use with sustainable heritage and environmental conservation.

At its meeting held on 28 August 2007 (C54-08/07 refers), Council requested a report on:

“The Master Plan Project for Burns Beach focussing on the future enhancement of the provision of facilities within the foreshore catchment area including, but not limited to, the establishment of a surf club, redevelopment of Jack Kikeros Hall, provision of a restaurant, cafe facility, parking, groyne refurbishment, enhancement of Burns Beach foreshore park, a safe swimming beach and a snorkelling trail.”

As a precursor to the preparation of the masterplan, at its meeting held on 17 April 2012 (CJ046-04/12 refers), Council endorsed a project vision and philosophy for the project as follows:

“Philosophy/Project Vision

Through the development and implementation of the Burns Beach Master Plan:

- *Create a high amenity, coastal destination with sustainably managed community facilities and small scale commercial activities for residents and visitors;*
- *Guide the future development of Burns Beach in an integrated, sustainable and holistic manner;*
- *Complement and cooperate with the Burns Beach Foreshore Plan and Beach Management Plan;*
- *Provide and/or enhance recreational, leisure, service, commercial and retail facilities within identified activity nodes; and*
- *Promote the community use of natural areas whilst promoting the enhancement, preservation and conservation of valuable natural resources.”*

Preparation of the draft masterplan has involved the following key tasks:

- Site inspections, literature review and review of demographics and trends.
- First phase consultation with key stakeholders to obtain an understanding of current issues and community and stakeholder needs and expectations.
- Identification of issues emerging from the preceding tasks, for input into the draft master plan.
- Development of a draft masterplan, which sets out the issues raised by stakeholders, contains a number of recommendations for the possible future enhancement and upgrade of the existing Burns Beach Coastal Node and other actions for the City to pursue in conjunction with State Government agencies and the developer of the Burns Beach Estate.
- On-site workshop and numerous meetings with Elected Members to refine the draft masterplan and indicative concept designs.

The resultant draft masterplan and a preferred indicative concept design for the possible future upgrade and development of the coastal node in Burns Beach were presented to Council at its meeting held on 23 June 2015 (CJ087-06/15 refers).

At the meeting, a number of residents expressed concern about the preferred concept design, specifically the perceived impact the proposed car park on the north-eastern edge of the park may have on nearby residents. As a result of concerns expressed, Council resolved:

“ ... that report CJ087-06/15 Draft Burns Beach Masterplan and Indicative Coastal Node Concept Design BE REFERRED BACK to the Chief Executive Officer to allow for additional work to be undertaken on the design and in particular the relocation of the 110 bay car park marked F as shown on the concept design.”

DETAILS

Through the literature review and initial stakeholder consultation process, a number of issues emerged. The issues were grouped into the following broad themes:

- Access and connectivity.
- Public open space and associated facilities.
- Upgrade to and provision of community facilities.
- Development of commercial facilities.
- Traffic and transport.
- Parking.
- Tamala Conservation Park.
- Other environmental issues.
- Swimming and surfing.

The draft masterplan document outlines the key issues that have emerged and recommends a suite of future actions intended to address the issues raised. Unfortunately, not all the concerns or issues raised by stakeholders are able to be resolved via this masterplan or by the City in isolation. In the case of these issues, the City would need to negotiate and play an influencing or advocacy role (as appropriate) with the developer of the Burns Beach Estate and with relevant State Government agencies in an attempt to see these issues addressed.

The first key recommendation of the draft masterplan is to release an indicative coastal node concept design, together with the draft masterplan for public consultation, noting that:

- 1 implementation of the indicative coastal node concept design is not a project that has yet been formally endorsed by Council
- 2 there is currently no funding available for implementation of the indicative coastal node concept design in the City of Joondalup's *20 Year Strategic Financial Plan* or the City's *Five Year Capital Works Budget*
- 3 in future, if and when funding becomes available for implementation of the indicative coastal node concept design, the project would need to be delivered in a number of stages and over multiple financial years.

Initially, two concept design options were developed for the coastal node. As a result of Elected Member input, an additional two concept designs were developed.

The previous report to Council included a recommendation for Concept Design Option 4 to be included in the draft masterplan for advertising purposes. A number of community members outlined concerns about this concept design, which largely centred around location of a parking area on the north-eastern edge of the existing park and in close proximity to existing residences.

As a result of this concern Council requested that additional work be undertaken on the design and in particular the relocation of the 110 bay car park marked F as shown on the concept design.

The resultant work undertaken produced a further three concept design options, bringing the total number of options explored to seven. All seven options, as well as explanatory text highlighting the benefits and challenges of each option are at Attachment 2.

Issues and options considered

1 Include an indicative coastal node concept design into the draft Burns Beach Masterplan

Inclusion of a concept design for the future development of the Burns Beach Coastal Node in the adopted *Burns Beach Masterplan* could create expectations in the community that the upgrades shown in the concept design would be implemented by the City in the near future.

Given there is currently no funding available for implementation of any indicative coastal node concept design in the City of Joondalup's *20 Year Strategic Financial Plan* or the City's *Five Year Capital Works Budget*, the community's expectations in this regard would need to be carefully managed.

Therefore, if Council decides to endorse the draft masterplan and an indicative coastal node concept design for advertising, it should be made clear to the community that:

- there is no current provision for funding of the project in the *20 Year Strategic Financial Plan* or the *Five Year Capital Works Budget*
- the concept (and therefore the costs) may change slightly as part of negotiations with a preferred proponent for the signature cafe/restaurant site
- costs may change with detailed design of the components and geotechnical studies
- some of the costs may be borne by the developer of the signature cafe/restaurant and by the existing cafe owner
- in future, if and when funding becomes available for implementation of the indicative Coastal Node concept design, the project would need to be delivered in a number of stages and over multiple financial years.

2 Advertise the draft Burns Beach Masterplan without a coastal node concept design

Council could decide not to include a concept design for the coastal node in the draft *Burns Beach Masterplan*. The first recommendation of the draft masterplan could then be altered to indicate that a concept design for the coastal node would be developed and separately consulted on at an appropriate point in the future.

The draft masterplan would then, at this stage, serve only to outline the other issues raised by stakeholders and related actions for the City to pursue in conjunction with State Government agencies and the developers of the Burns Beach and Iluka Estates. Although this may cause disappointment in the community in the short-term, it would send a clear signal that the City is not currently in the position financially to undertake significant upgrades of the Burns Beach Coastal Node.

In the event Council decides not to include a concept design for the coastal node in the draft *Burns Beach Masterplan*, Council could decide to immediately initiate a new EOI for the development of a cafe/restaurant at Burns Beach.

3 Do not progress the Burns Beach Master Plan

Strictly speaking, the draft *Burns Beach Master Plan* is not a masterplan. Instead it is a strategy, containing a number of recommendations for addressing certain issues and concerns in the Burns Beach area.

If Council does not wish to advertise a concept design for the Burns Beach Coastal Node, then it could be argued that a masterplan is no longer required given the actions captured as recommendations in the draft masterplan document could be dealt with via resolution of Council and do not necessarily form part of a strategic document or masterplan.

In addition, the issues/requests raised in the original request in August 2007 can either not be implemented or have been largely addressed as follows:

<i>Issue</i>	<i>Action taken to date</i>
Enhancement/provision of facilities within the foreshore catchment area	Approximately \$42,000 was spent on drainage upgrades in 2009-10 and 2010-11 and around \$310,000 was spent on upgrading and constructing new cycle/footpaths over three different financial years.
Establishment of a surf club	The potential for a surf club to be established within the area is constrained by the lack of access to a safe swimming beach. Essential to a surf club is the ability to host and compete in surf lifesaving competitions and inter-club sporting events. Such events require significant parking and related amenities to support patrons and visitors. The ability to accommodate such a development is difficult in this location and for this reason the establishment of a surf club within Burns Beach is not envisaged at this stage. Surf Lifesaving WA has confirmed a surf club will not be viable in this location.
Redevelopment of Jack Kikeros Hall	Some community groups may argue it is convenient and desirable to retain a community meeting space in the coastal node. However, with the development of the new community and sporting facility at Bramston Park, the community space at Jack Kikeros Hall is no longer needed and a new community space would be an unnecessary duplication of facilities.
Provision of a restaurant/cafe facility	The City has commenced an Expression of Interest (EOI) process for the development of a cafe/restaurant at Burns Beach. Although this project was put on hold in late 2014, pending the outcome of the masterplan process, the project is not contingent on having a master plan in place and could be resurrected at any time.
Parking	Approximately \$66,000 was spent on upgrades to parking in and around the coastal node in 2007-08.
Groyne refurbishment	Approximately \$210,000 was spent on refurbishing the Burns Beach groyne and access steps over three financial years.
Enhancement of Burns Beach foreshore park	Approximately \$154,000 has been spent on upgrading infrastructure in the existing foreshore park in different financial years since 2010-11.
Safe swimming beach	The beach immediately west of the <i>Burns Beach Structure Plan</i> area is not suitable for a swimming beach. Extensive limestone rocks and platforms line this beach and it is not suitable from an amenity or public safety point of view.

<i>Issue</i>	<i>Action taken to date</i>
	<p>If a swimming beach and associated parking and other facilities were to be developed at the northern most point of the Burns Beach Estate, there would be a concern about the potential impact of traffic moving through quiet residential streets seeking to access the swimming beach.</p> <p>Therefore, while this beach may hold some appeal to snorkelers and some swimmers, it is not promoted as a swimming beach and no vehicle access should be provided to any beaches to the north of Burns Beach from within the Burns Beach Estate.</p> <p>Part 2 of the <i>Burns Beach Structure Plan</i> and the <i>Foreshore Management Plan</i> identifies a stretch of beach further north as being a more appropriate swimming beach, however this area is limited in respect to access as there is no road, parking or other facilities in this location.</p> <p>Development of the adjacent reserve in this location is further constrained by the 'Bush Forever' classification which does not generally support clearing of vegetation. The identification and enhancement of a general swimming beach is difficult to undertake within this particular area.</p>
Snorkelling trail	<p>Although snorkelling in the area occurs on an informal basis, no formal snorkelling trail has been identified or implemented. Development of a snorkelling trail could be investigated in the future but there is no need for a master plan for the area as a precursor to this.</p>

In the event Council decides no longer to pursue the master plan as outlined in this option, Council could decide to immediately initiate a new EOI for the development of a cafe/restaurant at Burns Beach.

Legislation / Strategic Community Plan / policy implications

Legislation

Nil.

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Quality open spaces.

Strategic initiative

Buildings and landscaping are suitable for the immediate environment and reflect community values.

Risk management considerations

If the masterplan is adopted, this could create expectations in the community that all recommendations, concept designs and associated outcomes would be implemented by the City or otherwise achieved in the near future. The community's expectations will need to be carefully managed in this regard.

If a decision is made not to progress the masterplan, the community may be concerned given they have been waiting for the outcome of this project for some time. This could be ameliorated by capturing the majority of recommendations of the draft masterplan in a Council resolution. This would indicate the City's commitment to work towards and assisting to resolve the concerns and issues identified by the community and stakeholders.

Financial / budget implications

The financial implications of implementing all recommendations are not known at this stage. All developments or improvements planned and/or implemented after the adoption of the masterplan, including those instigated by the City, require independent financial feasibility studies, cash flow projections and/or the establishment of commercial venture models.

A preliminary estimate of the probable cost of implementing a coastal node concept design is in the region of between \$4.5 million and \$5.5 million. In light of this, it is likely that any future implementation of a coastal node concept design will need to be carefully budgeted for and may need to occur across a number of different stages and across multiple financial years.

It is important to note that there is no budget allocated within the *20 Year Strategic Financial Plan* or the *Five Year Capital Works Budget* for the implementation of a coastal node concept design.

It is reasonable to expect however, that the successful respondent to the City's Expression of Interest process for the development of a signature café/restaurant on the site of the existing Jack Kikeros hall, could contribute towards the cost of the parking adjoining the proposed café/restaurant and potentially some other upgrades and enhancements that would afford direct benefit to a future café/restaurant. This will form the subject of negotiations with the successful proponent.

Regional significance

Given the size and level of interest in the Burns Beach Coastal Node, any sizeable future developments in this area will be of significant local and regional importance. The types of development envisaged in an indicative coastal node concept design would meet the needs of the local community and attract people living outside the region, including tourists.

Sustainability implications

Any development undertaken in the future as a result of this masterplan will incorporate environmentally sensitive design principles. Any proposal that will potentially lead to damage or removal of remnant vegetation in the foreshore reserve will need to be considered carefully and may require a vegetation survey to be undertaken during the detailed design process and a clearing permit from the Department of Environment Regulation, to ensure the vegetation being removed is not of significance.

Consultation

If Council decides to proceed with advertising of the draft masterplan, with or without inclusion of a coastal node concept design, consultation for this project will be conducted in accordance with the City's approved *Community Consultation and Engagement Policy and Protocol*.

The development of the draft *Burns Beach Masterplan* has involved consultation with the key stakeholders and community groups in the Burns Beach area. Information sessions and workshops were held in late 2013 and early 2014 with the following key stakeholders:

- Jack Kikeros Hall user groups.
- Caravan park and cafe operators.

- Burns Beach Ratepayers, Residents and Community Recreation Association.
- Iluka Homeowners Association.
- Peet on behalf of Burns Beach Property Trust and Unit Holders Advisory Committee.
- Satterley Property Group.
- Surf Lifesaving Western Australia.
- Department of Planning.
- Department of Parks and Wildlife.
- Department of Education.

The issues raised in the initial stakeholder consultation are outlined in section 2.4 of the draft masterplan.

If endorsed for the purposes of advertising by Council, then the draft *Burns Beach Masterplan*, with or without inclusion of an indicative coastal node concept design, could be advertised for public comment for a period of 60 days, in the following manner:

- Letters to all owners and occupiers in the locality of Burns Beach.
- Letters to business operators and key community facility users in Burns Beach.
- Letters to relevant government agencies and the City of Wanneroo.
- A notice placed in the local newspaper.
- A notice on the City's website.
- Static display/TV display in the City's administration office and Customer Service Centres.

COMMENT

Indicative coastal node concept design(s)

Given the cost associated with implementation of any of the concept designs, if Council decides to proceed with implementation of any of the design options, the City would want to obtain maximum benefit from its investment for all residents and visitors to Burns Beach.

There are two issues to consider in this regard:

- the amount of car parking provided
- the location of car parking and its relationship with public open space and a future cafe/restaurant.

Amount of car parking

Development of a new cafe/restaurant would increase the demand for car parking and therefore construction of additional car parking is important. To this end, all options propose extra parking in a new parking area west of the existing caravan park, new on-street parking along Ocean Parade and additional parking to service the parkland and a new cafe/restaurant.

The amount of extra parking proposed varies from option to option and ranges between 83 and 138 additional bays. This does not include car parking bays that could possibly be integrated into a new cafe/restaurant building.

If Council decided not to pursue detailed design and implementation of a coastal node concept design at this stage, it could still separately pursue the development of car park 'J' to the west of the caravan park. Construction of this additional parking area is expected to cost in the region of around \$470,000.

Location of car parking

Optimising the amount, location and functionality of recreational open space areas is important. Leaving car parking in the existing location next to the future cafe/restaurant site and expanding this parking (Options 1, 2, 3, 5 and 7) would be of benefit to users of the cafe/restaurant and would minimise impact on the nine owners/occupiers of the dwellings adjoining the park.

However, it would compromise the ability to create a large and useable area of high quality open space on the foreshore as open space areas would be separated by roads and car parking.

Relocating the car parking from the existing location next to the future cafe/restaurant site to either the northern edge of the park (Option 4) or along Ocean Parade (Option 6) would result in a large, new foreshore open space area, dissected only by pedestrian paths and a low-speed service road to the cafe/restaurant.

Developing the car parking as per Option 4 would be of most benefit to a new cafe/restaurant as this parking would integrate well with a new facility, but this option may potentially compromise the amenity of existing residents of old Burns Beach.

Developing the car parking as per Option 6 is operationally less desirable for a new cafe/restaurant, but would minimise impact on residents.

Option 4 proposes 15 more parking bays than Option 6 does.

Deciding whether or not to include an indicative coastal node concept design into the draft *Burns Beach Masterplan*

There is currently no funding available for implementation of any indicative coastal node concept design in the City of Joondalup's *20 Year Strategic Financial Plan* or the City's *Five Year Capital Works Budget*.

Therefore Council needs make one of the following decisions:

- 1 Include a preferred design option in the draft masterplan for advertising and to allocate funds in the short-term to proceed with detailed design and implementation of the concept.
- 2 Include a preferred design option in the draft masterplan for advertising, with no intention to implement the concept in the short-term and with the inclusion of all necessary disclaimers to manage community expectations.
- 3 Advertise the draft masterplan without inclusion of a concept design and indicate via an amended recommendation 1 that development of a concept design for the coastal node will be developed and separately consulted on, if required and at an appropriate point in the future.

- 4 Do not proceed with the advertising of a draft masterplan, acknowledging that the recommendations of the draft masterplan are operational actions that can be guided and reinforced via a resolution of Council.

Option 3 above is the recommended course of action, for the following reasons:

- It will provide the community with an indication of how the City proposes to address the issues and concerns raised by key stakeholders during the information gathering stage of the master plan project.
- Through a consultation process, it will allow the broader community to verify or validate the concerns that have been raised by key stakeholders or to identify other issues, which may have been missed.
- It will prevent creating expectations in the community that the City will undertake significant and costly upgrades of the coastal node area in the short term.

Implications on the EOI for a cafe/restaurant at Burns Beach

The City's EOI process for the development of a cafe/restaurant at Burns Beach was placed on hold in late 2014, pending the outcome of the masterplan process.

If Council proceeds with course of action 1 above, this should provide any future developer of the cafe/restaurant a relatively high degree of certainty about the physical context in which the cafe/restaurant will be located. For this to occur though, it should ideally mean the EOI process be delayed until advertising of the masterplan and preferred design option has concluded and Council has made a final decision on the matter.

If Council proceeds with course of action 2 above, this could create some uncertainty about timing and impact of future upgrades of the area, which could potentially impact on the success of the EOI process. However, it would mean the EOI could progress immediately as it would not be contingent on the outcome of advertising and final adoption of the masterplan.

If Council proceeds with course of action 3 above, this could create some uncertainty about potential future upgrades of the area, which could potentially impact on the success of the EOI process. Conversely, this course of action may also create comfort for a proponent that they could be involved in future planning of the coastal node. It would also mean the EOI could progress immediately as it would not be contingent on the outcome of advertising and final adoption of the masterplan.

If Council proceeds with course of action 4 above, this should provide any future developer of the cafe/restaurant a relatively high degree of certainty about the physical context in which the cafe/restaurant will be located. It would also mean the EOI could progress immediately.

CONCLUSION

Given there is currently no funding available for implementation of any indicative coastal node concept design, it is considered that the most appropriate course of action for Council to take at this time is to make a decision to:

- advertise the draft masterplan without inclusion of a concept design
- indicate via an amended recommendation 1 that development of a concept design for the coastal node will be developed and separately consulted on, if required and at an appropriate point in the future.

This course of action will provide the community with an indication of how the City proposes to address the issues/concerns raised by key stakeholders in the area and, through the consultation process, will allow the broader community to verify or validate the concerns that have been raised or to identify other issues, which may have been missed.

It is also considered that if Council chooses to proceed with this course of action, there is no impediment to the City immediately resurrecting the EOI process for a development of a cafe/restaurant in the Burns Beach Coastal Node.

If Council is concerned that there may not be adequate parking in the area without endorsement or implementation of any of the concept designs for the coastal node, Council could consider inclusion of funds into the City's *Five Year Capital Works Budget* for the development of car park 'J' to the west of the existing caravan park.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 AGREES not to include an indicative concept design for possible future development of the Burns Beach Coastal Node into the draft *Burns Beach Masterplan* for advertising purposes;
- 2 NOTES that Recommendation 1 of the draft *Burns Beach Masterplan* has been amended to read as follows:

"RECOMMENDATION 1

- a) *It is recommended that, if required, a concept design showing potential future upgrades of and development in the Burns Beach Coastal Node be developed and separately consulted on at an appropriate point in the future;*
- b) *It is recommended that any such future concept design considers and investigates opportunities to, inter alia:*
 - *Optimise the amount and functionality of recreational open space;*
 - *Provide additional car parking and landscaping to soften any parking areas;*
 - *Enhance efficient and safe pedestrian access to and through the coastal node."*

- 3 ENDORSES the draft *Burns Beach Masterplan* for the purposes of advertising for a period of 60 days;

- 4 NOTES that not all the concerns or issues raised by stakeholders will be able to be resolved via the masterplan or by the City in isolation. In the case of these issues, the City will negotiate and place an influencing or advocacy role (as appropriate) with the developers of the Burns Beach and Iluka Estates and with relevant State Government agencies in an attempt to see these issues addressed;
- 5 NOTES that a further report on consultation outcomes will be presented to Council on conclusion of the advertising period;
- 6 NOTES that a new Expression of Interest process for the development of a cafe/restaurant in the Burns Beach Coastal Node will be initiated;
- 7 REQUESTS the Chief Executive Officer to list for future consideration by Council an amount of \$470,000 into a future year of the City's *Five Year Capital Works Program* for construction of a new car park to the west of the existing caravan park in the Burns Beach Coastal Node.

During discussion of the item, Mayor Pickard requested that Part 7 be voted on separately.

MOVED Cr McLean, SECONDED Cr Poliwka that Council:

- 1 **ENDORSES the draft Burns Beach Master Plan and associated indicative Coastal Node concept design (Option 6), for the purposes of advertising for a period of 60 days;**
- 2 **NOTES that detailed design or implementation of the indicative Coastal Node concept design is not a project that has yet been endorsed by Council;**
- 3 **NOTES that there is no current provision for funds for implementation of the indicative Coastal Node concept design in the City's *20 Year Strategic Financial Plan* or the City's *5 Year Capital Works Budget* and therefore the timing of any detailed planning or works to implement the concept design is currently unknown;**
- 4 **NOTES that if the indicative Coastal Node concept design was to be implemented in the future, this may need to occur in different stages and across a number of different financial years;**
- 5 **NOTES that not all the concerns or issues raised by stakeholders will be able to be resolved via the masterplan or by the City in isolation. In the case of these issues, the City will negotiate and place an influencing or advocacy role (as appropriate) with the developers of the Burns Beach and Iluka Estates and with relevant State Government agencies in an attempt to see these issues addressed;**
- 6 **NOTES that a further report on consultation outcomes will be presented to Council on conclusion of the advertising period;**

The Motion was Put and

CARRIED (7/3)

In favour of the Motion: Crs Chester, Fishwick, Jones, Logan, McLean, Norman and Poliwka.

Against the Motion: Mayor Pickard, Crs Dwyer and Gobbert.

- 7 REQUESTS the Chief Executive Officer to list for future consideration by Council an amount of \$470,000 into a future year of the City's Capital Works Program for construction of a new car park to the west of the existing caravan park in the Burns Beach Coastal Node.**

The Motion was Put and

CARRIED (10/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Jones, Logan, McLean, Norman and Poliwka.

Cr Hollywood returned to the Chamber at 7.52pm.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf080316.pdf](#)

CJ032-03/16 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	15876, 101515
ATTACHMENTS	Attachment 1 Documents executed by affixing the Common Seal for the period 2 to 17 February 2016.
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 2 to 17 February 2016 (Attachment 1 refers).

EXECUTIVE SUMMARY

The City 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 Council for information on a regular basis.

It is therefore recommended that Council NOTES the Schedule of Documents for the period 2 to 17 February 2016 executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ032-03/16.

BACKGROUND

During the period 2 to 17 February 2016, four documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Deed of Surrender of Easement.	1
Section 70A Notification.	1
Contract to Lease.	1
Agreement to Lease.	1

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, **SECONDED** Cr Gobbert that Council **NOTES** the Schedule of Documents for the period 2 to 17 February 2016, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ032-03/16.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ049-03/16, page 146 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf080316.pdf](#)

CJ033-03/16 MINUTES OF EXTERNAL COMMITTEES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	03149, 101515
ATTACHMENTS	Attachment 1 Minutes of Mindarie Regional Council meeting held on 18 February 2016. <i>(Please Note: These minutes are only available electronically).</i>
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

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

EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of Mindarie Regional Council meeting held on 18 February 2016.

DETAILS

The following information details those matters that were discussed at these external meetings and may be of interest to the City of Joondalup.

Mindarie Regional Council meeting – 18 February 2016.

A meeting of the Mindarie Regional Council was held on 18 February 2016.

At the time of this meeting Cr Russ Fishwick JP and Cr Mike Norman were 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:

9.3 Mid Year Budget Review – 2015-16

It was resolved by the Mindarie Regional Council as follows:

“That Council:

Approve by Absolute Majority the forecast surplus position estimated to be \$1,488,307 at 30 June 2016, which includes the following:

- A net decrease in members’ user charges of \$312,905;*
- A net decrease in non-members’ user charges of approximately \$2,155,804;*
- A net increase in total other charges of \$518,790;*
- A net decrease in expenditures of \$1,304,742;*
- A net increase in the loss on sale of assets of \$49,173;*
- A net decrease in capital expenditures of \$34,341, with the reallocations as noted in the officer’s report.*

9.4 Adoption of 2015 Annual compliance Return

It was resolved by the Mindarie Regional Council as follows:

“That Council:

- 1 In accordance with the provisions of Regulation 14(3) of the Local Government (Audit) Regulations 1996 and in line with the recommendation from the Audit Committee, the Local Government Compliance Audit Return in the form approved by the Minister for the period 1 January to 31 December 2015 as contained within the Appendices be adopted;*
- 2 The Chairperson and the Chief Executive Officer be authorised to complete the Joint Certification contained in the adopted Return detailed in (1) above;*
- 3 The adopted Return detailed in (1) above be submitted to the Director General, Department of Local Government and Communities prior to 31 March 2016.*

9.5 Tender Variation (Tender No: 13/128) – Side Slope Surface Preparation and Installation of Geo-synthetic Liner

It was resolved by the Mindarie Regional Council as follows:

“That Council:

- 1 Approve an increase of \$49,969 in the contingency sum set aside for the installation of the Geo-Synthetic Linder System to Stage 2 Phase 3 of the Tamala Park Landfill (Tender No.13/128) to cover the variations to the contracted approved by the Superintendent;*
- 2 Approve a transfer of \$49,969 from the Monitoring Program (Leachate Treatment) as detailed in the 2015-16 Budget to fund the increase in the contingency sum.*

(Absolute Majority Required)

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

Strategic initiative Seek out City representation on key external and strategic bodies.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, **SECONDED** Cr Gobbert that Council **NOTES** the minutes of the Mindarie Regional Council meeting held on 18 February 2016 forming Attachment 1 to Report CJ033-03/16.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ049-03/16, page 146 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

To access this attachment on electronic document, click here:

[EXTERNAL MINUTES080316.pdf](#)

CJ034-03/16 STATUS OF PETITIONS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	05386, 101515
ATTACHMENT	Attachment 1 Status of Petitions – 15 September 2015 to 16 February 2016
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the status of outstanding petitions.

BACKGROUND

At its meeting held on 16 December 2008 (CJ261-12/08 refers), Council considered a report in relation to petitions.

As part of that report, it was advised that quarterly reports would be presented to Council in the future.

DETAILS

Issues and options considered

Attachment 1 provides a list of all outstanding petitions, which were received during the period 15 September 2015 to 16 February 2016, with a comment on the status of each petition.

Legislation / Strategic Community Plan / policy implications

Legislation *City of Joondalup Meeting Procedures Local Law 2013.*

Strategic Community Plan

Key Themes Governance and Leadership.

Objective Active democracy.

Strategic Initiatives

- Fully integrate community consultation practices into City activities.
- Optimise opportunities for the community to access and participate in decision-making processes.
- Adapt to community preferences for engagement formats.

Policy Implications

Each petition may impact on the individual policy position of the City.

Risk Management Considerations

Failure to give consideration to the request of the petitioners and take the appropriate actions may impact on the level of satisfaction of the community.

Financial/Budget Implications

Individual requests made by the way of petitions may have financial implications.

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

The list of petitions is presented to Council for information, detailing the actions taken to date and the actions proposed to be undertaken for those petitions that remain outstanding.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Gobbert that Council NOTES:

- 1 the status of outstanding petitions submitted to Council during the period 15 September 2015 to 16 February 2016, forming Attachment 1 to Report CJ034-03/16;**
- 2 in relation to the petition that Council engage with, and where appropriate, initiate proceedings against the owners of the Ocean Reef Shopping Centre to address the state of its disrepair:**
 - 2.1 the City has met with the owner's representatives during November advising them of the petition and requesting action be taken to address the concerns of the petition;**
 - 2.2 the City will continue to liaise with the owner regarding the site;**
 - 2.3 the City will continue to keep the lead petitioner informed of progress;**

- 3 that a report in relation to the petition requesting that Council provide safer crossing facilities to and from Kinross and Burns Beach via the installation of underpasses or overpasses across Marmion Avenue was presented to Council at its meeting held on 15 December 2015;
- 4 that a report in relation to the petition requesting that Council approves the expansion of the Poynter Farmers Market to include an additional 10 market stalls, one community and five market stalls for special occasions such as Christmas, Mothers Day and the market anniversary is proposed to be presented to Council at its meeting to be held on 19 April 2016;
- 5 that a report in relation to the following petitions:
 - 5.1 a section of Burns Beach be made available as an animal exercise area;
 - 5.2 a change to the City's *Beach Management Plan* to reduce the congestion at Hillarys Dog Beach,is proposed to be presented to Council at its meeting to be held on 28 June 2016.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ049-03/16, page 146 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf080316.pdf](#)

CJ035-03/16 LIST OF PAYMENTS DURING THE MONTH OF JANUARY 2016

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENTS	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of January 2016 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of January 2016 Attachment 3 Municipal and Trust Fund Vouchers for the month of January 2016
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of January 2016.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of January 2016 totalling \$12,483,389.67.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for January 2016 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 CJ035-03/16, totalling \$12,483,389.67.

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 January 2016. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 102678 – 102792 & EF052822 – EF053376 Net of cancelled payments.	\$7,746,273.82
	Vouchers 1568A – 1585A	\$4,708,614.97
Trust Account	Trust Cheques & EFT Payments 206928 – 206939 & TEF000561 – TEF000604 Net of cancelled payments.	\$28,500.88
Total		\$12,483,389.67

Issues and options considered

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

Option 1

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

Option 2

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

Legislation / Strategic Community Plan / policy implications

Legislation

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

Strategic Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

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

Financial / budget implications

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

Regional significance

Not applicable.

Sustainability implications

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

Consultation

Not applicable.

COMMENT

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the 2015-16 Annual Budget as adopted by Council at its meeting held on 23 June 2015 (CJ085-06/15 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Gobbert that Council NOTES the Chief Executive Officer's list of accounts for January 2016 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 CJ035-03/16, totalling \$12,483,389.67.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ049-03/16, page 146 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf080316.pdf](#)

CJ036-03/16 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JANUARY 2016

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	07882, 101515
ATTACHMENTS	Attachment 1 Financial Activity Statement for the period ended 31 January 2016
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the Financial Activity Statement for the period ended 31 January 2016.

EXECUTIVE SUMMARY

At its meeting held on 23 June 2015 (CJ085-06/15 refers), Council adopted the Annual Budget for the 2015-16 financial year. The figures in this report are compared to the Adopted Budget.

The January 2016 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$3,781,796 for the period when compared to the adopted Budget. This variance does not represent the end of year position. It represents the year to date position to 31 January 2016. There are a number of factors influencing the favourable variance but it is predominantly due to the timing of revenue and expenditure compared to the adopted budget estimate. The notes in Appendix 3 to Attachment 1 identify and provide commentary on the individual key material revenue and expenditure variances to date.

The variance can be summarised as follows:

The operating surplus is \$4,594,090 higher than budget, made up of higher operating revenue \$1,885,135 and lower operating expenditure of \$2,708,954.

Operating revenue is higher than budget on Contributions, Reimbursements and Donations \$904,806, Profit on Asset Disposals \$1,199,975, Rates \$350,483, Specified Area Rates \$6,160, Interest Earnings \$382,330 and Other Revenue \$238,723, partly offset by lower than budget revenue from Fees and Charges \$366,831 and Grants and Subsidies \$830,510.

Operating Expenditure is lower than budget on Materials and Contracts \$2,873,898, Utilities \$179,889, Interest expenses \$7,792, Insurance \$103,856 and Loss on Asset Disposals \$1,320,957. These are partly offset by higher than budget expenditure on Depreciation and Amortisation \$1,314,361 and Employee Costs \$463,077.

The Capital Deficit is \$687,777 lower than budget. This is due to lower than budgeted expenditure on Capital Projects \$1,648,404 and Loan Principal Repayments \$165,622 and higher than budgeted Capital Contribution revenue \$300,569, offset by lower than budgeted revenue for Capital Grants and Subsidies \$44,739 and higher than budgeted expenditure on Capital Works \$929,929 and Vehicle and Plant Replacements \$452,149.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 January 2016 forming Attachment 1 to Report CJ036-03/16.

BACKGROUND

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

DETAILS

Issues and options considered

The Financial Activity Statement for the period ended 31 January 2016 is appended as Attachment 1.

Legislation / Strategic Community Plan / policy implications

Legislation

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

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

Strategic Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

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

Financial / budget implications

All amounts quoted in this Report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

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

Consultation

In accordance with section 6.2 of the Local Government Act 1995, the annual budget was prepared having regard to the Strategic Community Plan, prepared under Section 5.56 of the Local Government Act 1995, which was made available for public comment.

COMMENT

All expenditure included in the Financial Activity Statement are incurred in accordance with the provisions of the 2015-16 Adopted Budget or have been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Gobbert that Council NOTES the Financial Activity Statement for the period ended 31 January 2016 forming Attachment 1 to Report CJ036-03/16.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ049-03/16, page 146 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf080316.pdf](#)

CJ037-03/16 TENDER 006/16 - CIVIL WORKS FOR OCEANSIDE PROMENADE, MULLALOO

WARD	North Central
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	105643, 101515
ATTACHMENTS	Attachment 1 Summary of Tender Submissions Attachment 2 Consultation Analysis
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to accept the tender submitted by CQ & JM Dowsing ATF For The Dowsing Family Trust trading as Dowsing Group for civil works for Oceanside Promenade, Mullaloo between Warren Way and Westview Boulevard.

EXECUTIVE SUMMARY

Tenders were advertised on 16 January 2016 through statewide public notice for the civil works for Oceanside Promenade, Mullaloo. Tenders closed on 3 February 2016. A submission was received from each of the following:

- Curnow Group (Hire) Pty Ltd.
- Densford Civil Pty Ltd.
- CQ & JM Dowsing ATF For The Dowsing Family Trust trading as Dowsing Group.
- Ertech Pty Ltd.
- Tracc Civil Pty Ltd.
- Neo Infrastructure Pty Ltd.

The submission from CQ & JM Dowsing ATF For The Dowsing Family Trust trading as Dowsing Group represents best value to the City. Dowsing Group demonstrated experience in completing similar projects including the Hill View Terrace Intersection upgrade and Lathlain Place Street Revitalisation projects for the Town of Victoria Park, civil works for Forrest Square car station for the City of Subiaco, Newman Drive widening for the Shire of East Pilbara and Morley Drive – Tonkin Highway intersection upgrade and Canning Highway – Ardross Street intersection upgrade for MRWA. It demonstrated an understanding of the project requirements and has the capacity in terms of personnel and equipment to carry out this project in the required timeframe.

It is therefore recommended that Council:

- 1 *NOTES the soft landscaping design has been amended to exclude any new trees along the western verge of the Oceanside Promenade carriageway between Warren Way and West View Boulevard, as a result of the feedback from those residents who were consulted;*
- 2 *ACCEPTS the tender submitted by CQ & JM Dowsing ATF The Dowsing Family Trust trading as Dowsing Group for civil works for Oceanside Promenade, Mullaloo as specified in Tender 006/16 for the fixed lump sum of \$775,745 (GST Exclusive) and completion of the works by 24 June 2016.*

BACKGROUND

This requirement is to undertake the civil works for Oceanside Promenade, Mullaloo between Warren Way and Westview Boulevard.

DETAILS

Tenders were advertised on 16 January 2016 through statewide public notice for a fixed lump sum contract to undertake the civil works for Oceanside Promenade, Mullaloo. The proposed upgrade works between Warren Way and West View Boulevard include the installation of on-street parking bays along the western verge, the installation of a flush red asphalt median, the provision of new pedestrian crossings and pathways. The purpose of the traffic treatments are to limit informal parking during summer peak periods, control traffic movements and improve the pedestrian road safety situation along this section of Oceanside Promenade. All works will be within the road reserve and there will be no encroachment on the adjacent bushland. All works to be completed by 24 June 2016. The tender period was for two weeks and tenders closed on 3 February 2016.

Tender Submissions

A submission was received from each of the following:

- Curnow Group (Hire) Pty Ltd.
- Densford Civil Pty Ltd.
- CQ & JM Dowsing ATF The Dowsing Family Trust trading as Dowsing Group.
- Ertech Pty Ltd.
- Tracc Civil Pty Ltd.
- Neo Infrastructure Pty Ltd.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 1.

Evaluation Panel

The evaluation panel comprised three members:

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

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

Compliance Assessment

All offers were assessed as compliant.

Qualitative Assessment

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. The minimum acceptable score was set at 55%.

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

Qualitative Criteria		Weighting
1	Capacity	35%
2	Demonstrated experience in completing similar projects	30%
3	Demonstrated understanding of the required tasks	30%
4	Social and economic effects on the local community	5%

Curnow Group (Hire) Pty Ltd scored 44.9% and was ranked sixth in the qualitative assessment. It demonstrated an understanding of the requirements and has the capacity to carry out the works. The company did not demonstrate experience in completing similar projects. All project examples provided were completed by Curnow Group Pty Ltd (currently under external administration), not Curnow Group (Hire) Pty Ltd.

Tracc Civil Pty Ltd scored 56.4% and was ranked fifth in the qualitative assessment. It demonstrated experience in completing similar projects. Five examples of works were provided and these were Mundijong Road extension (2014) for the City of Rockingham, Gilmore Avenue duplication (2015) for the City of Kwinana and civil works of Golden Bay Stage 2C sub-division (2013 – 2014) for Department of Housing. The company is resourced to complete the works for the City. It demonstrated some understanding of the project requirements with a brief methodology without a detailed construction methodology.

Neo Infrastructure scored 56.8% and was ranked fourth in the qualitative assessment. The company did not demonstrate sufficient experience completing projects of a similar nature to the civil works for Oceanside Promenade. The majority of its projects are bridge works and marine infrastructure construction. Although the projects were civil in nature and included some road works, it did not demonstrate sufficient experience completing road works in a high volume traffic area requiring complex traffic management. It demonstrated an understanding of the project requirements with a detailed methodology specific to the project and a provisional construction program. The company is resourced and has the capacity to complete the work.

Dowsing Group scored 57% and was ranked third in the qualitative assessment. The company is resourced and has the capacity to complete the work. It demonstrated an understanding of the project requirements with a project specific methodology addressing various stages of the project and a three month project program. It demonstrated experience completing similar projects including Hill View Terrace Intersection upgrade and Lathlain Place Street Revitalisation projects for the Town of Victoria Park, civil works for Forrest Square car station for the City of Subiaco, Newman Drive widening for the Shire of East Pilbara and Morley Drive – Tonkin Highway intersection upgrade and Canning Highway – Ardross Street intersection upgrade for MRWA.

Densford Civil scored 60.3% and was ranked second in the qualitative assessment. The company demonstrated an understanding of the project requirements and has the capacity to undertake the work. It demonstrated experience completing similar projects to the Oceanside Promenade duplication including Hodges Drive carriageway duplication completed in 2013 for the City of Joondalup, Craigie Senior High School redevelopment for LandCorp, Port Coogee redevelopment for Australand and Bus-Bridge Roadwork project at James Street, Perth for Public Transport Authority.

Ertech Pty Ltd scored 69.8% and was ranked first in the qualitative assessment. It demonstrated a thorough understanding of the scope of works through a detailed staged construction methodology specific to this project, pictorial representation highlighting work and traffic areas and a well documented preliminary construction program. It demonstrated considerable experience in completing similar projects including Catalina Marmion Avenue intersection civil works completed in 2013 for Tamala Park Regional Council, Beeliar Drive improvement works completed in 2013 for Perron Investments, Connolly Drive duplication completed in 2009 for the City of Joondalup and Mirrabooka Regional Centre improvement works for the City of Stirling (on-going). The company is the contractor for the Whitfords Avenue Carriageway duplication and Ocean Reef Road carriageway duplication projects for the City (both on-going). It has sufficient resources to complete the project.

Based on the minimum acceptable score (55%), all Respondents except Curnow Group (Hire) Pty Ltd qualified for stage 2 (price) assessment.

Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted lump sum prices offered by each tenderer qualified for stage 2 to assess value for money to the City.

Tenderer	Lump Sum Price
Neo Infrastructure	\$727,679
Dowsing Group	\$775,745
Ertech Pty Ltd	\$807,684
TRAAC Civil Pty Ltd	\$933,795
Densford Civil Pty Ltd	\$961,781

Evaluation Summary

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

Tenderer	Total Contract Price	Price Rank	Evaluation Score	Qualitative Rank
Ertech Pty Ltd	\$807,684	3	69.8%	1
Densford Civil Pty Ltd	\$961,781	5	60.3%	2
Dowsing Group	\$775,745	2	57%	3
Neo Infrastructure	\$727,679	1	56.8%	4
TRAAC Civil Pty Ltd	\$933,795	4	56.4%	5

Based on the evaluation result the panel concluded that the tender that provides best value to the City is that of Dowsing Group and is therefore recommended.

Though Neo Infrastructure's offered price is 6.6% less than Dowsing Group's Offer, the company (Neo Infrastructure) did not demonstrate sufficient experience completing projects of a similar nature to the civil works for Oceanside Promenade. The majority of its projects are bridge works and marine infrastructure construction. Although the projects were civil in nature and included some road works, it did not demonstrate sufficient experience completing road works in a high volume traffic area requiring complex traffic management.

Issues and options considered

Civil works are required for Oceanside Promenade, Mullaloo. The City does not have the internal resources to undertake the works and as such requires an appropriate external contractor.

Legislation / Strategic Community Plan / policy implications

Legislation

A statewide public tender was advertised, opened and evaluated in accordance with Clause 11(1) and 18(4) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$150,000.

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Integrated spaces.

Strategic initiative

Provide for diverse transport options that promote enhanced connectivity.

Policy

Not applicable.

Risk management considerations

Should the contract not proceed, the risk to the City will be moderate as the City may lose \$390,000 of Government grant for the project.

It is considered that the contract will represent a low risk to the City as the recommended Tenderer is a well-established company with considerable industry experience and has the capacity to complete the works for the City by 24 June 2016.

Financial/budget implications

Project number	LTM2091	SBS2062
Cost code	W2662	W3010
Budget Item	Oceanside Promenade – Warren Way to Westview Boulevard.	Oceanside Promenade
Budget amount	\$ 255,000	\$ 585,000
Committed	\$ 12,978	\$ 14,127
Amount spent to date	\$ 0	
Proposed cost	\$ 775,745	
Contingency	\$ 35,000	
Balance	\$ 2,150	

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The City consulted directly with residents that lived within a 200 metre radius of Oceanside Promenade between Warren Way and West View Boulevard. A total of 277 residents as well as two stakeholder groups were provided personalised consultation packages to determine the level of support for the proposed upgrades. In addition, members of the public and stakeholders wishing to comment were also encouraged to complete an online survey form via the City's website.

Throughout the 21-day advertised consultation period (between 18 November and 9 December 2015), the City received a total of 59 valid responses with the majority supporting the proposed upgrades along Oceanside Promenade. Of the responses received, 71.2% supported the proposed improvements to road, parking and path networks along Oceanside Promenade, while 13.6% opposed and 8.5% were unsure.

Of the eight respondents that opposed elements of the proposed upgrade, concerns were raised for the effectiveness of raised median islands and, to a lesser extent, the on-street parking bays on the western verge and improvements to the pedestrian facilities. While these concerns have been acknowledged, these elements have been proved to enhance the road safety outcomes whilst reducing the potential for pedestrian vehicle conflicts and are integral to the overall traffic management scheme.

Six respondents also raised concerns about the inclusion of trees on the landscaping along the western verge of the carriageway. On the basis of these concerns, the City will amend soft landscaping design to exclude any new trees. The existing trees within the roundabouts on Oceanside Promenade will be retained.

For more information, the full consultation analysis report is provided in Attachment 2.

COMMENT

The evaluation panel carried out the evaluation of the submissions in accordance with the qualitative criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by CQ & JM Dowsing ATF The Dowsing Family Trust trading as Dowsing Group.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the soft landscaping design has been amended to exclude any new trees along the western verge of the Oceanside Promenade carriageway between Warren Way and West View Boulevard, as a result of the feedback from those residents who were consulted;
- 2 ACCEPTS the tender submitted by CQ & JM Dowsing ATF For The Dowsing Family Trust trading as Dowsing Group for civil works for Oceanside Promenade, Mullaloo as specified in Tender 006/16 for the fixed lump sum of \$775,745 (GST Exclusive) and completion of the works by 24 June 2016.

MOVED Cr Jones, SECONDED Cr Chester that Council:

- 1 **SUPPORTS the retention of the soft landscaping design including trees along the western verge of the Oceanside Promenade carriageway between Warren Way and West View Boulevard;**
- 2 **ACCEPTS the tender submitted by CQ & JM Dowsing ATF The Dowsing Family Trust trading as Dowsing Group for civil works for Oceanside Promenade, Mullaloo as specified in Tender 006/16 for the fixed lump sum of \$775,745 (GST Exclusive) and completion of the works by 24 June 2016.**

AMENDMENT MOVED Mayor Pickard, **SECONDED** Cr Chester that Part 1 of the motion be **AMENDED** to delete the words '*design including trees*' and replace with the words '*with minor amendments to the design to maximise parking and shade*', to read as follows:

"1 SUPPORTS the retention of soft landscaping with minor amendments to the design to maximise parking and shade along the western verge of the Oceanside Promenade carriageway between Warren Way and West View Boulevard;".

The Amendment was Put and

CARRIED (11/0)

In favour of the Amendment: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

The Original Motion as amended, being:

That Council:

- 1 SUPPORTS the retention of soft landscaping with minor amendments to the design to maximise parking and shade along the western verge of the Oceanside Promenade carriageway between Warren Way and West View Boulevard;**
- 2 ACCEPTS the tender submitted by CQ & JM Dowsing ATF For The Dowsing Family Trust trading as Dowsing Group for civil works for Oceanside Promenade, Mullaloo as specified in Tender 006/16 for the fixed lump sum of \$775,745 (GST Exclusive) and completion of the works by 24 June 2016.**

Was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

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 administration recommended is because Council wishes to maximise shade available for cars as well as the availability of car bays.

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf080316.pdf](#)

CJ038-03/16 CONSIDERATION TO PERMIT DOGS TO BE EXERCISED ON A LEASH AROUND THE PERIMETER OF MAWSON PARK, HILLARYS

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	06098, 101515
ATTACHMENT	Attachment 1 Map of Mawson Park
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider a report which identifies options to allow dogs to be exercised on a leash on a portion of Mawson Park, Hillarys which is currently specified dogs prohibited at all times.

EXECUTIVE SUMMARY

At its meeting held on 23 November 2015, (C72-11/15 refers) Council requested the Chief Executive Officer to prepare a report on the ability to allow or permit dogs to be exercised on a leash in an area around the outer perimeter of Mawson Park, Hillarys which follows the line of and includes the outer most footpath closest to the perimeter of the park where dogs are currently prohibited from being exercised.

It is recommended that Council acknowledges the options provided to allow dogs to access Mawson Park, recognises the importance of leaving the entire park undisturbed by dogs to facilitate the importance of the park as a natural wetland, and retains Mawson Park as a dogs prohibited area.

BACKGROUND

Mawson Park is a large community park (9.25 hectares) located in Hillarys. It is bounded by Mawson Crescent to the north and east, Flinders avenue to the south and Newport Gardens and private residential property to the west (Attachment 1 refers).

The northern half of the park is grassed and wooded with pedestrian paths. It has an important local fresh water lake for native fauna. The southern half of the park is an active recreation park used to a small extent at various times for junior AFL, softball and soccer as well as varied casual hire.

Mawson Park has been a dog prohibited park within the City of Joondalup since the City was gazetted. Prior to that it was a dogs prohibited park when that location was part of the City of Wanneroo. Mawson Park was determined most recently by Council at its meeting held on 16 September 2014 (CJ169-09/14 refers) to be dogs prohibited as a result of amendments to the *Dog Act 1976* (the Act) which required all prohibited areas of the City to be re-specified in accordance with section 33 of the Act.

It has an important local fresh water lake for native fauna and in line with other parks with fresh water lakes or ponds, such as Central Park, Neil Hawkins Park, Blue Lake Park and Water Tower Park, it has been designated dogs prohibited in an effort to protect the fauna from disturbance and to ensure water quality is not impacted by contaminants such as dog waste, hair and body oils. It is also one of a series of parks and reserves which creates a fauna corridor of stopping points between the foreshore and Yellagonga Regional Park.

Mawson Park is one of only 12 dog prohibited parks in the City of Joondalup.

In terms of dog issues at Mawson Park there have been 44 reports to City Rangers to attend to dogs being allegedly illegally in the park during 2014 and 2015. It is particularly difficult to catch dogs and their owners in the act of committing an offence. Four infringements have been issued in this period when persons with dogs were found.

DETAILS

Mawson Park has been a long established dog prohibited park. With the current specification of dogs prohibited, dog owners wishing to walk their dogs adjacent to the park can choose to walk on portions of the verge of the park, which is part of the carriageway outside the park and therefore permitted. The carriageway verge, however, is not a consistent width around the park and has car parking on the verge. Dog walkers therefore risk accidentally entering into the park perimeter while walking their dogs. Alternatively, dog walkers can walk on the opposite side of Mawson Crescent to the northern and eastern sides of the park although this requires them to walk on residential verges as there is no footpath on that side.

The City's Natural Areas team have recently planted 3,500 wetland plants in Mawson Park to rehabilitate and improve the nesting and feeding habitat to encourage birds in particular to stay in the area.

As alternatives to Mawson Park there are other park options for dog walkers to the north and the east at Scott Park, Nimrod Park, Bage Park, MacKay Park and Ninnis Park although these are smaller. However, there are no alternative park options within a reasonable distance for dog walkers to the west and south of Mawson Park.

Issues and options considered

It is feasible to describe an area which could be a strip (for example 10 metres in from the current park boundary and including most of the current perimeter footpath) and make this a dogs on lead at all times dog exercise area while maintaining the rest of Mawson Park as dogs prohibited.

As a result of amendments to the *Dog Act 1976* (the Act) which came into effect in November 2013 changes to dog prohibited areas can be changed by Council without requiring a local law amendment in accordance with section 31 of the Act. The process includes advertising and inviting submissions on the proposal.

If the boundary change was made it would be necessary to ensure that it was clearly delineated by signage and preferably bollards to ensure that dog owners clearly understood the limits of where they could traverse and also that others without dogs knew where they should not expect to encounter dogs.

There are two options:

Option 1: Retain Mawson Park as a completely dog prohibited park

The first option is to retain Mawson Park as dogs prohibited at all times. The issue with allowing dogs onto part of Mawson Park is that keeping the dogs off the rest of the park then becomes that much more difficult regardless of signage and bollards or other forms of demarcation. Dog owners may inadvertently lose control of their dog, some may even believe their dog can be kept under control and let it off a lead resulting in the dog entering into the prohibited area, fouling the park, playground and interfering with the fauna. The City has undertaken significant work in the park to improve water quality and to revegetate the aquatic environment. Of particular importance is maintaining the quality of the water within the lake to ensure a healthy environment for aquatic species.

Maintaining Mawson Park as a completely dog prohibited park provides for the clearest and simplest direction to all users in regard to dogs and will help ensure that the public amenity and the natural environment in the park is maintained. Dog walkers choosing to go between Flinders Avenue and Cook Avenue will still have the option to walk along the verge to the east or to the west adjacent to Mawson Crescent. This option is recommended.

Option 2: Create a 10 metre wide Dogs on Lead corridor around the majority of Mawson Park

The second option is to specify Mawson Park to be a dogs prohibited park, with the exception of a 10 metre corridor ribbon running along the outer boundary of the park perimeter, adjacent to the verge boundary, from the junction of Newport Gardens and Mawson Crescent in the north west of the park, easterly then southerly on Mawson Crescent, then westerly along Flinders Avenue, to the property boundary of 71 Flinders Avenue, then north along the property boundaries of 71 Flinders Avenue, 25 and 27 Newport Gardens which is specified dogs on a lead at all times, with this corridor to be delineated by signage and preferably post and rail fencing along its perimeter.

This option would entail approximately one kilometre of post and rail fencing elements as well as approximately 25 dog on lead at all times/dogs prohibited signs, to ensure proper demarcation of the permitted dogs on lead area from the dogs prohibited area. Total installation cost would be approximately \$28,000.

It is the case that there is no full perimeter footpath outside the Mawson Park boundary to allow dog walkers to traverse the park on a footpath without entering it. There is also no footpath on the immediate opposite side of Mawson Crescent that forms half the length of the boundary of Mawson Park. There is however an extensive footpath network in the other surrounding streets with lots of opportunity to safely walk dogs. Providing a 10 metre wide, dogs on lead corridor around the majority of Mawson Park appears to carry a number of risks just to enable dogs to walk past the park. This option is not recommended.

Legislation / Strategic Community Plan / policy implications

Legislation	<i>Dog Act 1976.</i>
Strategic Community Plan	
Key theme	Quality Urban Environment.
Objective	Quality open spaces.

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

Policy Not applicable.

Risk management considerations

The risk with Option 1 is potential community disappointment among dog owners who may feel that their needs are not being addressed.

With the recommendation in Option 2, there is a risk that if a 10 metre corridor is marked out around the perimeter of Mawson Park that dog owners may ignore the prohibition within the park and choose to take their dogs deeper into the park or to let the dog off the lead and allow it to run into the park or they may inadvertently lose control of dog which enters into the prohibited area. The current prohibition makes it relatively straightforward to identify when a dog owner is ignoring prohibitions.

There is potential for conflict between dog owners and non dog owners when there is poor compliance. It may also result in non dog owners incorrectly contacting the City when they believe there is non-compliance occurring, but the dog owner is actually complying. There would also be a large number of additional signs to inform park users and dog owners that may affect the amenity of the park. Typically there would be a sign identifying the boundary of the prohibition every 50 to 75 metres, approximately 25 signs in total.

Financial / budget implications

Installation of 200 post and rail elements would cost approximately \$24,000. Installation of 25 double sided dog prohibited/ dog on lead signs would cost approximately \$4,000.

Current financial year impact

Account no. There is no budget allocation within the City Rangers budget for this work.

Budget Item Not applicable.

Budget amount Not applicable.

Amount spent to date Not applicable.

Proposed cost Installation of 200 post and rail elements would cost approximately \$24,000. Installation of 25 double sided dog prohibited/ dog on lead signs would cost approximately \$4,000.

Balance Not applicable.

Regional significance

Not applicable.

Sustainability implications

The City has undertaken significant work in the park to improve water quality and to revegetate the aquatic environment. Of particular importance is maintaining the quality of the water within the lake to ensure a healthy environment for aquatic species. This location is an important wetland area and allowing dogs into a portion of the park where there is likelihood that they will escape effective control and contaminate the aquatic systems is a significant risk.

Consultation

No external consultation has been undertaken in the preparation of this report. Should Council wish to proceed with a 'dogs on lead' corridor around the majority of Mawson Park, public advertising and an invitation to make submissions on the proposal would be required.

COMMENT

Maintaining Mawson Park as a completely dog prohibited park provides for the clearest and simplest direction to all users in regard to dogs and will help ensure that the public amenity and the natural environment in the park is maintained.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council **SUPPORTS** the retention of Mawson Park as a completely dogs prohibited park as it considers there are sufficient opportunities for dogs to be exercised within close proximity and as Mawson Park is an important wetland, maintaining the water quality of the lake is a priority to ensure a healthy environment for aquatic species.

MOVED Cr Norman, SECONDED Cr Chester that Council:

- 1 BY AN ABSOLUTE MAJORITY determines its intention to SPECIFY that portion of Mawson Park, Hillarys, (Reserve 33401 and Lot 1020) being the whole of Reserve 33401 and Lot 1020 excluding that portion between the road reserve commencing at the junction of Newport Gardens and Mawson Crescent in the north west of the park and the southern edge of the footpath in Mawson Park immediately adjacent to Mawson Crescent, easterly then southerly on Mawson Crescent, with the excluded portion being that between the road reserve of Mawson Crescent and the western edge of the footpath in Mawson Park immediately adjacent to Mawson Crescent, then westerly on Flinders Avenue as far as the boundary of Lot 10446, with the excluded portion being that between the road reserve of Flinders Avenue and the northern edge of the footpath in Mawson Park immediately adjacent to Flinders Avenue as a place where dogs are prohibited at all times pursuant to section 31(2B)(a) of the *Dog Act 1976*;**

- 2 NOTES that following advertising of its intention if the Council determines to proceed with part 1 above there will also need to revoke part 1.3 of Council's decision on 16 September 2014 (CJ169-09/14 refers).

AMENDMENT MOVED Mayor Pickard, SECONDED Cr Norman that Part 1 of the motion be DELETED and REPLACED with the below motion, to read as follows:

- "1 **BY AN ABSOLUTE MAJORITY determines its intention to SPECIFY that portion of Mawson Park, Hillarys, (Reserve 33401 and Lot 1020) being the whole of Reserve 33401 and Lot 1020 excluding that portion between the road reserve commencing at the junction of Newport Gardens and Mawson Crescent in the north west of the park and the southern edge of the footpath in Mawson Park immediately adjacent to Mawson Crescent, easterly then southerly on Mawson Crescent, with the excluded portion being that between the road reserve of Mawson Crescent and the western edge of the footpath in Mawson Park immediately adjacent to Mawson Crescent, then westerly on Flinders Avenue with the excluded portion being that between the road reserve of Flinders Avenue and the northern edge of the footpath in Mawson Park immediately adjacent to Flinders Avenue, then northerly adjacent to the boundary with 71 Flinders Avenue and 25 and 27 Newport Gardens to the point where the path exits onto Newport Gardens, with the excluded portion being that between the property boundaries of 71 Flinders Avenue and 25 and 27 Newport Gardens and the eastern edge of the footpath in Mawson Park immediately adjacent to 71 Flinders Avenue and 25 and 27 Newport Gardens as a place where dogs are prohibited at all times pursuant to section 31(2B)(a) of the Dog Act 1976;**"

The Amendment was Put and

CARRIED (7/4)

In favour of the Amendment: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Jones and Norman.
Against the Amendment: Crs Hollywood, Logan, McLean and Poliwka.

The Original Motion as amended, being:

That Council:

- 1 **BY AN ABSOLUTE MAJORITY determines its intention to SPECIFY that portion of Mawson Park, Hillarys, (Reserve 33401 and Lot 1020) being the whole of Reserve 33401 and Lot 1020 excluding that portion between the road reserve commencing at the junction of Newport Gardens and Mawson Crescent in the north west of the park and the southern edge of the footpath in Mawson Park immediately adjacent to Mawson Crescent, easterly then southerly on Mawson Crescent, with the excluded portion being that between the road reserve of Mawson Crescent and the western edge of the footpath in Mawson Park immediately adjacent to Mawson Crescent, then westerly on Flinders Avenue with the excluded portion being that between the road reserve of Flinders Avenue and the northern edge of the footpath in Mawson Park immediately adjacent to Flinders Avenue, then northerly adjacent to the boundary with 71 Flinders Avenue and 25 and 27 Newport Gardens to the point where the path exits onto Newport Gardens, with the excluded portion being that between the property boundaries of 71 Flinders Avenue and 25 and 27 Newport Gardens and the eastern edge of the footpath in Mawson Park immediately adjacent to 71 Flinders Avenue and 25 and 27 Newport Gardens as a place where dogs are prohibited at all times pursuant to section 31(2B)(a) of the Dog Act 1976;**

- 2 NOTES that following advertising of its intention if the Council determines to proceed with part 1 above there will also need to revoke part 1.3 of Council's decision on 16 September 2014 (CJ169-09/14 refers).**

Was Put and

CARRIED (9/2)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Norman and Poliwka.

Against the Motion: Crs Logan and McLean.

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 administration recommended is because Council wishes to formalise what is currently occurring around Mawson Park with local residents exercising dogs on the footpath around the perimeter of the park.

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf080316.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ039-03/16 - Naming of Warwick Open Space Hockey – Infrastructure Project (WOSHIP).
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard is a member of the Whitford Hockey Club.

CJ039-03/16 NAMING OF THE WARWICK OPEN SPACE HOCKEY - INFRASTRUCTURE PROJECT (WOSHIP)

WARD	South
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	100981, 26520, 101515
ATTACHMENTS	Nil.
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to give consideration to the name of the proposed hockey facility to be constructed at Warwick Open Space, Warwick (WOS).

EXECUTIVE SUMMARY

Council has appointed the successful contractor to commence construction of a purpose built synthetic hockey facility at WOS.

It is therefore recommended that Council in accordance with the City Policy 'Naming of Public Facilities', AGREES to name the facility at Warwick Open Space, Warwick, 'Warwick Hockey Centre'.

BACKGROUND

The City has been for some years working with the Whitford Hockey Club to construct a synthetic hockey facility within the City of Joondalup. Following agreed funding from the State Government (\$1,200,000) and a contribution from the club of \$600,000 (including GST), Council agreed to invite tenders for a synthetic hockey facility at the preferred location at Warwick Open Space. Following the tender period, at its meeting held on 16 February 2016 (CJ021-02/16 refers) Council resolved as follows:

“That Council:

- 1 *ACCEPTS the tender submitted by McCorkell Constructions (WA) Pty Ltd for the Warwick Hockey Facility as specified in Tender 044/15 for Option 1A for the fixed lump sum of \$5,112,504 (GST inclusive) and completion of the works within 52 weeks from the possession of the site;*
- 2 *REQUESTS a report from the Chief Executive Officer following a review of the scope of the Warwick Hockey Facility project, in conjunction with the Whitford Hockey Club, with the purpose of including additional elements that will further enhance the project as a result of cost savings for the project.”*

Now that the tender has been awarded for the construction of the project, it is now appropriate for Council to determine the official name of the facility.

DETAILS

The City currently has a policy that refers to the naming of public facilities, which has the following statement:

“The Chief Executive Officer shall arrange for the naming of streets and reserves, and the allocation of house numbers. All naming of streets, reserves and buildings shall be in accordance with the Geographic Names Committee guidelines.

Parks and Reserves shall be named after an adjacent boundary road, where possible, to facilitate ease of identification. The Chief Executive Officer shall liaise with the Directors in determining the names of Council buildings and make a recommendation to the Council.

Buildings and facilities shall be named after the locality in which they reside or after an adjacent road, where possible, to facilitate ease of identification. Notwithstanding the foregoing, exceptions may be permitted with the prior approval of Council.”

Issues and options considered

In accordance with the policy, the naming options available to Council would be as follows:

- Warwick Hockey Facility/Centre/Stadium
- Lloyd Drive Hockey Facility/Centre/Stadium
- or
- Warwick Open Space Hockey Facility/Centre/Stadium.

Recently constructed facilities which have been built based on shared-use principles have included the words ‘Community and Sporting Facility.’ However, given that this will be a leased facility and is purpose built for hockey, it would be appropriate to reference that it is a hockey facility within the name.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective	Quality facilities.
Strategic initiative	Support a long-term approach to significant facility upgrades and improvements.
Policy	<i>Naming of Public Facilities Policy.</i>

Risk management considerations

The only risk for Council to consider is to ensure the selection of the name of the proposed facility does not cause confusion with the existing sporting infrastructure on site:

- Warwick Bowling Club.
- Greenwood Tennis Club.
- Warwick Stadium (formerly Warwick Leisure Centre).

Financial / budget implications

With the exception of some minor signage requirements outside the project scope, there are no financial or budget implications.

Regional significance

The proposed development will create one of the largest hockey developments within the northern metropolitan area. It is anticipated that this project will be considered more of a regional hockey complex rather than a local hockey area and as such will attract clubs from outside the City of Joondalup.

Sustainability implications

Social

The development will provide a high-class hockey facility to serve those hockey players to not only the City of Joondalup but also the wider community within the region.

Environmental

Where possible a number of environmental elements have been included in the design of the facility which includes the conversion to LED floodlighting into the future.

Economic

Not applicable.

Consultation

The Whitford Hockey Club was engaged and has supported the recommended name of the 'Warwick Hockey Centre.'

COMMENT

It is appropriate for Council to consider the naming of the facilities at WOS. In accordance with the requirements of the *Naming of Public Facilities Policy*, it is recommended the facility be named 'Warwick Hockey Centre'.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Dwyer, SECONDED Cr Fishwick that Council, in accordance with the City 'Naming of Public Facilities Policy', AGREES to name the synthetic hockey facility at Warwick Open Space, Warwick, 'Warwick Hockey Centre'.

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Disclosures of interest affecting impartiality

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ040-03/16 - Warwick Hockey Centre – Request for Additional Funds.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard is a member of the Whitford Hockey Club.

Name/Position	Cr Sophie Dwyer.
Item No./Subject	CJ040-03/16 - Warwick Hockey Centre – Request for Additional Funds.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A member of the Whitford Hockey Club committee is known to Cr Dwyer.

CJ040-03/16 WARWICK HOCKEY CENTRE – REQUEST FOR ADDITIONAL FUNDS

WARD	South
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	100981, 101515, 26520
ATTACHMENT	Attachment 1 Site plan Attachment 2 Clubroom floor plan
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to determine what scope alterations could be accommodated within the Warwick Hockey Centre Project (WHCP) as a result potential savings.

EXECUTIVE SUMMARY

Council has agreed to construct a synthetic hockey facility at Warwick Open Space at an original budget of \$6,545,500. Funding assistance has been obtained from the State Government through the Department of Sport and Recreation (DSR), and the Whitford Hockey Club (WHC) has agreed to contribute \$600,000 (including GST). With the exception of \$200,000 all of the City's contribution is via loans.

At its meeting held on February 2016 (CJ021-02/16 refers), Council agreed to liaise with the WHC to determine what scope alterations could be accommodated into the project accessing potential savings following the receipt of the tender for the construction of the development.

It is estimated that there is a potential balance of funds of \$401,451. The following elements could be added to the current scope of the project:

- Additional 20 car park bays to the northern car park - \$81,000.
- Additional 112 car park bays to the south west - \$440,000.
- Synthetic pitch conversion to LED floodlighting - \$256,000.
- Pitch 2 conversion to LED floodlighting - \$168,000.
- LED Floodlighting of pitch 3 - \$427,900.

In addition to the above items, the WHC has requested consideration be given to the following items, if additional funds are available:

- Contribution to a maximum amount of \$50,000 to assist with the fit-out of the club areas of the facility. Such items could include office furniture, networking, communications, Audio/Visual and EFTPOS systems.
- Allocation to be made against the loan funds obtained by WHC from Hockey WA.

It is recommended that Council agrees to fund the additional car parking required across the site for the Warwick Hockey Centre, to an amount not exceeding the project budget amount of \$6,490,955.

BACKGROUND

The WHC is one of the largest hockey clubs in Western Australia with over 500 members and has a distinct focus on junior players with a majority of its players being within the junior category.

The club currently hires the south oval at MacDonald Park where they set up three grass pitches, and the Lesser Hall in the Fleur Freame Pavilion during the winter season. They also hire the synthetic hockey pitch at HBF Arena Joondalup, as well as other synthetic options around Perth.

Following advice from the Department of Sport and Recreation (DSR) that the City did not receive all of its requested funding for the development of a synthetic hockey facility from the Community Sport and Recreation Facility Fund (CSRFF), Council considered the future of the project at its meeting held on 20 May 2014 (CJ072-05/14 refers).

At this meeting, it was agreed that the synthetic hockey pitch project would proceed to detailed design for construction, with the City to fund the project shortfall. It was requested that a reduction in the clubroom size be considered as an option in an effort to reduce the capital cost of the project by an estimated \$480,000, giving a new project total of \$6,545,500. Therefore the funding of the facility was to be made up from the the following sources:

- \$1,200,000 - State Government (Department Sport and Recreation - CSRFF).
- \$600,000 (including GST) – WHC.
- \$4,745,500 (approximately) – City of Joondalup being balance of the required funds of which \$4,545,000 via loan.

At its meeting held on 15 July 2014 (CJ118-07/14 refers) Council considered a number of management options for the proposed development including a City managed; club managed; or City/club managed model. At that meeting it was resolved that the City/club managed model was preferred which would involve the WHC leasing the clubroom and synthetic hockey pitch with the grass hockey pitches being managed by the City.

The City and the club have executed an agreement to lease with the proposed lease to be finalised that has been developed in line with the principles of the City's *Property Management Framework* (PMF). The lease will contain the following conditions:

- Ten year period with two options to extend for further periods of five years.
- Rental is set at 0.1% of the capital cost of the leased area, with a market review at the end of the initial 10 year period.
- Club to be responsible for the replacement of the synthetic playing surface.
- An annual financial review is undertaken by the City and the club of the club's financials.
- An annual fee structure review to ensure the hire fees charged to other clubs and users of the clubroom and synthetic pitch are reasonable.
- The City reserves the ability to secure naming rights of the facilities.

At its meeting held on 16 February 2016 (CJ021-02/16 refers) Council resolved as follows:

"That Council:

- 1 *ACCEPTS the tender submitted by McCorkell Constructions (WA) Pty Ltd for the Warwick Hockey Facility as specified in Tender 044/15 for Option 1A for the fixed lump sum of \$5,112,504 (GST inclusive) and completion of the works within 52 weeks from the possession of the site;*
- 2 *REQUESTS a report from the Chief Executive Officer following a review of the scope Warwick Hockey Facility project, in conjunction with the Whitford Hockey Club, with the purpose to including additional elements that will further enhance the project as a result of cost savings for the project."*

DETAILS

The site plan (Attachment 1 refers) indicates the layout of the development including the following infrastructure:

- Full size synthetic hockey pitch with perimeter fencing.
- Two full size grass hockey pitches.
- Floodlighting for pitches – illumination level of 500 lux for the synthetic pitch and 250 lux for the grass pitch 1 (will meet Australian standards for outdoor hockey). Grass pitch 2 will receive overflow lighting from the installed floodlights.
- Clubroom facility including benches for scorers and players and spectator viewing area.
- Car parking to the north-east of the site, with a further allocation of space for future parking requirements.

The clubroom floor plan (Attachment 2 refers) includes a single storey clubroom facility consisting of:

- function room of 401m² (with view over synthetic hockey pitch)
- change rooms including umpire room, first aid room and toilets

- 68m² for club activities and a merchandise store for the club
- commercial and club kitchens, kiosk and bar
- office/meeting room of 22m²
- 66m² of storage.

Throughout the process, the City regularly engaged with a Quantative Surveyor (QS) to review the costings of the project to ensure it remained within budget. Prior to inviting tenders, the City undertook a detailed pre-tender estimate which provided an estimate for the project delivering the above elements at \$6,800,200. With the pre-tender estimate, the scope of the project was refined to align with the proposed costings. As a result, the tender did not include the full car parking development around the site, inclusion of LED lighting and it also included the option for reduced function/clubroom area.

Following receipt of the tenders, below is an overview of the project's budget against total project budget of \$6,490,955. (This is slightly revised down from original of \$6,545,500 as the club's contribution of \$600,000 is including GST. The original budget assumed the club's contribution was excluding GST):

Tender amount to construct	\$5,112,504
Supporting project items (not limited to):	\$554,000
<ul style="list-style-type: none"> • Relocation of softball and cricket • Upgrade irrigation of grass • Goals and turf sweeper (piece of machinery that sweeps the turf from foreign particles and maintains the playing surface improving the longevity of the turf) • Furniture & equipment (including kitchen) • Public art • Contingency 	
Professional fees	\$423,000
Total	\$6,089,504
Total Project budget	\$6,490,955
Potential Surplus Funds	\$401,451

As part of the project and recognising the contribution made by the WHC to the project, a number of items have been included in the project scope that would not normally be included for a community facility to be occupied under a lease arrangement by a community group. These items include:

- electronic scoreboard
- turf sweeper and trailer
- camera tower
- public address system
- various kitchen items
- cool room.

As a result of the tender submissions being below the proposed budget, the scope of the project has been revisited and given those elements removed from the original tender specification, it is appropriate to reconsider those as a priority if additional funds are available. Those elements are as follows, and have been costed by a QS:

- Additional 20 car parking bays to the northern car park - \$81,000.
- Additional 112 car parking bay car park to the south-west - \$440,000.

- Synthetic pitch conversion to LED floodlighting - \$256,000.
- Pitch 2 conversion to LED floodlighting - \$168,000.
- LED Floodlighting of pitch 3 - \$427,900.

Issues and options considered

Council can either:

- agree to fund those elements that fall within the project budget of \$6,490,955
or
- not agree to fund any further elements to the project and realise the savings.

The decisions before Council are two-fold:

- Determine if the funds available following the tender should be spent.
- If it is agreed to spend the funds, what elements should be funded?

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Quality facilities.

Strategic initiative Support a long-term approach to significant facility upgrades and improvements.

Policy Not applicable.

Risk management considerations

Any capital project brings risks in relation to contingencies and over-runs against original design.

The project budget of \$6,490,955 includes a contingency amount of \$200,000 (4% of construction costs) which may or may not account for any unforeseen costs that may occur during the project. Council should be cautious when allocating any potential costs savings on other elements prior to the project progressing to a more advanced stage in case of any unforeseen circumstances that may arise.

Financial / budget implications

The City's contribution to the project (all except \$200,000 from the Municipal Fund) is funded from loan funds. The adopted *20 Year Strategic Financial Plan* (SFP) has the following assumptions included for these borrowings:

- Interest Rate of 3.25%.
- Repaid over five years.
- Government Guarantee cost 0.7% (additional interest charge).

The cost of borrowings is estimated at \$536,000 over the five year period. This comprises of:

- \$453,000 interest costs
- \$83,000 government guarantee.

For every \$100,000 reduction in loan funds, there is a saving of 2.2% of the total cost of borrowings over the five year loan period. Reduced borrowings of \$100,000 will decrease the total repayment to \$524,000.

Current financial year impact

Account no.	CW001524 (MPP2054).
Budget Item	Synthetic Hockey Project.
Budget amount	\$ 6,490,955
Amount spent to date	\$ 377,470
Proposed cost	\$ 6,089,504
Balance	\$ 401,451

Future financial year impact

Annual operating cost	Under the arrangement, the WHC will be responsible for all operating costs within the leased area. The City will continue to maintain the grassed playing surfaces in line with its annual maintenance budget. It is not anticipated that the costs to maintain the new grassed playing surfaces will be any greater than the existing grass playing surfaces.
Estimated annual income	An annual lease fee will be received from the club in accordance with the principles of the PMF.
Capital replacement	The synthetic turf would anticipate to be replaced in 8-10 years depending maintenance schedule. The club is responsible for its replacement. Expected life span of the clubrooms is approximately 50 years.
20 Year Strategic Financial Plan impact	The 20 Year SFP has accounted for the project and made assumptions in regards to loan repayments.
Impact year	Not applicable.

All amounts quoted in this report are exclusive of GST.

Regional significance

The proposed development will create one of the largest hockey developments within the northern metropolitan area. It is anticipated that this project will be considered more of a regional hockey complex rather than a local hockey area and as such will attract clubs from outside the City of Joondalup.

Sustainability implications

The development will provide a high-class hockey facility to serve those hockey players to not only the City of Joondalup but also the wider community within the region.

Where possible a number of environmental elements have been included in the design of the facility which includes the conversion to LED floodlighting into the future.

Consultation

As directed by Council, the City engaged with the WHC to ascertain which elements could be added to the scope of the project. In discussions with the WHC they were supportive of the expansion of the car park to the north, and the addition of car parking to the south-west. WHC are of the position that with the development of the hockey facility and the demand for car parking that will bring and how that will impact current users of the site, that the provision of additional car parking is the highest priority of additional funds are available.

WHC have suggested further elements to be considered to be included into the project scope if surplus funds were available:

- Contribution to a maximum amount of \$50,000 to assist with the fit-out of the club areas of the facility. Such items could include office furniture, networking, communications, Audio/Visual and EFTPOS systems.
- Allocation to be made against the loan funds obtained by WHC from Hockey WA.

COMMENT

The current building industry has provided a favourable tender price for the construction of the WHCP than was estimated through the costings provided by QS during the planning stages.

It is noted that given pre tender estimates, decisions were made to what was to be included in the tender specifications. Such considerations were given to the:

- type of sports floodlighting (such as LED versus non LED lighting)
- degree of onsite car parking
- options in regards to the size of the clubroom facility.

Following discussions with the WHC, and given the existing users within Warwick Open Space (Warwick Bowling and Greenwood Tennis Clubs), the recent expansion of the Warwick Stadium, it is expected that the development of the WHCP will add pressure on car parking for those attending any of the facilities.

If it is agreed to expend any remaining funds, it is recommended that the proposed car parking detailed within the site plan be constructed. It is proposed that the expansion of the car parking to the north-east of the facility be listed as the first priority, with the development of car bays to the south west of the facility be listed as the second priority. The exact number of car parking bays to the south west will need to be determined based on available budget funds.

In regard to the other requests from the WHC, given the current stage of the project, it would be possible for the Chief Executive to review those items once the project has further progressed to a more mature stage. This will allow the City to be better informed with regards to the amount of contingency required for the project.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Fishwick, SECONDED Cr Dwyer that Council AGREES to fund the additional car parking required across the site for the Warwick Hockey Centre, to an amount not exceeding the project budget amount of \$6,490,955, as detailed in Report CJ040-03/16.

The Motion was Put and

CARRIED (10/1)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Logan, McLean, Norman and Poliwka.

Against the Motion: Cr Jones.

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12agn150316.pdf](#)

CJ041-03/16 REQUEST FOR ADDITIONAL SUBSIDIES - FACILITY HIRE SUBSIDY POLICY

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

PURPOSE

For Council to give consideration to apply additional subsidies for the hire of City facilities by summer sporting groups in 2015-16 and annual user groups in 2016.

EXECUTIVE SUMMARY

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted a *Property Management Framework* which 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.

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

The *Facility Hire Subsidy Policy* was reviewed after its initial period in operation and Council adopted a revised version at its meeting held on 9 December 2014 (CJ243-12/14 refers). The revised policy stipulates that groups must have their primary base of operation within the City of Joondalup to be eligible for a subsidy. It also provides authority for the Chief Executive Officer to waive facility hire booking fees up to the value of \$5,000.

The City has recently completed the bookings for use of its facilities for the 2015-16 summer sporting season and 2016 annual booking period. Consequently, the following groups have sought further subsidisation in accordance with the policy:

- Kingsley Tennis Club (Juniors).
- Greenwood Tennis Club (Juniors).
- Greenwood Tennis Club (Seniors).
- Ocean Ridge Tennis Club (Juniors).
- Undercroft Bridge Club.

- Lions Club of Whitford Inc.
- Greenwood Weight Watchers Inc.
- Burns Beach Coffee Group.
- Burns Beach Ladies Walking Group.

It is recommended that Council consider each request on a case by case basis.

BACKGROUND

The City of Joondalup manages 148 facilities utilised by approximately 300 community groups over 19,000m² 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 were approached on an ad-hoc basis. This resulted in varying management methods and inconsistent leasing, licensing and facility hire conditions (including the application of subsidised use).

In an effort to apply greater consistency to property management, at its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted a framework that 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

At its meeting held on 9 December 2014 (CJ243-12/14 refers), Council adopted a revised policy relating to subsidised use of City facilities that is to:

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

The policy applies to all local not-for-profit community groups and groups from educational institutions hiring City-managed facilities on a regular or casual basis, excluding facilities contained within the City of Joondalup Leisure Centre - Craigie. The policy applies to organised groups only (does not apply to individuals) and they must have their primary base of operation within the City of Joondalup to be eligible for a subsidy.

The policy allocates a level of subsidy to user groups. The City will 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. These groups are categorised within the policy based on the nature of the group, that is, groups that provide recreational, sporting activities and/or targeted services exclusively for people aged 55 years of age and over.

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

The process the City follows when booking facilities for regular hire groups is via two ways, being:

- annual users
- seasonal users.

Annual users are those groups who hire a City facility for a calendar year, where a seasonal user is a group that books either for a winter or summer season, which are regarded traditional sports seasons.

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

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

Additional subsidies will be provided for the following:

- *Any group who has provided recent, significant cash or in-kind contribution(s) towards the total value of the construction of a 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.”

The City has completed the seasonal bookings for use of its facilities in the 2015-16 summer sporting season and 2016 annual booking period. Consequently, some groups have sought further subsidisation in accordance with the policy. While some requests are for amounts less than \$5,000, all requests are being presented to Council to enable a consistent decision process for all groups.

Kingsley Tennis Club (Juniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Kingsley Tennis Courts and Timberlane Park Hall	Junior Recreational or Sporting Group	100% up to 10 hours per week	102.5	92.5	\$4,917

The Kingsley Tennis Club is a not-for-profit group with both senior and junior members, and more than 50% of members residing in the City of Joondalup. The group books the Timberlane Park Tennis Courts and the adjacent Timberlane Park Hall on a 12 month basis.

The junior section of the club has 78 members and they have previously been regarded as a junior sporting and recreational group and therefore received a 100% subsidy on their bookings for the courts and facility. Under the revised policy, the group would be entitled to a maximum of 10 hours per week of 100% subsidised hire as they have less than 100 junior members.

The group has written to the City requesting the 10 hours per week of 100% subsidised use is extended to 102.5 hours per week to cover all of their junior bookings for the 2015-16 year. The club has advised that their junior bookings are a combination of social tennis and pennant competition, as well as casual sessions to promote greater participation.

It is noted that the hire of tennis courts is different to the hire of a park in that a typical junior sporting club can have a lot more participants on a park compared to one tennis court. Consequently, the total hours of court hire for a junior tennis club is comparatively higher than other clubs whose sport is conducted on a park. Therefore, it is suggested that Council give consideration to extending the subsidised hours of hire for Kingsley Tennis Club (Juniors) to 102.5 hours per week.

In 2014-15, Council agreed to extend the 100% subsidy for Kingsley Tennis Club (Juniors) up to 137.5 hours per week. The club has hired the Timberlane Park Hall for less hours in 2015-16 because of the refurbishment works currently being conducted on the facility.

Greenwood Tennis Club - Juniors

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Warwick Open Space Tennis Courts	Junior Recreational or Sporting Group	100% up to 10 hours per week	132	122	\$5,993

The Greenwood Tennis Club is a not-for-profit group with both senior and junior members. The group books the Warwick Open Space Tennis Courts and has a lease on the tennis clubroom section of the Warwick Sports Centre.

The junior section of the club has 58 members and books the courts on a 12 month basis. They have previously been regarded as a junior sporting and recreational group and therefore received a 100% subsidy on their bookings. Under the revised policy, the group is not entitled to a subsidy as only nine (16%) of its junior members reside within the City of Joondalup.

The group has written to the City requesting they receive a waiver of the fees associated with their junior bookings in 2015-16.

It is noted that this group is based in the south-eastern corner of the City and therefore it is understandable that the group will attract participants from the neighbouring local governments. In addition, the hire of tennis courts is different to the hire of a park in that a typical junior sporting club can have a lot more participants on a park compared to one tennis court. Consequently, the total hours of court hire for a junior tennis club is comparatively higher than other clubs whose sport is conducted on a park.

In 2014-15 the Greenwood Tennis Club (juniors) did not have 50% of junior members residing within the City of Joondalup and therefore were not eligible for a subsidy. They made a request to the City for a 100% subsidy consistent with the junior sporting or recreational group category within the *Facility Hire Subsidy Policy*. Council declined their request however approved a 100% waiver of the fees that would have otherwise applied.

The group has requested it receive a 100% subsidy or fee waiver in 2015-16. It is recommended that rather than classify the group as eligible for a subsidy, that the City considers waiving 75% of the fees that would apply, with the group to be advised that the waiver will reduce by 25% each year – 2016-17 (50% waiver), 2017-18 (25% waiver) and 2018-19 (0% waiver) - unless the group's status changes and they become eligible for a subsidy.

Greenwood Tennis Club - Seniors

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Warwick Open Space Tennis Courts	Adult Recreational or Sporting Group	50% continually	134.5	NA	\$2,961

The Greenwood Tennis Club is a not-for-profit group with both senior and junior members. The group books the Warwick Open Space Tennis Courts and has a lease on the tennis clubroom section of the Warwick Sports Centre.

The senior section of the club has 85 members and books the courts on a 12 month basis. For 2015-16 the club has booked an average 134.5 hours of court hire per week for seniors, totalling \$5,922. They have previously been regarded as an adult recreational or sporting group and therefore received a 50% subsidy on their bookings. However only 37 (44%) of their current members reside within the City of Joondalup and therefore they are not eligible for the 50% subsidy on their court hire.

It is noted that this group is based in the south-eastern corner of the City and therefore it is understandable that the group will attract participants from the neighbouring local governments. In addition, the hire of tennis courts is different to the hire of a park in that a typical sporting club can have a lot more participants on a park compared to one tennis court. Consequently, the total hours of court hire for a tennis club is comparatively higher than other clubs whose sport is conducted on a park.

In 2014-15 the Greenwood Tennis (seniors) did not have 50% of members residing within the City of Joondalup and therefore were not eligible for a subsidy. They made a request to the City for a 50% subsidy consistent with the adult sporting or recreational group category within the *Facility Hire Subsidy Policy*. Council declined their request however approved a 50% waiver of the fees that would have otherwise applied.

The group has requested it receive a 50% subsidy or fee waiver in 2015-16. It is recommended that rather than classify the group as eligible for a subsidy, that the City considers waiving 25% of the fees that would apply, with the group to be advised that no waiver will be applied in 2016-17, unless the group's status changes and they become eligible for a subsidy.

Ocean Ridge Tennis Club - Juniors

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Heathridge Park Tennis Courts	Junior Recreational or Sporting Group	100% up to 10 hours per week	35	25	\$1,019

The Ocean Ridge Tennis Club is a not-for-profit group with both senior and junior members, and more than 50% of members residing in the City of Joondalup. The group books the Heathridge Park Tennis Courts and has a licence on the tennis clubroom section of the Guy Daniel Clubroom.

The junior section of the club has 54 members and books the courts on a 12 month basis. They have previously been regarded as a junior sporting and recreational group and therefore received a 100% subsidy on their bookings. Under the revised policy, the group would be entitled to a maximum of 10 hours per week of 100% subsidised hire as they have less than 100 junior members.

The group has written to the City requesting the 10 hours per week of 100% subsidised use is extended to 35 hours per week to cover all of their junior bookings for the 2015-16 year.

It is noted that the hire of tennis courts is different to the hire of a park in that a typical junior sporting club can have a lot more participants on a park compared to one tennis court. Consequently, the total hours of court hire for a junior tennis club is comparatively higher than other clubs whose sport is conducted on a park. Therefore, it is suggested that Council give consideration to extending the subsidised hours of hire for Ocean Ridge Tennis Club (Juniors) to 35 hours per week for their 2015-16 bookings.

In 2014-15 Council agreed to extend the 100% subsidy For Ocean Ridge Tennis Club (Juniors) to 30 hours per week.

Undercroft Bridge Club

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Mildenhall	Other Not for Profit Group	50%	3	N/A	\$2,152

The Undercroft Bridge Club has a lease on the Undercroft Bridge facility at Percy Doyle Reserve. The club hires the adjacent Mildenhall facility on Saturday mornings as their number of participants on that day exceeds the capacity of the Undercroft facility.

The club has 397 members of which 194 (49%) are City of Joondalup residents, therefore they are not eligible for a subsidy under the facility hire subsidy policy as they do not meet the criteria regarding 50% of members must be City of Joondalup residents.

The club has requested they receive the 50% subsidy, or a portion thereof, in recognition of them being close to the required 50% City of Joondalup residents criteria.

There are two other bridge clubs operating out of City facilities. Both of these clubs meet all the criteria in the Facility Hire Subsidy policy and therefore are afforded the appropriate subsidy.

It is suggested that a subsidy or fee waiver is not applied to the Undercroft Bridge Club's booking as they do not meet all the criteria in the policy and the appropriate community rate is charged for the group's use of the Mildenhall facility in 2016.

Lions Club of Whitford Inc

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Gibson Park Community Facility	Community Service and Charitable Groups	100% up to a maximum of 10 hours per week.	27.8	17.8	\$26,483

The Lions Club of Whitford Inc is one of four Lions Clubs that hire the Gibson Park Community Facility. The Gibson Park Community Facility was built with the main purpose to house the Lions Clubs that operate within the City of Joondalup, while also providing an additional facility that would be accessible to the community. The other three Lions Clubs (Duncraig, Kingsley and Ocean Reef) operate within the allocated subsidised hours as per the policy for this facility.

The group has booked 1,446 hours for 2016, averaging 27.8 hours per week, to enable it to conduct regular meetings and undertake the necessary work in preparing for many of its charitable fundraising events.

It is understood that one of the challenges faced by the group when wanting to access their storage facilities to allow members to undertake their work is that they cannot access the toilets. This therefore requires them to book the function area, so they can undertake their work within their storage areas and gaining access to the toilet facilities without disturbing another user group.

The group has requested the City provide an extension of their subsidy from 10 hours per week to include all existing bookings plus bookings for new projects that will likely eventuate throughout the year.

The group, along with other Lions Clubs provide valuable services to the community in assisting many charities, community groups and other people in need. Limiting access to the Gibson Park Community Facility may restrict the club's ability to provide these services. Consequently, it is suggested that Council give consideration to extending the club's 100% subsidy from 10 hours to 30 hours per week for 2016 only, to cover their existing bookings as well as any additional bookings that arise from special requests, as mentioned above.

In 2015, Council approved to extend their 100% subsidy from 10 hours per week to 30 hours per week.

Greenwood Weight Watchers Inc

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Greenwood Warwick Community Care Centre	Other Not for Profit	50%	2	N/A	\$740

The Greenwood Weight Watchers Inc is an independent incorporated group with more than 50% of its members as City of Joondalup residents. The group has 25 members with 95% of them seniors. The group is eligible for a 50% subsidy which brings their annual hire fee cost down to \$740.48.

The group has requested that, due to their small group size and the high number of seniors, they are afforded an additional subsidy to 100%.

It is noted that while the group does have mostly senior members, they are not eligible for the 100% subsidy afforded to Senior Citizens Recreational or Sporting Groups under the policy as they do not provide their activities exclusively for seniors.

It is recommended that rather than classify the group as eligible for a 100% subsidy, that the City considers waiving 50% of the fees that would apply, up to a maximum of \$370, meaning the group is still required to pay \$370, and that no fee waiver would apply to the 50% subsidised fee in 2017.

Burns Beach Coffee Club

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Jack Kikeros Community Hall	Other Not for Profit	50%	1.7	N/A	\$1,282

The Burns Beach Coffee Club hires the Jack Kikeros Community Hall in Burns Beach for two hours per week. The group has advised that they are a not-for-profit group comprising ladies that gather socially on a regular basis with more than 50% of members residing within the City of Joondalup, although they are not an incorporated body or a formal entity.

Previously they have been provided a 50% subsidy under the policy and the remaining fees have been waived by Council on request of the group due to the group comprising all senior age participants.

The group has requested it again receive the subsidy and waiver for their bookings in 2016.

In reviewing the group's circumstances it is now suggested that the group no longer be considered eligible for a subsidy as it is not a formal not for profit group. The group does not meet many of the characteristics of a formal not for profit group such as incorporation certificate, constitution, bank account, insurance, annual general meeting and formal office bearers.

It is recommended that rather than classify the group as eligible for a subsidy, that the City considers waiving 75% of the fees that would apply, with the group to be advised that the waiver will reduce by 25% each year - 2017 (50% waiver), 2018 (25% waiver) and 2019 (0% waiver) - unless the group's status changes and they become eligible for a subsidy.

Burns Beach Ladies Walking Group

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Jack Kikeros Community Hall	Other Not for Profit	50%	2	N/A	\$1,453

The Burns Beach Ladies Walking Group hires the Jack Kikeros Community Hall in Burns Beach for two hours per week. The group has advised that they are a not-for-profit group comprising ladies that walk together and socialise in the facility on a regular basis with more than 50% of members residing within the City of Joondalup. However they are not an incorporated body or a formal entity.

Previously they have been provided a 50% subsidy under the policy and the remaining fees have been waived by Council on request of the group due to the history of the group being established with assistance and funding arranged by the City.

The group has requested it again receive the subsidy and waiver for their bookings in 2016.

In reviewing the group's circumstances it is now suggested that the group no longer be considered eligible for a subsidy as it is not a formal not for profit group. The group does not meet many of the characteristics of a formal not for profit group such as incorporation certificate, constitution, bank account, insurance, annual general meeting and formal office bearers.

It is recommended that rather than classify the group as eligible for a subsidy, that the City considers waiving 75% of the fees that would apply, with the group to be advised that the waiver will reduce by 25% each year - 2017 (50% waiver), 2018 (25% waiver) and 2019 (0% waiver) - unless the group's status changes and they become eligible for a subsidy.

Issues and options considered

The Council may:

- approve each of the requests for additional subsidies on a case by case basis
- approve in part each of the requests on a case by case or
- decline the request for additional subsidies on a case by case basis.

Legislation / Strategic Community Plan / policy implications

Legislation

Section 6.12 of the *Local Government Act 1995*.

Strategic Community Plan

Key theme

Financial Sustainability.

Objective

Financial diversity.

Strategic initiative

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

Policy

Facility Hire Subsidy Policy.

Risk management considerations

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

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

Financial / budget implications

The cost to the City across all levels of subsidised use of City facilities is approximately \$1.3 million dollars. If the City was to extend the subsidies and waive the fees proposed for additional usage of City facilities for these groups, the City will lose approximately \$47,000 in income for 2015-16.

Regional significance

Requests for subsidised use only apply to users of City facilities that have are not for profit community groups, have a minimum of 50% members being resident to the City of Joondalup, and have their primary base of operation within the City of Joondalup.

Sustainability implications

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

Consultation

Not applicable.

COMMENT

The intent of the adopted *Facility Hire Subsidy Policy* was not about generating additional income but to achieve more equitable and greater use of City facilities.

This is the second season the adopted policy has been in place, previous decisions to phase in fees was to assist clubs with the transition and allow them to adjust their fee structure for future seasons. However, once the assistance is provided to the clubs to position themselves financially going forward, the general principle is that the full community rate is met by the clubs unless they become eligible for the subsidy. It is important that the classification of groups within the policy for levels of subsidisation remains consistent, however, if a group requires further consideration relating to fees, it is open to Council to waive these fees.

One of the objectives of the *Property Management Framework* was to stop groups booking facilities on a just-in-case situation. Such bookings then prevent other groups/individuals from gaining access to those facilities.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 AGREES to extend the 100% subsidy to the Kingsley Tennis Club (juniors) for the use of the Timberlane Park Tennis Courts and other associated City facilities in 2015-16 to a maximum 102.5 hours average per week;
- 2 DOES NOT AGREE to the request for subsidy from the Greenwood Tennis Club (juniors and seniors) for bookings in 2015-16;
- 3 AGREES to waive 75% of the fees that would apply to the Greenwood Tennis Club (juniors) up to \$4,495 for 2015-16 bookings, with the group to be advised that the waiver will reduce by 25% each year – 2016-17 (50% waiver), 2017-18 (25% waiver) and 2018-19 (0% waiver), unless the group's status changes and they become eligible for a subsidy;

- 4 AGREES to waive 25% of the fees that would apply to the Greenwood Tennis Club (seniors) up to \$1,481 for 2015-16 bookings, with the group to be advised that no waiver will be applied in 2016-17, unless the group's status changes and they become eligible for a subsidy;
- 5 AGREES to extend the 100% subsidy to the Ocean Ridge Tennis Club (juniors) for the use of the Heathridge Park Tennis Courts and other associated City facilities in 2015-16 to a maximum 35 hours average per week;
- 6 DOES NOT AGREE to the request from the Undercroft Bridge Club for a subsidy for bookings in Mildenhall in 2016;
- 7 AGREES to extend the 100% subsidy to the Lions Club of Whitford for the use of the Gibson Park Community Facility and other associated City facilities in 2016 to a maximum 30 hours per week;
- 8 DOES NOT AGREE to the request from the Greenwood Weight Watchers Inc for an extension of their 50% subsidy to a 100% subsidy;
- 9 AGREES to waive 50% of the fees that apply to the Greenwood Weight Watchers Inc for their use of City facilities in 2016, up to a maximum of \$370, and that the group is advised that no fee waiver will be applied in 2017;
- 10 DOES NOT AGREE to the request from the Burns Beach Coffee Club for a 100% subsidy;
- 11 AGREES to waive 75% of the fees that would apply to the Burns Beach Coffee Club up to \$962 for their 2016 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2017 (50% waiver), 2018 (25% waiver) and 2019 (0% waiver) - unless the group's status changes and they become eligible for a subsidy;
- 12 DOES NOT AGREE to the request from the Burns Beach Ladies Walking Group for a 100% subsidy;
- 13 AGREES to waive 75% of the fees that would apply to the Burns Beach Walking Group up to \$1,090 for their 2016 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2017 (50% waiver), 2018 (25% waiver) and 2019 (0% waiver) - unless the group's status changes and they become eligible for a subsidy;
- 14 NOTES that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.

MOVED Cr Fishwick, SECONDED Cr Hollywood that Council:

- 1 **AGREES to extend the 100% subsidy to the Kingsley Tennis Club (juniors) for the use of the Timberlane Park Tennis Courts and other associated City facilities in 2015-16 to a maximum 102.5 hours average per week;**
- 2 **DOES NOT AGREE to the request for subsidy from the Greenwood Tennis Club (juniors and seniors) for bookings in 2015-16;**

- 3 **AGREES to waive 75% of the fees that would apply to the Greenwood Tennis Club (juniors) up to \$4,495 for 2015-16 bookings, with the group to be advised that the waiver will reduce by 25% each year – 2016-17 (50% waiver), 2017-18 (25% waiver) and 2018-19 (0% waiver), unless the group’s status changes and they become eligible for a subsidy;**
- 4 **AGREES to waive 25% of the fees that would apply to the Greenwood Tennis Club (seniors) up to \$1,481 for 2015-16 bookings, with the group to be advised that no waiver will be applied in 2016-17, unless the group’s status changes and they become eligible for a subsidy;**
- 5 **AGREES to extend the 100% subsidy to the Ocean Ridge Tennis Club (juniors) for the use of the Heathridge Park Tennis Courts and other associated City facilities in 2015-16 to a maximum 35 hours average per week;**
- 6 **AGREES to waive 50% of the fees that would apply to the Undercroft Bridge Club for their use of Mildenhall up to an amount of \$2,152 for their 2016 bookings given that the:**
 - 6.1 **Club’s Joondalup resident base is 49%;**
 - 6.2 **Club is contributing \$140,000 towards the extension of its leased premises;**
 - 6.3 **Club’s members are primarily aged over 55 years;**
- 7 **AGREES to extend the 100% subsidy to the Lions Club of Whitford for the use of the Gibson Park Community Facility and other associated City facilities in 2016 to a maximum 30 hours per week;**
- 8 **AGREES to waive 100% of the fees that apply to the Greenwood Weight Watchers Inc for their use of City facilities in 2016, up to a maximum of \$740, and that the group is advised that no fee waiver will be applied in 2017;**
- 9 **DOES NOT AGREE to the request from the Burns Beach Coffee Club for a 100% subsidy;**
- 10 **AGREES to waive 100% of the fees that would apply to the Burns Beach Coffee Club for their use of City facilities up to an amount of \$1,282 for their 2016 bookings;**
- 11 **DOES NOT AGREE to the request from the Burns Beach Ladies Walking Group for a 100% subsidy;**
- 12 **AGREES to waive 75% of the fees that would apply to the Burns Beach Walking Group up to \$1,090 for their 2016 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2017 (50% waiver), 2018 (25% waiver) and 2019 (0% waiver) - unless the group’s status changes and they become eligible for a subsidy;**
- 13 **NOTES that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.**

The Motion was Put and

CARRIED (10/1)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Logan, McLean, Norman and Poliwka.

Against the Motion: Cr Jones.

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 administration recommended is because Council recognises the Undercroft Bridge Club is located on the peripheral of the City and as such its membership will include a portion of non-City of Joondalup residents. The club also:

- has a City of Joondalup resident base of 49%
- is contributing \$140,000 towards the extension of its leased premises
- has members primarily aged over 55 years.

A similar situation in terms of membership applies to the Greenwood Weight Watchers Inc and the Burns Beach Coffee Club.

CJ042-03/16 BULK WASTE COLLECTION SERVICES – OPTIONS FOR SERVICE CHANGE

WARD	All
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	105204, 101515
ATTACHMENT	Attachment 1 Bulk Waste Collection - Perception Survey Executive Summary
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider the options for bulk waste collection services.

EXECUTIVE SUMMARY

The City provides residents with a range of waste services including the bulk verge collection services for both green and hard waste. In 2014-15, 100% of the bulk green waste collection was recovered but only 4% of bulk hard waste was recycled, the remaining 96% going straight to landfill.

In 2014, the City conducted a waste service review which identified that the City collected more bulk hard waste per household than any other local government reviewed in Australia and more than double the Western Australia average. This then led to the creation of a specific project in the City's *Waste Management Plan 2016-2021* to deal with the future of the bulk verge collection services.

Waste service changes generally require significant investment, community engagement and community behaviour change and need to stay in place for a number of years to be effective. Changes need to be based on technical analysis and sound decision-making.

There is an opportunity to generate both cost savings for ratepayers and to reduce the amount of waste that is sent to landfill by changing the way the City delivers the bulk verge collection services, also taking the City a step closer to achieving the 65% diversion target set by State Government to be achieved by 2020.

It is therefore recommended that Council APPROVES the:

- 1 introduction of separate and distinct services for bulk green waste and bulk hard waste;*
- 2 continuation of a scheduled service for bulk green waste with each household to receive one service per year;*

- 3 *introduction of a maximum three cubic metre limit per service per household for bulk green waste;*
- 4 *verge set out time of no earlier than 10 days before the Monday of the scheduled collection week for bulk green waste;*
- 5 *introduction of an 'on request' service for bulk hard waste in lieu of the scheduled service already supplied by the City and paid for by ratepayers as part of the annual refuse charge;*
- 6 *introduction of one service per year per household for each of the following bulk hard waste streams:*
 - 6.1 *general household bulk waste to a maximum of three cubic metres;*
 - 6.2 *one mattress item;*
 - 6.3 *one white goods item.*

BACKGROUND

City Services

The City currently provides scheduled bulk verge collection services that collect old furniture, white goods and green garden waste on a nine to 10 month cycle. Bulk green and hard waste is collected separately but on the same scheduled date. The service schedule is set annually and is published in the *Waste Guide* that is sent to every ratepayer in the rates notice and advertised each week in the local press. The service is provided on the ground by the City of Wanneroo and the current agreement ends on 31 May 2016.

The bulk verge collection service does not collect asbestos, cement sheeting, gas bottles, bricks or renovation waste (rubble, sand or cement), glass, fencing or wire strapping, flammable liquids, paint, tyres or foodstuffs. Materials that are not collected as part of the service or materials that need to be disposed off outside of the scheduled service can be disposed of at the Tamala Park Recycling Centre or at the Balcatta Road Transfer Station.

In April 2013 the City removed e-waste (electronic waste) from the collection service and instead offered scheduled weekend drop-off days at Craigie Leisure Centre. In July 2013 the City instigated a separate collection for mattresses so that they could be stripped and recycled, keeping them out of landfill. In October 2015 the City introduced a separate collection for refrigerators and air-conditioners in order to be compliant with the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

Western Australian Local Government Association (WALGA) Better Practice Vergeside Collection Guidelines

In 2014 WALGA produced the *Better Practice Vergeside Collection Guidelines* which aim to identify better practice recovery solutions for bulk vergeside collections to maximise resource recovery. In developing the guidelines a review was undertaken of local government bulk vergeside collection services (both hard and green waste). The review found that bulk vergeside collection services accounted for 12% of the entire local government waste stream in 2012-13. Of this amount, only 7% of hard waste was recovered, however, 95% of green waste was recovered. In addition, consultation with local government identified a range of significant issues with bulk vergeside collections such as increasing waste volumes, increasing costs, very low recovery rates and illegal disposal of material on the verge.

In 2014-15 the City collected 90,149 tonnes of waste in total which included 10,346 tonnes of bulk hard waste and 5,306 tonnes of bulk green waste. This equates to 17.4% of the City's total domestic waste stream (11.5% and 5.9% respectively).

The WALGA guidelines suggest achieving "better practice" bulk vergeside collection services along the following lines for both hard waste and green waste:

Hard Waste

- Clearly separating green and hard waste collections.
- Reducing the amount of material placed on the verge by providing good information on how residents can reduce and reuse the material usually put out for collection.
- Reducing the number of hard waste collections per year (recommended one collection per year).
- Reducing the volume of hard waste allowed on verge (two cubic metre limit is recommended).
- Providing clear information to residents prior to collection so that types and volumes of material allowed are understood.
- Reducing time periods that residents are allowed to put waste on the verge (to ensure that material is collected no more than one week after informational material is distributed).
- Enforcement of material type, set out timing and volume limits.

Green Waste

- Clearly separating green and hard waste collections.
- Reducing the amount of material placed on the verge by providing good information on how residents can compost their own green waste.
- Reducing the frequency of collection (recommended two collections or fewer per year).
- Reducing the volume of green waste allowed on verge (two cubic metre limit is recommended).
- Accepting green waste only during these collections (no green waste in bags or boxes for example).
- Reducing time periods that residents are allowed to put waste on the verge (to ensure that material is collected no more than one week after informational material is distributed).
- Enforcement of material type, set out timing and volume limits.

The guidelines go further by considering that "future best practice" would be providing a bulk hard waste service that is 'on call' (where a collection is booked on request) and functions in partnership with drop-off days and local charities.

The advantages of an 'on request' service for hard waste identified in the guidelines are as follows:

- The collection date is chosen by the resident at a time convenient for them.
- The booking of the service gives the local government an opportunity at the point of contact to suggest alternative uses for the material.
- The booking of the service gives the local government an opportunity at the point of contact to provide clear information on types of material that will be collected.

- Provides the opportunity to enhance the local amenity and meet health and safety requirements by ensuring that material can only be set out on the verge close to the collection date (the night before collection is recommended).
- By registering contact details the local government has the opportunity to ask residents if they would like to receive tips/news on sustainable living throughout the year.

The guidelines also included the following targets:

- On average less than 70kg of bulk hard waste per household.
- At least 50% recovery for bulk hard waste.
- At least 95% recovery for bulk green waste.

In 2014-15 the City collected 170kg of bulk hard waste per household and only 4% (6.8kg) of this waste was recycled. In contrast 100% of the green waste collection was recovered.

Western Australian Waste Strategy

The Western Australian Waste Strategy '*Creating the Right Environment*' calls for best practice and continual improvement in managing municipal solid waste. The strategy sets targets of diverting 50% of municipal solid waste from landfill by 2015 and 65% by 2020. The landfill levy increased from \$28 per tonne to \$55 per tonne in January 2015 to encourage increased diversion of waste from landfill. By July 2018, the landfill levy will be \$70 per tonne. The City is currently achieving an overall 50% diversion of waste from landfill.

Waste Management Plan 2016-2021

During the development of the *Waste Management Plan 2016-2021* an outline was presented to the Strategic Community Reference Group in October 2014. The group provided feedback that there should be significant engagement with the community prior to the introduction of any changes in service to ensure that the need for change is understood and accepted by the community.

Project 2 in the *Waste Management Plan 2016-2021* has the objective to implement an improved bulk waste collection service.

DETAILS

In 2014, the City conducted a waste service review which identified that the City collected more bulk hard waste per household than any other local government reviewed in Australia and more than double the Western Australia average. This then led to the creation of a specific project in the City's *Waste Management Plan 2016-2021* to deal with the future of the bulk verge collection services.

The cost of landfill is rising. The landfill levy increased from \$28 per tonne to \$55 per tonne in January 2015 and by July 2018, the landfill levy will be \$70 per tonne.

There is an opportunity to generate both cost savings for ratepayers and to reduce the amount of waste that is sent to landfill by changing the way the City delivers the bulk verge collection services, also taking the City a step closer to achieving the 65% diversion target set by State Government to be achieved by 2020.

There are a number of options for change varying from continuing to provide the existing service to no longer providing a service as there is no statutory responsibility to provide a service for bulk waste. In considering the options a number of ways that the bulk waste collection services could be changed have been identified. This includes the following:

- The service could continue to be scheduled or be 'on request'.
- Materials could be collected loose or in skip bins.
- The service user could pay for each 'on request' service or the cost of the service could continue to be spread across all ratepayers.
- The City could impose a limit on the amount of materials allowed, for example, two cubic metres, or set no limits.
- Materials currently land filled could be recovered either by instigating separate materials collections or by sorting materials after collection.
- Time allowed for materials to be set out on the verge could range from the night before the collection to two weeks prior.

Issues and options considered

The following six options are provided for consideration.

Option One

No change to current service provided.

Option Two

Modify existing service provided and paid for by ratepayers as part of the annual refuse charge. Modifications may include the following:

- Completely separate dates for bulk green waste collection and bulk hard waste collection.
- Limit volume allowed.
- Limit the set out time on verge.
- Reduce the frequency, for example, to once per year.
- Recovery of material (such as metals, wood and furniture) collected through sorting.

Option Three

Introduce an 'on request' service for bulk hard waste only (bulk green waste service would remain as a scheduled service) and paid for by ratepayers as part of the annual refuse charge. Modification may include the following:

- Resident books hard bulk waste collection on a specific day.
- Green bulk waste service is scheduled.
- Limit volume allowed.
- Limit the set out time on verge.
- Recovery of material (such as metals, wood and furniture) collected through sorting.

Option Four

Introduce an 'on request' service for both bulk green waste and bulk hard waste and paid for by ratepayers as part of the annual refuse charge. Modification may include:

- Recovery of material (such as metals, wood and furniture) collected through sorting.

Option Five

Remove the existing bulk hard waste service with bulk green waste service remaining as scheduled. Modifications may include the following:

- Reduce annual refuse charge accordingly.
- Residents can self haul or use private sector for service.
- The City could still provide limited or alternative services for specific recyclable items such as mattresses, clothing, e-waste, white goods, quality furniture.
- Residents' bulk green waste service remains as scheduled and bulk green waste continues to be 100% recovered.

Option Six

Remove the existing service for both bulk hard waste and bulk green waste. Modifications may include the following:

- Reduce annual refuse charge accordingly.
- Residents can self haul or use private sector for service.
- The City could still provide limited or alternative services for specific recyclable items such as mattresses, clothing, e-waste, white goods, quality furniture.

Option three is the recommended option.

It is also recommended that Council introduces a limit of hard waste collected from each household per year of three cubic metres of general waste, with one additional mattress and one white goods collection service. A green waste limit of three cubic metres per household per service is also recommended. The WALGA *Better Practice Vergeside Collection Guidelines* recommend two cubic metres for both hard and green waste but this is considered too small a volume allowance for the City of Joondalup whose residents are used to no limit.

At this stage Council is not being asked to specifically define the method of collection (that is, loose or in skips) as this does not allow full exploration of the marketplace options and costs. (Skips are likely to be significantly more expensive than loose collections). Those options will be fully explored through the tender process and Council will be able to compare collection options and costs when the results of the tender are reported.

It is recommended that Council approves a verge set out time of no earlier than 10 days before the Monday of the scheduled collection week for bulk green waste. This is in line with the current set out time practice.

The new service will need to be monitored and material type, set out timing and volume limits will need to be enforced to ensure that any service changes meet the service objectives. The WALGA *Better Practice Vergeside Collection Guidelines* contains examples of effective enforcement by requiring households to remove material from the verge if it is in excess of the limits or material that is not collected.

An 'on request' service will require a booking system to manage requests for service. The City will make full use of current technology such as an online booking system.

Changes made to the service will be accompanied by a comprehensive communication campaign in order to outline to residents the reasons that the service is changing and how the new services will work. This will be essential to ensure a smooth transition to the new services. The current target date for the new services to commence allowing for tender, award and mobilisation is 1 October 2016.

These proposed changes to the service are recommended in order to reduce the amounts of waste that the City sends to landfill and to reduce the cost of the service and are in line with the WALGA *Better Practice Vergeside Collection Guidelines*.

Legislation / Strategic Community Plan / policy implications

Legislation *The Waste Avoidance and Resource Recovery Act 2007.*

Strategic Community Plan

Key theme Financial Sustainability.
The Natural Environment.

Objective Effective management.
Environmental resilience.

Strategic initiative

- Seek out efficiencies and regional collaborations to reduce service delivery costs.
- Demonstrate current best practice in environmental management for local water, waste, biodiversity and energy resources.

Policy *Waste Management Policy.*

Risk management considerations

A range of risks exist when considering current and future bulk verge collection services provided by the City. The City needs to ensure that it puts in place arrangements for managing its domestic waste as a whole over the long term in order to:

- maintain good services to residents
- ensure that services are financially sustainable
- achieve landfill diversion targets
- get the best outcome from working with other member Councils of Mindarie Regional Council (MRC) and across the wider region.

Financial / budget implications

In 2014-15 the City spent \$18,366,261 on providing all waste services. Bulk hard waste collection and disposal cost \$2,596,846 and bulk green waste collection and processing cost \$944,798. The cost of the service is spread across all ratepayers as part of the separately charged Waste Rate.

The cost per household in 2014-15 for the bulk verge collection service was as follows:

- Collection of green bulk waste cost the City \$10.82 per household.
- Processing of green waste cost \$4.71 per household.
- Collection of hard waste cost the City \$21.10 per household.
- Disposal of hard waste cost \$21.61 per household.

The following indicative cost savings have been estimated for the options outlined:

Option	Hard Waste Cost	Green Waste Cost	Potential Saving	Note
1 No change	\$2,596,846	\$944,798	Nil	2014-15 costs
2 Modify service	\$2,207,319	\$803,231	\$0.5M	Based on 15% tonnage reduction
3 'On request' hard waste/scheduled green waste	\$1,246,486	\$944,798	\$1.35M	Based on service take up of 33% \equiv 52% reduction
4 'On request' for both services	\$1,246,486	\$453,503	\$1.84M	Based on service take up of 33% \equiv 52% reduction
5 No Hard Waste	\$ 500,000	\$944,798	\$2.1M	Allow \$0.5M for alternative services
6 Remove Service	\$500,000	Nil	\$3M	Allow \$0.5M for alternative services

Regional significance

Changes to the bulk verge collection services are a key issue for all member Councils of the MRC. The City has a good record of working with WALGA, MRC and its member Councils.

Current services provided by other member councils are as follows:

Member Council	Bulk Hard Waste	Bulk Green Waste	Comments
City of Wanneroo	One scheduled loose collection per year.	One scheduled loose collection per year.	Collections are scheduled but on different dates.
City of Stirling	One 'on request' skip bin (three cubic metres) per household per year. Extra skip bins available for a fee.	Scheduled loose collection every nine months.	<ul style="list-style-type: none"> One 'on request' e-waste collection. One 'on request' mattress collection. One 'on request' white goods collection.
City of Vincent	One scheduled loose collection per year.	Two scheduled loose collections per year.	Collections are scheduled but on different dates.
Town of Victoria Park	Two scheduled loose collections per year.	Four scheduled loose collections per year.	Drop-off dates for hazardous waste.
Town of Cambridge	Two scheduled loose collections per year.	Two scheduled loose collections per year.	Collections are scheduled on the same date.

Member Council	Bulk Hard Waste	Bulk Green Waste	Comments
City of Perth	One scheduled loose collection per year.	One scheduled loose collection per year.	Collections are scheduled on the same date.

Sustainability implications

Waste reduction, reuse and recycling results in reduced landfill, reduced energy and reduce raw material consumption. Changes to the bulk waste verge collection services have the potential to reduce waste generated and collected and to reduce the amount of waste sent to landfill.

Consultation

The bulk waste perception survey was conducted between 20 May and 10 June 2015. Details and information regarding the survey were outlined on the City's website and two status updates were posted on the City's Facebook page. In addition, the survey was also advertised through the *Joondalup Weekender* (21 May 2015). Members of the public and stakeholders wishing to comment were also encouraged to complete a survey form online via the City's website. Finally, hard-copy surveys were sent to 3,000 randomly selected City ratepayers.

A total of 872 responses were received. The response rate for the survey was 29.1%. This sample size achieves a confidence rating of 99.74% (that is, this result encompasses the true population 99.74% of the time) with a 5% margin of error (Raosoft 2014). As such, the response rate achieved through the survey is considered statistically reliable. A summary of the results is detailed in Attachment 1.

The results identify that residents have high levels of concern with the cost and environmental impact of the bulk waste service and believed that the ability to re-use or recycle discarded items was important. This would indicate a high level of support for change. However, when questioned about options for change to the existing service the levels of support were low, indicating a lack of understanding of the need for change to reduce environmental impact and to control rising costs.

COMMENT

There is an opportunity to generate both cost savings for ratepayers and to reduce the amount of waste that is sent to landfill by changing the way the City delivers the bulk verge collection services.

When evaluating options, for the future provision of bulk verge collection services the following factors need to be considered:

- The cost of landfill is rising steeply (from \$134.50 per tonne in 2014-15 to \$155 per tonne in 2015-16).
- The cost of processing green waste is becoming more competitive as more players enter the market. The current cost is \$53 per tonne which is likely to reduce to below \$35 per tonne.
- Bulk hard waste sorting to recover material is likely to be cheaper than landfill (although there are currently limited opportunities to do so in the metropolitan region).

- 50% of bulk hard waste is easily recoverable, for example, wood and metals and could therefore be diverted from landfill.
- Bulk collection services involving skips can significantly more expensive than the cost of collecting materials loose.
- 'On request' services have been shown to reduce service participation and a reduction in tonnages collected and sent to landfill. This is in comparison to the existing scheduled service that "encourages" residents to throw away materials.
- Removing the existing bulk hard waste service would increase the City's overall landfill diversion.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council APPROVES the:

- 1 introduction of separate and distinct services for bulk green waste and bulk hard waste;
- 2 continuation of a scheduled service for bulk green waste with each household to receive one service per year;
- 3 introduction of a maximum three cubic metre limit per service per household for bulk green waste;
- 4 verge set out time of no earlier than 10 days before the Monday of the scheduled collection week for bulk green waste;
- 5 introduction of an 'on request' service for bulk hard waste in lieu of the schedule service already supplied by the City and paid for by rate payers as part of the annual refuse charge;
- 6 introduction of one service per year per household for each of the following bulk hard waste streams:
 - 6.1 general household bulk waste to a maximum of three cubic metres;
 - 6.2 one mattress item;
 - 6.3 one white goods item.

The Director Planning and Community Development left the Chamber at 8.31pm and returned at 8.33pm.

MOVED Cr Chester, SECONDED Cr Logan that Council APPROVES the:

- 1 introduction of separate and distinct services for bulk green waste and bulk hard waste;**
- 2 continuation of a scheduled service for bulk green waste with each household to receive one service per year;**
- 3 continuation of no limit per household for bulk green waste;**
- 4 verge set out time of no earlier than 10 days before the Monday of the scheduled collection week for bulk green waste;**
- 5 introduction of an 'on request' service for bulk hard waste in lieu of the schedule service already supplied by the City and paid for by rate payers as part of the annual refuse charge;**
- 6 introduction of one service per year per household for each of the following bulk hard waste streams:**
 - 6.1 general household bulk waste to the maximum of three cubic metres;**
 - 6.2 one mattress item;**
 - 6.3 one white good item.**

AMENDMENT MOVED Mayor Pickard, SECONDED Cr Gobbert that Part 5 of the motion be AMENDED to read as follows:

"5 introduction of an 'on request' service for bulk hard waste in lieu of the schedule service already supplied by the City, to be paid for by rate payers either as part of the annual refuse charge or a fee for service;"

The Amendment was Put and

CARRIED (10/1)

In favour of the Amendment: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Logan, McLean, Norman and Poliwka.

Against the Amendment: Cr Jones.

The Original Motion as amended, being:

That Council APPROVES the:

- 1 introduction of separate and distinct services for bulk green waste and bulk hard waste;**
- 2 continuation of a scheduled service for bulk green waste with each household to receive one service per year;**
- 3 continuation of no limit per household for bulk green waste;**
- 4 verge set out time of no earlier than 10 days before the Monday of the scheduled collection week for bulk green waste;**

- 5** introduction of an 'on request' service for bulk hard waste in lieu of the schedule service already supplied by the City, to be paid for by rate payers either as part of the annual refuse charge or a fee for service;
- 6** introduction of one service per year per household for each of the following bulk hard waste streams:
- 6.1** general household bulk waste to a maximum of three cubic metres;
 - 6.2** one mattress item;
 - 6.3** one white goods item.

Was Put and

CARRIED (7/4)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Gobbert, Jones, Logan and Norman.

Against the Motion: Crs Fishwick, Hollywood, McLean and Poliwka.

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13agn150316.pdf](#)

REPORT – AUDIT COMMITTEE – 29 FEBRUARY 2016

CJ043-03/16 2015 COMPLIANCE AUDIT RETURN

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	09492, 32481, 101515
ATTACHMENT	Attachment 1 2015 Compliance Audit Return
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to adopt the City's 2015 Compliance Audit Return (the return) prior to it being submitted to the Department of Local Government and Communities (DLGC).

EXECUTIVE SUMMARY

The DLGC Compliance Audit Return for the period 1 January 2015 to 31 December 2015 has been completed and is required to be adopted by Council before being submitted to the DLGC by 31 March 2016.

It is therefore recommended that Council:

- 1 ADOPTS the completed 2015 Local Government Compliance Audit Return for the period 1 January 2015 to 31 December 2015 forming Attachment 1 to Report CJ044-03/16;*
- 2 in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed Compliance Audit Return as detailed in Part 1 above, to the Department of Local Government and Communities.*

BACKGROUND

The 2015 Return was made available to local governments by the DLGC on its website for online completion.

The structure of the return is similar to previous years and focuses on areas of compliance considered high risk. However a number of new questions have been formulated regarding regulations 24AD to 24AI of the *Local Government (Functions and General) Regulations 1996* which are in the category of Tenders for Providing Goods and Services. This incorporates all the statutory requirements prescribed in Regulation 13 of the *Local Government (Audit) Regulations 1996*.

DETAILS

The return contains the following compliance categories:

- Commercial Enterprises by Local Governments.
- Delegation of Power / Duty.
- Disclosure of Interest.
- Disposal of Property.
- Elections.
- Finance.
- Local Government Employees.
- Official Conduct.
- Tenders for Providing Goods and Services.

The relevant managers were required to complete the responses to the questions which were approved by their director before being forwarded to the Internal Auditor for review and input on the return. The return has been completed and is now required to be adopted by Council before being submitted to the DLGC by 31 March 2016.

Legislation / Strategic Community Plan / policy implications

Legislation Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996*.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.

Risk management considerations

The risk associated with Council failing to adopt the return would result in non-compliance with the legislative requirements of the *Local Government (Audit) Regulations 1996*.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The responses in the return reveal a high level of compliance with legislation by the City.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this Report (as detailed below) was resolved by the Audit Committee at its meeting held on 29 February 2016.

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

MOVED Cr McLean, SECONDED Mayor Pickard that Council:

- 1 ADOPTS the 2015 Local Government Compliance Audit Return for the period 1 January 2015 to 31 December 2015 forming Attachment 1 to Report CJ043-03/16;**
- 2 in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*, SUBMITS the completed Compliance Audit Return as detailed in Part 1 above to the Department of Local Government and Communities.**

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf080316.pdf](#)

REPORTS – POLICY COMMITTEE – 3 MARCH 2016

CJ044-03/16 THE CITY'S ART AND MEMORABILIA COLLECTIONS POLICY PROPOSED AMENDMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	14158, 101515
ATTACHMENTS	Attachment 1 Visual Arts Policy originally proposed 2014 with tracked changes to Visual Arts Policy proposed 2016 Attachment 2 Current City of Joondalup Art and Memorabilia Collections Policy Attachment 3 Proposed Art Collection Management Plan
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

To provide Council with an update on the proposed amendments to *The City's Art and Memorabilia Collections Policy* following the review in October 2015, and to present the associated updated documents relating to the *Art Collection Management Plan* and *Visual Arts Policy*.

EXECUTIVE SUMMARY

At its meeting held on 15 October 2015, the former Art Collection and Advisory Committee (ACAC) conducted a facilitated session to discuss *The City's Art and Memorabilia Collections Policy*. Feedback from this session has informed the proposed amendments to the new *Art Collection Management Plan* and *Visual Arts Policy*.

BACKGROUND

The City's art collection was established following the split of the former City of Wanneroo in 1998 into two separate entities, being the City of Joondalup and the Shire of Wanneroo.

The collection was divided equally by value, with the former Shire of Wanneroo (now City of Wanneroo) retaining the historical works, regional landscapes and Indigenous collection, while the City of Joondalup acquired the contemporary works.

During this process, the City also readopted the following former City of Wanneroo policies to support the management of the new collection, namely *Art Collection Policy*, *Museum Collections and Operations Policy* and *Public Art Policy* (CJ213-06/99 refers).

As part of the Policy Manual review conducted in October 2005, the City consolidated the abovementioned policies into a single *Cultural Development Policy* (CJ206-10/05 refers). At its meeting held on 12 December 2006 (CJ238-12/06 refers), Council renamed the *Cultural Development Policy* to '*The City's Art and Memorabilia Collections Policy*' to better reflect the intent of the policy. Additional amendments outlined the role of Elected Members in the acquisition process; demonstrated a preference for local content and context within the collection and removed references to contemporary works.

At its meeting held on 17 March 2014, the Policy Committee considered a proposal to update the *The City's Art and Memorabilia Collections Policy* with a new *Visual Arts Policy*, following endorsement by the former ACAC at its meeting held on 10 February 2014.

A revised *Art Collection Management Plan* was also presented to the committee, which outlined the internal processes required to implement the policy. It also sought to illustrate where operational references could be transferred from the policy into the plan.

The proposal was referred back to the former ACAC, after members of the Policy Committee raised the following concerns:

- The new policy focuses too much on the acquisition of "contemporary art", without a clear understanding of what this is defined to be.
- Placing too much administrative responsibility within the *Art Collection Management Plan* which could potentially diminish the role of the former ACAC.

Further guidance was sought from members of the former ACAC through an issues paper that sought clarification on several key issues. The issues paper sought to clarify some of the terminology and seek feedback on the proposed updates.

The responses to the issues paper were varied, and members agreed to attend an externally facilitated meeting.

The updated *Visual Arts Policy* and the updated *Art Collection Management Plan* have been created in response to feedback gained from this facilitated meeting.

DETAILS

Summary of externally facilitated session and its outcomes

At the externally facilitated session held on 15 October 2015 with members of the former ACAC, a number of issues were discussed as follows:

- The City's overall strategic direction (contained in *Joondalup 2022*) in so far as this was relevant to the future of the City's art collection.
- The current direction and composition of the City's art collection.
- Definitions of the term 'contemporary art' and how this applied to the City's visual arts program.
- A summary of responses to the issues paper.
- What options should be considered for the City's current art collection?
- What options should be considered for the City's art collection into the future?

In response to these issues, the objectives of the collection were discussed, defined and prioritised as follows:

- Education.
- Historical record.

- Reputation of the City.
- Enrichment for the community.
- Supporting the local and the Western Australian arts industry.

There was unanimous support behind continuing to acquire contemporary art in line with the definition provided in the new *Visual Arts Policy* as “*artwork that is conceptually resolved and is reflective of the artist’s current practice. It is not based on style, subject matter, medium or artistic approach.*”

There was further agreement on the need for the policy to reflect key strategic objectives with the *Arts Management Plan* containing the operational detail that would facilitate these outcomes. The objectives that were discussed and defined have been included in the statement (Section 2) of the proposed policy.

Proposed Amendments

To reflect new strategic directions in relation to cultural development and visual art at the City, and in response to the recently facilitated session with the former ACAC, the following amendments are proposed to *The City’s Art and Memorabilia Collections Policy*:

- Reword the title of the policy from *The City’s Art and Memorabilia Collections Policy* to the *Visual Arts Policy*.
- Amend the objectives of the policy to reflect broader outcomes relating to cultural development and arts promotion.
- Reword the policy statement to better reflect the City’s ambitions to promote and enhance the cultural identity of the City of Joondalup.
- Remove references to the operational components from the policy and elaborate on these in the *Art Collection Management Plan*; a document that details the way the visual arts program is managed by City employees and outlines the role of the Policy Committee (which now incorporates the role of the former ACAC).
- Remove references of delegated authority to the Chief Executive Officer that duplicate existing references within the Register of Delegation of Authority.

Issues and options considered

In accordance with *Joondalup 2022*, new directions in the proposed *Art Collection Management Plan* relating to cultural development and visual arts are as follows:

Key Theme: Community Wellbeing.

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

Objective: Cultural development - *For the community to have access to world-class cultural and artistic events and facilities.*

Relevant Strategic Initiatives

- *Establish a significant cultural facility with the capacity to attract world-class visual and performing arts events.*
- *Invest in publicly accessible visual art that will present a culturally-enriched environment.*
- *Promote local opportunities for arts development.*

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Cultural development.

Strategic initiative Invest in publically accessible visual art that will present a culturally enriched environment.

Policy *The City's Art and Memorabilia Collections Policy* is the policy that is currently under review.

Risk management considerations

The City's art collection and the wider visual art program are currently being managed under an outdated policy which is not reflective of best practice in the industry and not reflective of the overall cultural program which has expanded and developed since the current policy was adopted.

Financial / budget implications

Not applicable.

Regional significance

The City of Joondalup art collection and the associated visual art program, especially the annual Community Invitation Art Award has a direct impact on the wider community of Western Australia. The visual art program helps to position the City as a leader in innovation by investing in quality art and cultural experiences for the community, creating a tourism product and providing reasons for outsiders to visit and network professionally in the City of Joondalup.

Sustainability implications

The acquisition of artworks for the collection has positive social sustainability implications for the City. The art collection acts as a catalyst for public discussion about current social, economic and environmental issues. The collection physically enhances public places and the public realm by creating points of interest, animating spaces and providing beauty, character and colour to the City of Joondalup. It also enhances the relevance for the local community of the City's cultural position and increases the value of the City's cultural resources.

Consultation

Not applicable.

COMMENT

The amendments proposed reflect new strategic directions in relation to cultural development and visual art at the City, and in response to the recently facilitated session with members of the former ACAC.

The *City's Art and Memorabilia Collections Policy* does not adequately detail the operational and strategic aims of the visual art program, and does not fully encompass the ways that City officers carry out the care and maintenance of the art collection, which is a significant asset to the City in both fiscal and cultural terms. Rewording the policy statement will better reflect the City's ambitions to promote and enhance the cultural identity of the City and changes to some of the content in the management plan will better reflect broader outcomes relating to cultural development and arts promotion in the City of Joondalup. Public art has been removed from the new *Visual Arts Policy* with a view to creating a new and separate policy for the City of Joondalup.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 March 2016.

The original recommendation as presented by City officers to the committee is as follows:

That Council:

- 1 *REVOKES The City's Art and Memorabilia Collections Policy and ADOPTS the Visual Arts Policy forming Attachment 1 to this Report;*
- 2 *NOTES the City of Joondalup's Art Collection Management Plan forming Attachment 3 to this Report.*

The committee's subsequent recommendation to Council is as follows (changes identified):

That Council:

- 1 *REVOKES The City's Art and Memorabilia Collections Policy;*
- 2 *ADOPTS the Visual Arts Policy forming Attachment 1 to this Report with the following amendments:*
 - 2.1 the words 'local and' be ADDED between the words 'on' and 'Western' in Part 3.3 i of the policy;*
 - 2.2 the word 'audiences' be DELETED and REPLACED with the word 'residents' in Part 2 e of the policy;*
 - 2.3 the words 'and the City's Art Collection' be ADDED to the end of Part 2 e of the policy;*
 - 2.4 the paragraph commencing with the words 'Members of' be DELETED in Part 3.2 of the policy;*

2.5 the word 'articulated' be DELETED and REPLACED with the word 'guided' in paragraph two of Part 3.3 of the policy;

2.6 the words 'in accordance with' be DELETED and REPLACED with the words 'guided by' in Part 3.3 viii of the policy;

3 NOTES the City of Joondalup's Art Collection Management Plan forming Attachment 3 to this Report.

MOVED Cr Gobbert, SECONDED Cr Hollywood that Council:

1 REVOKES *The City's Art and Memorabilia Collections Policy*;

2 ADOPTS the *Visual Arts Policy* forming Attachment 1 to Report CJ044-03/16 with the following amendments:

2.1 the words '*local and*' be ADDED between the words '*on*' and '*Western*' in Part 3.3 i of the policy;

2.2 the word '*audiences*' be DELETED and REPLACED with the word '*residents*' in Part 2 e of the policy;

2.3 the words '*and the City's Art Collection*' be ADDED to the end of Part 2 e of the policy;

2.4 the paragraph commencing with the words '*Members of*' be DELETED in Part 3.2 of the policy;

2.5 the word '*articulated*' be DELETED and REPLACED with the word '*guided*' in paragraph two of Part 3.3 of the policy;

2.6 the words '*in accordance with*' be DELETED and REPLACED with the words '*guided by*' in Part 3.3 viii of the policy;

3 NOTES the City of Joondalup's *Art Collection Management Plan* forming Attachment 3 to Report CJ044-03/16.

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14agn150316.pdf](#)

CJ045-03/16 ARTIST RESIDENCY UPDATE AND PROPOSED COMMISSION TIMELINE AND BUDGET

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	103932, 101515
ATTACHMENT	Attachment 1 Proposed sculpture Emperor Gum Moth
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to note the outcome of the artist residency project with artist Brandon Ballengée and to consider one of the two options presented for the artwork commission component of the artist residency project.

EXECUTIVE SUMMARY

At its meeting held on 19 February 2013 (CJ021-02/13 refers), Council, as part of the City's visual art commissioning program agreed to invite an international artist to undertake an artist residency, providing the artist with an opportunity to spend time in Joondalup, conduct research, work with the local community and create an artwork that documents and captures the iconic landmarks and people who represent the City of Joondalup to be acquired for the City's art collection.

The project is being carried out in two parts, the residency and the artwork commission. The residency component took place in September and October 2015. The artwork commission is scheduled to be finalised by October 2016.

This report updates Council on details of the completed residency.

The report also asks Council to consider one of the two options presented for the artwork commission component of the artist residency project.

BACKGROUND

At its meeting held on 19 April 2011 (CJ064-04/11 refers), Council agreed to establish an annual visual art commissioning program designed to commission artists to create artworks that document and capture the iconic landmarks and people who represent the City of Joondalup to be acquired for the City's art collection. The City agreed to allocate \$15,000 per annum for the program. The intent of this decision was to allow Council some direct influence over the art to be included as part of its art collection.

It was expected the artworks produced through the visual arts commissioning program would be two-dimensional, wall-based works such as painting, drawing, printmaking or photography, suitable for the City's art collection with a value of \$15,000 or less.

At its meeting held on 19 February 2013 (CJ021-02/13 refers), Council endorsed a change to the visual arts commissioning program and agreed to the completion of the City of Joondalup's artwork commission over a two year period to the value of \$30,000, with an option to invite an international or national artist to undertake the commission through an artist residency.

At its meeting held on 19 February 2013 (CJ021-02/13 refers) Council resolved that it:

- “1 *ENDORSES the completion of the artwork commission to the value of \$30,000;*
- 2 *AGREES to invite an international or national artist to undertake an arts residency in the City of Joondalup, developing an artwork commission that documents and captures the iconic landmarks and people who represent the City of Joondalup;*
- 3 *NOTES the arts residency detailed in Part 2 above will be completed by 2014-15.”*

To select the artist for the residency and commission, City officers put a short list together of international and national artists recommending four artists to undertake a residency in the City of Joondalup and produce an artwork for the City's art collection.

This shortlist was presented to the Art Collection Advisory Committee (ACAC) at its meeting held on 16 October 2014 and the artist selected was Brandon Ballengée, from New York, United States of America.

At its meeting held on 21 October 2014 (CJ200/10-21 refers), Council resolved (in part) that it:

- “1 *APPROVES artist Brandon Bellengée from New York, USA, to complete the City of Joondalup artist residency, to liaise with the community and develop artwork that documents the landmarks and people who represent the City, with a contract value not to exceed \$30,000;”*

Brandon Ballengée is a mixed media artist who works with a large range of media including two dimensional photography, drawing, print as well as gallery installations and large outdoor public art sculptures.

Mr Ballengée is particularly well known for his series of public art sculptures the *Love Motel for Insects* series, installed in over twenty locations around the world.

DETAILS

The Artist

Brandon Ballengée, born in 1974, is a visual artist, biologist and environmental activist based in New York. His practice is centred on educating communities across the world about various ecological issues and he combines his scientific and artistic expertise to communicate his message.

His artworks are an expression of the interconnectedness of the natural world and he speaks to a range of audiences using his skills as an artist and a scientist to both educate and inspire. Mr Ballengée's work has gained international repute throughout his extensive travels across Europe and the USA both as a published scientist and as a highly collectable and significant artist.

His artworks come from direct experiences with amphibians, birds, fish and insect species found in natural ecosystems, and also observed in laboratory settings.

His proposal included a series of community education sessions (which took place during the residency) and the creation of a commissioned public artwork entitled '*Emperor Gum Moth*' to be part of a series of artworks called '*Love Motels for Insects*', a successful series of artworks that appear in capital cities across the world and are designed to attract nocturnal flying insects.

The residency

Mr Ballengée visited Joondalup from 13 September to 20 October, 2015. The residency in Joondalup was the artist's first visit to Western Australia, and he spent much of the residency conducting research into the biodiversity of the City of Joondalup area, focussing on Lake Yellagonga. This research informed the concept for the proposed commissioned artwork '*Emperor Gum Moth*'.

The residency was accompanied by an educational program themed around local insect species and the natural environment, engaging school groups and the general public.

The duration was five weeks. The total artist residency project budget to include liaison with the community and developing an artwork that documents and captures the iconic landmarks and people who represent the City of Joondalup was a contract value of \$30,000.

An amount of \$15,000 was used for the artist's accommodation, flights, car hire and stipend, as well as marketing and consumables for the public program leaving a remaining amount of \$15,000 for the artwork commission.

A series of activities were proposed as part of the residency. These included a welcome morning tea with elected members, artist appearances for members of the arts and science communities, and school holiday activities for school-aged children and families.

Families were invited to bring along a picnic tea and join Brandon as he conducted educational tours of the different insect species of the area around Neil Hawkins Park and a temporary bug-attracting sculpture, an ephemeral '*Love Motel for Insects*'. These activities were open to local residents by registration.

Artist talks were held at Edith Cowan University, Joondalup and engaged artists, students and interested community and environmental groups. The artist talk took the form of an informal lecture in a lecture theatre followed by questions and answers facilitated by City officers.

The residency and educational program was held in September and October 2015, coinciding with the City of Joondalup annual Community Art Award (CIAA). The artist appeared as a guest judge at this event allowing for the opportunity to engage with the local artists and arts community.

The quality of the artist's engagement with the community was excellent. His presentations were highly engaging and educational. He has a multi-disciplined approach to communicating on the topic of ecology using art and science, which allowed for a broad range of community interests to actively engage with and understand his work.

The commission

The aim of the commission component of the artist residency is for the artist to create an original artwork in response to their time spent conducting research in Joondalup.

Mr Ballengée has proposed a public artwork called '*Emperor Gum Moth*' consisting of a sculpted metal frame covered by canvas, with UV lights installed to attract insects to the exterior surface of the artwork. The creation of a pollinator garden was requested by the artist to assist with attracting insects and to support the artwork. The artwork will become part of the artist's '*Love Motel for Insects*' series consisting of over 20 artworks commissioned and installed in various locations around the world.

Conceptually, the sculpture will create an opportunity for the public to focus on important pollinator arthropod species. Such species are essential to terrestrial ecosystems and pollinate upwards of 70% of our food supply. By inviting people to bug-watch, the artist aims to show the public an essential side of their local ecosystem that they may not usually pay attention to.

Given the artist's proposed '*Emperor Gum Moth*' sculpture and pollinator garden exceeds the approved budget, another option within budget is to commission an artwork by the artist to the value of \$15,000 consisting of a two-dimensional medium such as a drawing, photograph or print suitable for acquisition into the City of Joondalup Art Collection.

Possible locations for the commission:

There are a number of possible sites within the City Centre to install the commission artwork. The key factors when considering a site for the installation are:

- public accessibility and visual to passing vehicle traffic
- being sheltered from surrounding light, particularly street lights, as the artwork is internally lit so it can be visible at night and attract insects
- for it to be installed in a public area in an effort to detract from possible vandalism and anti-social behaviour.

As part of the sculpture it is proposed to include the establishment of a pollinator garden to surround it. This will create a welcoming experience for visitors of the artwork.

Possible sites include:

Site 1 – Neil Hawkins Park

An exact site within the Neil Hawkins Park has not been determined and would need some engagement with the artist. Neil Hawkins Park meets most of the key factors, however the lack of public/vehicle traffic of an evening means its visibility when illuminated would be limited and the remote location after daylight hours may subject the artwork to vandalism and other anti-social behaviour.

Site 2 – Joondalup Law Court

This option proposes the artwork to be installed on the grassed area adjacent to the Joondalup Law Courts below the City's second public art billboard.

This site meets the key factors, however the site may experience too much light spill from the steel lights that may detract from the sculpture. The other challenge to this site is the City is not the landowner and agreement would need to be obtained from the State Government.

Site 3 – Grand Boulevard

The median strip within Grand Boulevard immediately adjacent to Central Park and Lakeside Shopping Centre. This location meets all the factors for the artwork installation, however like the Law Court, may experience some light spill from surrounding street lights. However, this site is well sheltered and that may assist with containing some of that light spill.

Site 4 – Central Park

The southern part of Central Park is also a possible site for the artwork. It shares the same benefits and advantages as the Neil Hawkins Park option.

Proposed 2016 timeline for ‘Emperor Gum Moth’:

Stage	Month
Approvals process complete	March
Commission contract signed	March
Fabrication commences	March
Fabrication stage 1 (aluminium frame) complete	April
Fabrication stage 2 (canvas component) complete	May
Fabrication stage 3 (UV lighting and electrical components) completed	June
‘Emperor Gum Moth’ is scheduled for completion	October
Site preparation begins including landscape works and planting of garden bed	October
Artist arrives, oversees installation of sculpture	October
Artist hands over to City and provides maintenance schedule	October
Official opening of the sculpture to coincide with the City’s scheduled significant event	First week of November

Budget

The Council has over recent years allocated an amount of \$50,000 per annum towards public art projects. The recently completed public artwork in Central Walk ‘Interlace’ leaves a balance of \$104,358 for public art projects.

The budget below details the estimated cost of fabricating the sculpture and the creation of a landscaped pollinator garden bed. The estimate for the landscape works is subject to location and design.

‘Emperor Gum Moth’ sculpture and pollinator garden - proposed budget

Sculpture	Amount	Notes
Fabrication of sculpture.	\$24,094	Quoted by fabricator.
Artist Fee.	\$9,000	\$5,000 deposit paid to date not included in this figure.
Structural Engineer.	\$2,000	Estimated quote.
Electrical contractor.	\$8,000	Estimated quote, to be arranged by fabricator.

Sculpture	Amount	Notes
UV/LED lights.	\$350	Estimated quote, to be arranged by electrical contractor.
Site electrical works.	\$5,000	Quoted by contractor.
Hoarding for the site during installation.	\$1,400	Quoted by contractor.
Contingency.	\$5,000	
Sculpture fabrication and installation total	\$54,844	
POLLINATOR GARDEN		
	Amount	Notes
Administrative (construction stage).	\$900	Quoted.
Landscape works.	\$22,938	Quoted.
Contingency 10%.	\$2,383	Quoted.
Pollinator garden total	\$26,222	
ADDITIONAL COSTS		
Item	Amount	Notes
Artist return flights from the United States.	\$5,000	Estimated quote.
Two weeks accommodation.	\$2,400	Estimated quote.
Additional costs total	\$7,400	
Project total	\$88,466	

PROJECT FUNDS AVAILABLE		
Remaining funds from residency project.	\$10,247	Deducted from \$88,466.

TOTAL FUNDS REQUIRED		
Grand total required for the sculpture, garden and additional costs.	\$78,219	

Issues and options considered

For the commission part of the artist residency Council may choose from the following options:

Option 1

Commission the proposed 'Emperor Gum Moth' sculpture and pollinator garden by artist Brandon Ballengée at an estimated cost of \$88,466.

Option 2

Commission an artwork by artist Brandon Ballengée to the value of \$15,000 consisting of a two-dimensional medium such as a drawing, photograph or print.

For either option the artist has been paid a \$5,000 deposit for the commission artworks.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community wellbeing.

Objective To facilitate culture, the arts and knowledge within the community.

Strategic initiative

Policy *The City's Art and Memorabilia Collections Policy* (under review).

Risk management considerations

Not applicable.

Financial / budget implications

Current financial year impact

Account no.	C1078.
Budget Item	Public artwork / Visual Arts Commission.
Budget amount	\$ 18,902
Amount spent to date	\$ 8,655
Proposed cost	\$ 88,466 for Option 1. \$ 15,000 for Option 2.

All amounts quoted in this Report are exclusive of GST.

If it is agreed to proceed with Option 1, there are a number of options available to fund the shortfall as follows:

- 1 Allocate additional funds through a capital item.
- 2 Contribute towards the project through existing visual art programs and budgets for 2016-17 such as Mural Arts Program (\$18,914) or Annual Art Acquisition (\$15,000).
- 3 Fund the required amount from the Public Art Reserve Fund Capital Item C1077 that has a current balance of \$104,358 (2015-16).

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

Environmental

The proposed outdoor sculpture utilises ultra-violet (UV) lights designed so that they can be interchanged with non-UV blue lights; these are perceptible to the human eye and are not particularly attractive to insects. This is so that the sculpture will not impact on the natural breeding habits of local insect species. At times when the sculpture is to be used for collecting data and observing insects, the UV lights can be switched on, and insect life can be observed at different times of the night, and according to the seasons. The 'off' function allows for the sculpture to be used as a point of interest when it is not being used as an insect attracting tool.

Social

Art provides a catalyst for public discussion about current social, economic and environmental issues. In this case, the sculpture is designed to foster a deeper understanding and appreciation of local insect species. The biodiversity of this region is world-renowned and is a unique asset to this region. Programs surrounding the sculpture will ensure that the local community has opportunities to learn to about the role that biodiversity plays in our lives and how to preserve and celebrate it.

Economic

Art is a driver for cultural tourism and supporting an international artist of repute is in line with the City's aspiration to provide world class facilities and a thriving cultural scene.

Consultation

Not applicable.

COMMENT

Residencies are an effective way of contracting an artist to create an original artwork for a particular purpose and also to liaise with a community, bringing about discussion of shared values and allowing the host to reveal a place from a new perspective.

Members of the City of Joondalup community have had an opportunity to engage with Brandon Ballengée and understand his motives for making art and the importance of his work as an environmental activist.

The proposed sculpture is intended to have ongoing appeal as an educational tool and a place for meeting and for passive recreational purposes. Its proximity to the Joondalup library will allow for a high volume of traffic to stop by at all times of the day and night and to increase the vibrancy of this area.

As part of the consideration process for selecting the artist, a proposal for a commission of the size and scale detailed in this Report was not envisaged; hence the original allocation of \$15,000 requires revision.

The benefits of continuing to support the artist to complete the '*Emperor Gum Moth*' sculpture are:

- to build upon existing contacts in the City made with an international artist of repute, and enhance the programs currently being provided by the City
- to allow the community to continue to have a relationship with this artist and his work
- for the City to provide a meaningful continuation of the residency program and entrench it visibly and tangibly within the public realm
- to make manifest the ideas and philosophies that were explored during the residency
- to provide the local community with a tool for observing and collecting data on local insect species
- to provide an education resource to the community.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 March 2016.

The original recommendation as presented by City officers to the committee is as follows:

That the Policy Committee CONSIDERS the artwork commissioning options and preferred site for the artist residency project as detailed in this Report.

The committee's subsequent recommendation to Council is as follows (changes identified):

That Council AGREES to:

- 1 commission the proposed 'Emperor Gum Moth' sculpture and pollinator garden by artist Brandon Ballengée at an estimated cost of \$88,466;
- 2 install the commissioned artwork and pollinator garden listed in Part 1 above at Site 3 - Grand Boulevard;
- 3 fund the shortfall of funds required for the works listed in Part 1 above from the Public Art Reserve fund Capital Item C1077.

MOVED Cr Gobbert, SECONDED Mayor Pickard that Council AGREES to:

- 1 commission the proposed 'Emperor Gum Moth' sculpture and pollinator garden by artist Brandon Ballengée at an estimated cost of \$88,466;**
- 2 install the commissioned artwork and pollinator garden listed in Part 1 above at Site 3 - Grand Boulevard;**
- 3 fund the shortfall of funds required for the works listed in Part 1 above from the Public Art Reserve fund Capital Item C1077.**

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15agn150316.pdf](#)

CJ046-03/16 REVIEW OF COMMUNITY FUNDING POLICY

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	58536, 101515
ATTACHMENT	Attachment 1 Proposed Changes to Community Funding Policy
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider a review of the City's sport and recreation funding programs and proposed amendments to the *Community Funding Policy*.

EXECUTIVE SUMMARY

The *Sports Development Program* (SDP) provides financial assistance to local district level sporting clubs to conduct projects that benefit the community. The grant was established in June 2002 (CJ136-06/02 refers) and has since evolved to provide grants of approximately \$20,000 in value with an annual budget of \$90,000. Currently only 19 clubs are deemed eligible to receive the grant by the City due to the eligibility criteria and grant priorities that have been found by the clubs and the City to be limiting.

The City has only twice fully expended the grant funds since the grant's inception in 2002-03 and 2003-04 and recent analysis of grant expenditure has found that a majority of funding (approximately 67%) is used to pay semi-professional coaches.

As a result of the review of the program, it was identified that the City often struggles to identify eligible clubs due to the vague nature of defining what a "district" level club is and how that is interpreted by the City during the application process.

The preferred option for the on-going management of the SDP is to amalgamate the *Community Funding Program* (CFP) (Sport and Recreation Development Fund) and the *Sports Development Program* into one grant program. This would require amending the *Community Funding Policy* to reflect the changes.

It is therefore recommended that Council APPROVES the:

- 1 *amalgamation of the Sport and Recreation Category (Community Funding Program) and Sports Development Program into a new sport funding program;*
- 2 *proposed amendments to the Community Funding Policy, as shown in Attachment 1 to Report CJ047-03/16 subject to inclusion of the eligibility criteria in the Policy, as detailed in Report CJ047-03/16.*

BACKGROUND

Sports Development Program

The SDP grant was established in 2002 to provide a funding opportunity for “district or state league level clubs”. The establishment of the grant was based on a request from the West Perth Football Club for corporate sponsorship and the Council recognising there were other district or state league level clubs that could benefit from a similar financial contribution (CJ136-06/02 refers). The grant initially offered grants up to \$20,000 in value from a pool of \$60,000. The grant budget was increased in 2010-11 to \$90,000.

The SDP provides financial assistance to local district level sporting clubs for projects, programs and events that benefit the development of a sport and enhance its delivery to residents of the City of Joondalup. The program is offered twice per year, with rounds being held in September and February to match the winter and summer seasons.

Eligible clubs must be located within the City of Joondalup, not-for-profit, incorporated, represented at both junior and senior levels and competing or aspiring to compete at a district level.

Eligible projects include the following:

- New initiatives that can be seen to enhance the sports community profile.
- Partnership developments within the community.
- Increasing participation through targeting specific populations.
- Developing pathways (junior - senior, highest level of competition).
- New short-term coaching appointments where evidence of the club’s continued commitment to coaching development is provided.

Community Funding Program

The *Community Funding Program* (CFP) was established by the creation of the *Community Funding Policy* which was first adopted in 1998. The impetus for the policy followed an audit process that reviewed the City’s approach to allocating subsidies and financial assistance to community groups and individuals. The findings of the audit highlighted inconsistent practices with regard to community funding allocations and recommended the development of a strategic and accountable process that followed clear guidelines in the assessment and distribution of these funds.

The first iteration of the *Community Funding Policy* identified the following six funding categories for the CFP:

- Sport and recreation development.
- Culture and the arts development.
- Environmental improvement.
- Community services.
- Sponsorship.
- Economic development.

At the meeting of Joint Commissioners held on 14 September 1999 (CJ303-09/99 refers), the policy was reviewed incorporating several minor amendments; as well as introducing a reference to infrastructure funding and removing references to individuals; ensuring that only incorporated bodies were eligible for funding (although organisations could still apply for funding on behalf of an individual).

Community Funding Policy

Over the years the City has had numerous policies declaring its commitment to various funding programs. These policies have been reviewed in 2005 (CJ206-10/05 refers) and again in 2012 (CJ170-08/12 refers) and combined to offer the City's position in one policy.

The *Community Funding Policy* currently details the SDP as below:

"The City supports the annual allocation of funds towards a sporting club scheme that provides assistance to district level clubs in undertaking sporting and club development initiatives.

The SDP will be separate to the CFP and will aim to supplement other sponsorship funding opportunities and agreements for high-level sporting clubs".

DETAILS

Sports Development Program

Since 2002-03 when the SDP commenced, the City has only expended the full funds twice. It is believed that the low demand for this grant is due to the small number of eligible clubs and projects, as well as the requirement for projects to be one-off in nature and not recurrent.

Funds expended since grant inception.

Year	Expended	Available Funds
2014-15	\$40,000	\$90,000
2013-14	\$82,450	
2012-13	\$40,000	
2011-12	\$71,128	
2010-11	\$52,560	
2009-10	\$45,920	\$60,000
2008-09	\$22,600	
2007-08	\$52,470	
2006-07	\$55,413	
2005-06	\$52,428	
2004-05	\$23,000	
2003-04	\$60,000	
2002-03	\$60,000	

Presently only 19 (of 134) clubs within the City of Joondalup are eligible to apply for the SDP. These clubs are:

- Arena Swim Club.
- Breakers Swim Club.
- Churches of Christ SBA (Stirling Senators Basketball).
- ECU Joondalup Soccer Club.
- Joondalup & Districts Rugby League Club.
- Joondalup Brothers Rugby Union Club.
- Joondalup District Cricket Club.
- Joondalup Lakers Hockey Club.

- Joondalup Netball Association.
- Mullaloo Surf Life Saving Club.
- North Coast Triathlon Club.
- Ocean Reef Sea Sports.
- Sorrento Football Club.
- Sorrento Surf Life Saving Club.
- Sorrento Tennis Club.
- Wanneroo Basketball Association.
- West Perth Football Club.
- Whitford Hockey Club.
- Wanneroo Lacrosse Club.

These clubs are assessed (by the City) to meet the current eligibility of the SDP grant being:

- not-for-profit
- incorporated
- located within the City of Joondalup
- representative at both junior and senior level
- competing or aspiring to compete at a district level.

Clubs are deemed ineligible to apply for the SDP if they have received the SDP grant within the previous two years or if they have failed to acquit previous grants from any of the City's funding sources. This means in any one round only eight to 10 clubs may be eligible.

The projects that these clubs can apply for must meet one of two priorities for funding. These priorities are:

- people development
- high performance.

The priorities are two of six "Key Challenges" identified by the Department of Sport and Recreation's (DSR) *Strategic Directions 5* (SD5) document. The SD5 document is the guiding document for the development of sport and recreation within Western Australia. It was developed by the DSR with input from key stakeholders across the state.

The current eligibility criteria and priorities as listed above have been found to be limiting to clubs who are interested in applying for a SDP grant. The determination of what is a district club has been found to be difficult for the City to determine given the differing nature and scale of individual sports and their statewide competition formats. Those clubs that currently meet the eligibility for SDP by nature are generally larger semi-professional clubs who are often already well resourced with support available from the National Sporting Organisation and State Sporting Association. These clubs are also better placed to service and attract corporate sponsorships due to their size and status within the region.

In reviewing the previous grants provided by the City, it has been noted that the SDP has primarily been used as an opportunity to acquire funds to pay coaches.

Since 2006-07 (City only has accurate and reliable records of grant budgets back to this period) 67% (\$311,710) of funds provided have gone directly to the payment of coaches with 5% (\$25,461) used for coach development/training. Of the 31 approved projects during this period 28 have used City funding for the payment of coaches.

The SDP application pack does state that projects eligible for funding include “new short-term coaching appointments where evidence of the clubs continued commitment to coaching development is provided”. While the payment of coaches can be considered within the grant priorities, it would not be considered a high priority. Due to the low number of applications each round those projects that have been deemed to just meet the minimum requirements for funding have been successful.

While the payment of coaches within semi-professional sport is now a common occurrence, the effectiveness and benefits gained from such an arrangement are not fully understood. A majority of research into these benefits (to the club and the players) is subjective and anecdotal in nature. This is reflected in many of the final grant acquittal documents, with many clubs unable to clearly articulate the benefits gained by players and coaches.

It is recommended that the City merge the SDP and the CFP to deliver a new streamlined grant program that is more open and equitable for all clubs to access. In 2015-16 the City has a budget of \$90,000 for the SDP and \$25,000 for the CFP. It is suggested that a new merged SDP would have a budget of \$115,000 and be launched in time for 2016-17.

The new SDP grant details are proposed to be as follows:

Eligibility

- Incorporated (under *Association’s Incorporations Act 1987*).
- Located within the City of Joondalup and/or servicing its residents.
- Affiliated with and submit a letter of support from a State Sporting Association or Industry Body who are recognised by DSR.

Clubs would not be eligible if:

- they have not fully acquitted previous grants from the City
- have outstanding payments due to the City (such as ground hire)
or
- have already received financial or in-kind support from the City for the same project, program or event.

Funding Priorities

Projects must meet one (or more) of each of the grants focus areas and funding objectives to be considered for funding.

Focus Areas:

- Participation.
- People development.
- Organisational development.
- Place and spaces.
- High performance.

Funding Objectives:

- Improve the knowledge, skills and or experience of club officials and volunteers.
- Attract new, retain existing or reward volunteers and members.
- Provide a safe environment for members, visitors, volunteers and the public.
- Assist to develop the knowledge, skills or experience of athletes.
- Assist with the establishment of or long term sustainability of clubs.

The focus areas are five of the six key priority areas from the SD5 document published by DSR. The one area not included is Industry Development which is not relevant to local sporting clubs or local government authorities.

Grant Classifications

- Small Grant
 - Maximum \$10,000 grant amount.
 - Maximum 12 month funding period.
 - Two rounds (August and February).
 - Maximum \$25,000 available in August round and minimum of \$10,000 available in February round.

- Large Grant
 - \$10,001 to \$20,000.
 - Maximum 24 month funding period.
 - One round (August) (City reserves the right to conduct a second round if sufficient funds remain unspent).
 - Maximum \$80,000 budget.

The City would not consider any grant submissions that includes the following:

- Any project, program or event which does not fit the eligibility, focus area or funding objective mentioned above.
- On-going maintenance and repairs which are the responsibility of the organisation.
- Programs, services or projects that have already received funding from the City.
- Deficit funding (to repay cash shortfalls).
- Projects that commence prior to grant notification.
- Operational costs.
- Tours or travel costs.
- Payments for contracted players.

Funding for coaches, officials or specialists will also be ineligible except where it can be clearly demonstrated that their contribution is outside of their normal club responsibilities (such as a club head coach may be paid to deliver mentoring to other coaches where it is not part of their normal expectations). The maximum amount available in a single application for the payment of individuals for these services is 50% of the grant total.

It is expected that by opening up the club and grant eligibility guidelines more clubs can apply for a greater number of projects thus increasing the competition for the grant. It is expected that by increasing the competition for the grant the City will receive better value for money by ensuring that projects not only meet the minimum requirement for the grant but have been assessed to provide the greatest benefits to the community.

Community Funding Policy

It is recommended that the following amendments are made to the CFP to accommodate the change in the funding program (Attachment 1 refers):

- Remove the "Sport and Recreation Development" category from the CFP.
- Amend the Sports Development Program description to read as below:

“2.2.1. Sports Development Program:

The City supports the annual allocation of funds towards a sporting club scheme that provides assistance to incorporated community clubs in undertaking sporting, recreation and club development initiatives.

The SDP will aim to provide equitable funding to all eligible clubs to promote and support community sport and recreation delivery within the City.”

It is not anticipated that the removal of the Sport and Recreation Development category from the CFP will have any impact on the other three grant categories.

Any changes that occur to the funding programs will commence from 1 July 2016, with all grants operating as they currently are through to June 2016.

Issues and options considered

Given the challenges the City faces in administering and the clubs face in applying for the SDP grant and the nature of the expenditure of the funds, there are several options for the ongoing management of the grant which are believed to provide better outcomes to a larger cross section of the community.

Options include:

Option 1 - Amalgamate the SDP and CFP.

This will provide greater funding opportunities to a greater number of clubs by making the grant program more open and equitable. The grant program will also become more competitive ensuring only the grants that exhibit significant community benefits as well as value for money are successful.

Option 2 - The SDP grant remains as it is currently.

The City will continue to be faced with existing challenges in administering the funding programs, with only a small number of exclusive clubs being eligible for funding.

Option 3 - Amend the SDP to be more open and competitive.

The City could review the current format of the SDP to make the grant open to more clubs and more projects. This would result in the eligibility of the grant being more open and equitable thus increasing the competition for the grant ensuring only the best and most valuable applications are successful.

This would result in changes to the SDP, with no changes required to the CFP.

This option would provide some benefits in more clubs being eligible for funding while the projects eligible for funding in both CFP and SDP continue to be restrictive in nature.

Option 4 - Close the SDP and:

- (a) Re-allocate the \$90,000 annual budget to the sponsorship program.
- (b) Identify a \$90,000 saving in the budget effectively no longer offering a large grant to local sport and recreation clubs.

The sponsorship program is split into two sections with applications either requesting corporate or event sponsorship. Sponsorships aim to address a number of outcomes with emphasis given to proposals that enhance the City's image and contributes to a vibrant and engaging community.

Neither of Options 4(a) or 4(b) are recommended as this would significantly reduce the amount of funding available for sporting clubs through the City's grant programs.

The preferred option for the on-going management of the SDP is Option 1.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Community spirit.

Strategic initiative

- Support and encourage opportunities for local volunteering.
- Promote the sustainable management of local organisations and community groups.
- Support and facilitate the development of community leaders.

Policy *Community Funding Policy.*

Risk management considerations

There may be an expectation from the 19 eligible clubs that the grant is available exclusively to those clubs. A change to the grant structure or the availability of the grant may result in a negative reaction from these clubs.

Financial / budget implications

There is an amount for sports development and community funding listed within the City's 2015-16 operating budget of \$90,000 for sports development and \$25,000 for community funding. A change to the grant delivery model and policy would not affect the grant budget request for 2016-17 which is expected to remain at \$115,000.

All amounts quoted in this report are exclusive of GST.

Sustainability implications

The SDP provides an opportunity for a positive effect on the development of healthy, equitable, active and involved communities. However currently a majority of funding is made to semi-professional level clubs to maintain on-going programs. Less than 30% of current funding is used to target the people development priority or to assist clubs to become more economically or culturally sustainable.

Consultation

The City has prepared this Report and the proposed new funding program following consultation with a number of other local governments both within and outside of Western Australia. No other local government within Western Australia provides this level of funding for their sport and recreation clubs. A number of larger local governments in the eastern states do provide much larger amounts with a focus generally on facility development projects.

The City has also consulted with a senior sports consultant from the DSR in regards to the proposed funding program. The feedback received was that the proposed grant program outlined in Option 1 would provide positive opportunities and assistance for community sport and recreation clubs.

COMMENT

Recently there has been an increase in the amount of money being spent in community clubs on coach and player payments. Using previously submitted financial statements of three SDP clubs (only assessing complete data that could be identified as player and coach payments) it can be seen that these clubs are spending approximately 53% of their total expenditure on coach and player payments. For these three clubs within one financial year that equates to an average spend per club of \$37,651 on coaching and \$72,292 on player payments.

The proposed changes identified to the SDP and CFP have been created to ensure the new grant is as open and equitable for all clubs and their differing levels of operational objectives and maturity. It is believed that the proposed structure delivers the optimal benefits to local clubs and the community; as well as value for money to the City.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 March 2016.

The original recommendation as presented by City officers to the committee is as follows:

That Council APPROVES the:

- 1 *amalgamation of the Sport and Recreation Category (Community Funding Program) and Sports Development Program into a new sport funding program;*
- 2 *proposed amendments to the Community Funding Policy, as shown in Attachment 1 to this Report.*

The committee's subsequent recommendation to Council is as follows (changes identified):

That Council:

- 1 *APPROVES the amalgamation of the Sport and Recreation Category (Community Funding Program) and Sports Development Program into a new sport funding program;*
- 2 *APPROVES the proposed amendments to the Community Funding Policy, as shown in Attachment 1 to this Report subject to inclusion of the following eligibility criteria:*
 - *Incorporated (under Associations) Incorporations Act 1987;*
 - *Located within the City of Joondalup and/or servicing its residents;*
 - *Affiliated with and submit a letter of support from a State Sporting Association or Industry Body who are recognised by the Department of Sport and Recreation;*
 - *The club name reflecting the locale in which the club operates and in recognition of the level of funding and subsidies afforded to it by the City of Joondalup.*

MOVED Cr Gobbert, SECONDED Cr Hollywood that Council:

- 1 **APPROVES the amalgamation of the Sport and Recreation Category (Community Funding Program) and Sports Development Program into a new sport funding program;**
- 2 **APPROVES the proposed amendments to the Community Funding Policy, as shown in Attachment 1 to Report CJ046-03/16 subject to inclusion of the following eligibility criteria:**
 - **Incorporated (under Associations) Incorporations Act 1987;**
 - **Located within the City of Joondalup and/or servicing its residents;**
 - **Affiliated with and submit a letter of support from a State Sporting Association or Industry Body who are recognised by the Department of Sport and Recreation;**
 - **The club name reflecting the locale in which the club operates and in recognition of the level of funding and subsidies afforded to it by the City of Joondalup.**

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16agn150316.pdf](#)

CJ047-03/16 AMENDMENT TO PURCHASING POLICY

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09763, 101515
ATTACHMENTS	Attachment 1 Proposed amendments to <i>Purchasing Policy</i> (with tracked changes) Attachment 2 Revised <i>Purchasing Policy</i> (clean version)
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider and adopt the proposed amendments to the City's *Purchasing Policy*.

EXECUTIVE SUMMARY

The City's *Purchasing Policy*, adopted in 2014, has been reviewed in light of legislative changes to the *Local Government (Functions and General) Regulations 1996* that took effect on 1 October 2015. These changes are significant enough to require amendment of the policy to ensure alignment with the updated legislation.

It is recommended that Council ADOPTS the revised Purchasing Policy forming Attachment 1 to Report CJ048-03/16.

BACKGROUND

In 2015, the WA Department of Local Government and Communities introduced a number of amendments to the *Local Government (Functions and General) Regulations 1996*. Changes to Part 4 – Provision of goods and services necessitated a corresponding review of the City's *Purchasing Policy* and identified a number of changes required for the City to comply with the revised legislation. Key changes include amendments to regulations 11, 11A, 12, 14, 15, 16, 17, 18, 21 as well as the introduction of regulation 21A and regulations 24AA to 24AJ (as division 3 to Part 4).

The City also identified some additional improvements to the policy.

DETAILS

The following key changes to the *Local Government (Functions and General) Regulations 1996* that took effect on 1 October 2015 require amendments to the City's *Purchasing Policy*.

- 1 Regulation 11 requires the City to invite public tenders before entering into a contract to acquire goods or services from a third party, where the expected consideration under the contract is higher than a specified value. This threshold value has been raised from \$100,000 to \$150,000 (Refer section 3.5 of the amended policy).
- 2 Part 4 Division 3 (regulations 24AA to 24AJ) has been introduced to make provision for local governments to establish panels of pre-qualified suppliers of goods and services. The new regulations stipulate aspects that must be included in a purchasing policy without which the City cannot avail of these provisions (Refer section 3.9 of the amended policy).

Regulation 24AC(1)(a) states:

A local government must not establish a panel of pre-qualified suppliers unless –

- (a) *It has a written policy that makes provision in respect of the matters set out in subregulation (2);*

Regulation 24AC(2) states:

The matters referred to in subregulation (1)(a) are –

- (a) *how the local government will procure goods or services from pre-qualified suppliers, including any process for obtaining quotations from them; and*
- (b) *how the local government will ensure that each pre-qualified supplier on a panel of pre-qualified suppliers will be invited to quote for the supply of the goods or services that the pre-qualified suppliers will be expected to supply; and*
- (c) *how the local government will ensure clear, consistent and regular communication between the local government and pre-qualified suppliers; and*
- (d) *any factors that the local government will take into account when distributing work among pre-qualified suppliers; and*
- (e) *the recording and retention of written information, or documents, in respect of:*
 - (i) *all quotations received from pre-qualified suppliers; and*
 - (ii) *all purchases made from pre-qualified suppliers.*

In addition to changes arising from the amendments to the regulations, the City also identified the need for the following amendments to the existing policy:

- 1 Allow for calling of single quotes from artists or performers offering a unique service, where the expected consideration is between \$5,001 and \$10,000. This provision applies only to Summer Season Events (section 3.5).
- 2 In line with the provision for pre-qualified supplier panels, the purchasing policy is amended to allow for quotes to be obtained from such panels, or from pre-qualified suppliers on the Western Australian Local Government Association (WALGA) Preferred Supply Program or the WA State Government's Common Use Arrangement (section 3.5).
- 3 Other minor changes including correction to the City Purchasing Protocols listed under section 3.4 and minor grammatical and/or formatting changes.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government (Functions and General) Regulations 1996.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Continuously strive to improve performance and service delivery across all corporate functions.

Risk management considerations

The amendments are necessary to bring the City's *Purchasing Policy* in line with the revised legislation. While the policy can be retained in its current form without giving effect to the legislative updates, the City will be unable to make use of either the increased tender threshold or the provision for establishment of pre-qualified supplier panels as set out in the amended legislation. This may result in on-going operational inefficiencies and higher use of resources.

Financial / budget implications

Not applicable.

Regional significance

Not applicable

Sustainability implications

Not applicable.

Consultation

The City referred to the WALGA Model Local Government Purchasing Policy as part of the review of the City's *Purchasing Policy*.

COMMENT

The proposed updates to the *Purchasing Policy* are driven primarily by the changes to the *Local Government (Functions and General) Regulations 1996*. The City cannot give effect to these changes without amending the policy accordingly.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 March 2016.

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

MOVED Cr Gobbert, SECONDED Cr Poliwka that Council ADOPTS the revised *Purchasing Policy* forming Attachment 1 to Report CJ047-03/16.

AMENDMENT MOVED Mayor Pickard, SECONDED Cr Dwyer that an additional Part 2 be ADDED to the motion, to read as follows:

“2 REQUESTS the Chief Executive Officer prepare a report on the activities intended to promote purchasing activity between the City of Joondalup and local businesses.”.

The Amendment was Put and

CARRIED (11/0)

In favour of the Amendment: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

The Original Motion as amended, being:

That Council:

- 1 ADOPTS the revised *Purchasing Policy* forming Attachment 1 to Report CJ047-03/16;**
- 2 REQUESTS the Chief Executive Officer prepare a report on the activities intended to promote purchasing activity between the City of Joondalup and local businesses.**

Was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 17 refers

To access this attachment on electronic document, click here: [Attach17aqn150316.pdf](#)

CJ048-03/16 INVESTMENT POLICY REVIEW

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	101272, 101515
ATTACHMENTS	Attachment 1 Revised Investment Policy
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to review and consider proposed amendments to the City's *Investment Policy*.

EXECUTIVE SUMMARY

The *Investment Policy* governs the investment of the City's surplus operational funds that may be available from time to time, as well as funds held in the City's reserve and trust accounts. The current policy was developed and initially adopted by Council at its meeting held on 15 April 2008 (CJ052-04/08 refers). At its meeting held on 24 September 2013 (CJ187/09-13 refers), Council subsequently adopted a significantly revised policy.

The current review has looked at the policy in light of the prevailing investment climate and proposed some changes to ensure the policy continues to best support and preserve the City's cash holdings.

It is recommended that Council ADOPTS the revised Investment Policy forming Attachment 1 to Report CJ049-03/16.

BACKGROUND

The uncertainty and turmoil that existed in financial markets at the time of the last significant review of the *Investment Policy* has abated in intensity, but on-going volatility and fundamental weaknesses remain a significant source of concern for investors.

While Australian banks have not experienced further significant credit ratings downgrades since that time, there remain serious questions about sovereign credit ratings of the Federal and State Governments. At the time of the previous review, Federal and State treasuries still offered AAA rated investments. Western Australia has, since then, been downgraded by Standard and Poor's to AA+ status and, very recently, by Moody's Investor Services from Aa1 to Aa2, the equivalent of Standard and Poor's (S&P) AA rating. While this was more likely a correction of Moody's rating level than a reflection of any major fall in the State's creditworthiness, it highlights the on-going risks in the financial environment and the reality of the State's current fiscal position.

The City's current investment portfolio is entirely held in either on-call (overnight) deposits or term deposits placed with financial institutions for maturity periods less than 12 months, with the majority of these placed for six months. This review is necessary to ensure that the investment objectives set out in the policy continue to be upheld while still enabling practical application as well as legislative compliance.

DETAILS

Issues and options considered

The current *Investment Policy* sets out the:

- investment objectives
- delegated authority to invest
- types of authorised and prohibited investments
- prudential requirements for engagement of investment advisors
- policy guidelines for the management and diversification of risk
- financial reporting.

The Department of Local Government and Communities developed an *Investment Policy Local Government Operational Guideline* that was published in 2008. The primary features of this guideline are already incorporated in the current policy.

The key changes proposed to the current *Investment Policy* as a result of this review are highlighted in Attachment 1. In summary they are as follows:

- 1 Section 3.6 – Provision has been made at the end of the section to clarify the City's course of action in the event of discrepancies between the three ratings agencies (Standard and Poor's, Moody's, Fitch) in the credit rating assigned by each to a counterparty and/or product. The amendment proposes that the credit rating applied by the majority of the three ratings agencies will be used by the City. Where all three agencies have issued different credit ratings, the City will employ the rating issued by Standard & Poor's.
- 2 Section 3.6.1 – Overall portfolio limits set in the current policy restrict the extent of investment with financial institutions holding a long term A rating in conjunction with a short term A-1 or A-2 rating to 45% and 10% respectively.

The official cash rate has fallen over the past two years by 50 basis points to 2%, accompanied by a corresponding decline in investment returns on term deposits from Australian banks by over 100 basis points in the same period. The average return on investments that the City can obtain currently ranges between 2.70% and 2.85%. Some banks that fall into the category of A (Long Term) and A1/A2 (Short Term) ratings are able to offer slightly better returns on deposits compared to the banks that carry a higher long term AA rating.

It is proposed to raise the overall portfolio limit for investments with institutions holding a long term A rating to a maximum of 50% of the total portfolio, where a short term rating of A-1 exists, and a maximum of 40% where a short term rating of A-2 exists.

The institutions that the City currently places funds with are:

Long Term AA S&P rating	ANZ CBA (Commonwealth Bank) Bankwest (under CBA banking licence) Westpac NAB WA Treasury Corporation
Long Term A S&P rating	Bank of Queensland Bendigo Bank ING Rural Bank Suncorp St. George Bank

No change is proposed to existing individual counterparty limits as these limits are considered necessary to ensure adequate diversification of risk.

No relaxation is proposed, either, in the minimum long term credit rating A required for institutions that the City may invest with. This is considered appropriate for prudent investment.

The effect of the proposed change to portfolio limits is that up to \$40 million of a \$100 million portfolio could be placed with financial institutions carrying a long term A rating along with a short term A-2 rating. However, not more than \$10 million (10%) could be placed with any single institution in that category. The margin of return available at any given time with such institutions can be up to five or even 10 basis points better than institutions with a short term A-1 rating. Using the same \$100 million portfolio as an example, and assuming placement of 40% of the portfolio for six months at a time, a margin of five basis points could earn \$14,975 more in annual interest while a 10 basis points margin could earn \$29,589 more. This translates, however, to a 75% increase in the return on deposits placed with institutions rated A-2 (short term).

The proposed investment policy incorporating these changes is contained in Attachment 1.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
Trustees Act 1962.
Local Government (Financial Management) Regulations 1996.
Australian Accounting Standards.

Strategic Community Plan

Key theme

Financial Sustainability.

Objective

Effective management.

Strategic initiative

Manage liabilities and assets through a planned, long-term approach.

Policy

Not applicable.

Risk management considerations

There are significant risks involved in the management of the City's investment portfolio. The *Investment Policy* sets out provisions for compliance and governance that are designed to diversify and mitigate these risks. In addition to the policy there are internal processes and procedures governing investment activities and these are subject to both internal and external audit.

Financial / budget implications

While the proposed changes to the investment policy involve a minor relaxation in the overall portfolio credit rating limitations, this reflects the current financial environment and economic reality and will assist in securing better return on investments without significant risk to the capital invested.

All amounts quoted in this Report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Financial sustainability is imperative to the future growth and development of the City of Joondalup. The revised policy maintains the conservative approach to the City's investments which is a critical element of the long-term financial sustainability of the City.

Consultation

No consultation was undertaken during this review; however investment policies currently in place at other similar local governments were reviewed, particularly with regard to investment portfolio limits and diversification.

City of Stirling – up to 50% of the portfolio may be held with institutions rated A-1 (short term) and up to 40% with those rated A-2 (short term); however, the latter are also presumed to be rated BBB (long term).

City of Melville – up to 50% of the portfolio can be held with institutions rated A-1 (short term) and up to 20% with banks rated A-2; however, the policy presumes that the latter are also rated BBB (long term).

City of Wanneroo – up to 100% of the portfolio may be held with institutions rated A-1 (short term) and up to 80% with those rated A-2(short term), irrespective of long term credit ratings.

City of Swan – up to 100% of the overall portfolio may be held with institutions rated A-1 (short term, up to 60% with institutions rated A-2 (short term) and up to 30% with those rated A-3(short term) or with no short term rating. No reference is made to long term credit ratings.

COMMENT

The *Investment Policy* has been reviewed in light of existing market conditions and legislative requirements. It preserves the City's conservative approach to investment that is being practised and is considered most appropriate to the needs of the City and provides further clarity and transparency of the City's approach to investment of surplus operational funds that may be available from time to time as well as funds held in the City's trust and reserve accounts.

Following Council's endorsement of the revised policy, the information will be placed into the City's revised policy format.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 March 2016.

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

MOVED Cr Gobbert, SECONDED Cr Dwyer that Council ADOPTS the revised *Investment Policy* forming Attachment 1 to Report CJ048-03/16.

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 18 refers

To access this attachment on electronic document, click here: [Attach18agn150316.pdf](#)

CJ049-03/16 STREETScape SEAT SIGNAGE

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	01907, 101515
ATTACHMENT	Nil
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For the Policy Committee to determine the City's position on members of parliament advertising electorate contact details on city streetscape furniture such as bus stop seats and bus shelters, and whether a new position needs to be developed or the City remains uncommitted to allowing any kind of political advertising.

EXECUTIVE SUMMARY

Currently, the City does not have a policy that governs members of parliament advertising their electoral contact information on streetscape furniture. Research has been undertaken with other local governments to ascertain options for handling these types of requests. However, there is no general consensus to guide this decision for Council.

It is therefore recommended that the Policy Committee reviews the current situation and considers whether a new position around the issue needs to be developed.

BACKGROUND

Requests for political advertising go back to approximately 2005 and involve sitting members of parliament operating within the City of Joondalup boundaries requesting to advertise their electoral contact information on City streetscape furniture. The City continues to receive requests from members of parliament and generally provides the response that "*the City has a position of not permitting 'political advertising' on street furniture or on its own assets*".

DETAILS

While the City does not have a policy on this subject as such, it does have a *Signs Policy* adopted under the City's planning scheme which relates to planning issues.

For the purpose of this exercise, it is suggested that political advertising may cover:

- a sign which identifies the name (and perhaps contact details) of the member of parliament and the electorate
- a sign, as above, but with the logo of a political party included

- a sign, as above, which encourages persons to vote for the member or political party
- a sign which encourages persons to vote for a candidate and/or a political party in an election.

Legal framework

The placing of political advertising on street furniture is governed by:

- any contracts which the City has entered into for advertising on street furniture
- *Local Government and Public Property Local Law 2014* and *Signs Local Law 1999* which regulate advertising in the road reserve
- the implied Constitutional right of freedom of political communication.

Advertising contracts for street furniture

Clause 9.5 of the *Local Government and Public Property Local Law 2014* enables a local government to enter into agreements with a person to place any advertisement on a bus seat, bus shelter or other street furniture.

The City has advertising contracts with:

- Adshel for bus shelters
- Streetside Advertising for benches.

Both contracts contain similar provisions which specify that the contractor shall not display advertising which the City considers to be “politically sensitive”. However this phrase is not further defined.

Signs Local Law

Clause 16 (l) of the *Signs Local Law 1999* prohibits the placement of an “election sign” (which means “a sign which encourages persons to vote for a candidate or political party...”) on any street, thoroughfare or other public place. This raises the question: What advertising is “politically sensitive” and which are considered “election signs”?

The implied Constitutional right of freedom of political communication

The implied Constitutional right of freedom of political communication protects persons from legislation which may have the effect of unduly interfering with the exercise of their political rights. If in conflict with a State or local law, the implied right prevails.

Issues and options considered

The City has a position of not permitting ‘political advertising’ on street furniture or on its own assets, which are not affected by contracts with external parties.

The City of Stirling has a policy on *Election Signs on Road Reserves and Council Land* which manages the issue similarly to clause 15 of the *Signs Local Law* with respect to private property.

In the background of any discussion on this issue remains the question of whether the implied right would prevail over the City’s refusal to allow placement of political advertising or election signs, if someone chose to challenge it.

An absolute prohibition is likely to be successfully challenged, while a regulated approach is likely to survive.

Legislation / Strategic Community Plan / policy implications

Legislation

*Australian Constitution.
Local Government and Public Property Local Law 2014.
Signs Local Law 1999.*

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Corporate capacity.

Strategic initiative

Continuously strive to improve performance and service delivery across all corporate functions.

Policy

Signs Policy.

Risk management considerations

Whether the City proceeds with developing a policy or not, a risk management strategy would need to be developed along with a communication strategy on the City's position to ensure clear and consistent communication is provided to all stakeholders.

Financial / budget implications

There are no financial implications associated with this report.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

No consultation has taken place.

COMMENT

There are two primary options available to Council. The first is to retain the prevailing situation of not allowing advertising, and the second is to allow advertising with or without limitation.

It is recommended that the Policy Committee reviews the current situation as to whether to:

- to continue with the current position of not allowing members of parliament to advertise on street furniture
or

- Council could adopt a resolution to allow local, state and federal elected representatives whose electorates are within the boundaries of the City of Joondalup to advertise on street furniture via a sign that identifies the name and contact detail of the Member of Parliament and the electorate they represent.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 March 2016.

The original recommendation as presented by City officers to the committee is as follows:

That the Policy Committee CONSIDERS the City's current position around political advertising on streetside furniture.

The committee's subsequent recommendation to Council is as follows) changes identified:

That Council ALLOWS local, state and federal elected representatives whose electorates are within the boundaries of the City of Joondalup to advertise on street furniture via a sign that identifies the name and contact details of the elected representative and the electorate they represent.

MOVED Cr Gobbert, SECONDED Cr Fishwick that Council ALLOWS local, state and federal elected representatives whose electorates are within the boundaries of the City of Joondalup to advertise on street furniture via a sign that identifies the name and contact details of the elected representative and the electorate they represent.

The Motion was Put and

LOST (5/6)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick and Gobbert.

Against the Motion: Crs Hollywood, Jones, Logan, McLean, Norman and Poliwka.

COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION - [02154, 08122]

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

CJ028-03/16, CJ029-03/16, CJ030-03/16, CJ032-03/16, CJ033-03/16, CJ034-03/16, CJ035-03/16 and CJ036-03/16.

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

C13-03/16 NOTICE OF MOTION – CR SOPHIE DWYER – ADDITIONAL SUPPORT FOR MICRO-COMMUNITY GROUPS - [55469]

In accordance with Clause 4.6 of the *Meeting Procedures Local Law 2013*, Cr Sophie Dwyer has given notice of her intention to move the following Motion at the Council meeting to be held on Tuesday 15 March 2016:

"That Council REQUESTS the Chief Executive Officer to prepare a report on the benefits, viability and costs associated with providing additional City of Joondalup resources to support micro-community groups, incorporated or otherwise, that provide services to the community that are aligned with the strategic objectives of the City of Joondalup."

Reason for Motion

The City of Joondalup supports many worthwhile organisations in a variety of ways, including provision of facilities at discounted rates, in-kind support, grants and funding. Much of this support is subject to the organisation being incorporated in its own right or securing sponsorship from an eligible entity.

The process for registering a not-for-profit entity is relatively simple but the risks, responsibilities and costs of on-going management of an incorporated entity are often an unreasonable burden for small community groups who may have only a few members or offer a small range of services (micro-community groups). Securing sponsorship from a recognised entity imposes the burden onto the sponsoring organisation.

Few micro-community groups would be able to afford the professional training to ensure compliance with the highly complex and regularly changing local, state and federal laws associated with the operation of incorporated entities. Furthermore, there are risks associated with the City of Joondalup encouraging community groups to register as an incorporated entity as a condition of securing support from the City of Joondalup without concurrently recommending and/or facilitating appropriate professional development to ensure sound governance of the incorporated entity.

There are many micro-community groups who provide worthwhile activities within the City of Joondalup. Without these groups, the services would either not be provided or the provision of the services falls directly or indirectly onto the City of Joondalup.

Examples of such groups include, but are not limited to:

- Friends' groups who care for a small area of bushland
- young people undertaking special interest activities who may be ineligible to access community facilities or become incorporated without a sponsoring adult
- rate payers associations

- residents seeking to run a one off community event
- groups providing support to assist frail people in their homes.

It is requested that a report be prepared on the viability of providing additional support to micro-community groups undertaking worthwhile activities that are aligned with the City of Joondalup strategic objectives. It is envisaged the report would also undertake to define “micro-community group” and “worthwhile activity.”

The additional resources provided by the City of Joondalup would seek to:

- act as an incubator for newly formed community groups to access funding, resources and in-kind support from the City of Joondalup and other bodies during the start up phase
- train office bearers in the roles, responsibilities and sound governance of managing a community group
- support the longer term sustainability of micro-community groups who provide worthwhile services but aren't seeking to grow in members, size or the range of services provided
- assist with securing resources or grants
- matching the micro-community group with larger entities, to provide mentoring, shared services, sponsorship for grant applications and other in-kind support
- other activities to encourage the long term sustainability of the micro-community group.

Micro-community groups provide very valuable services to the residents of the City of Joondalup and create value beyond the specific activities they undertake. Encouraging the long term sustainability of the micro-community groups will provide many flow-on economic and social benefits to the City of Joondalup as a whole.

Officer's Recommendation

A report can be prepared.

MOVED Cr Dwyer, SECONDED Cr Fishwick that Council REQUESTS the Chief Executive Officer to prepare a report on the benefits, viability and costs associated with providing additional City of Joondalup resources to support micro-community groups, incorporated or otherwise, that provide services to the community that are aligned with the strategic objectives of the City of Joondalup.

The Motion was Put and

CARRIED (11/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 9.09pm the following Elected Members being present at that time:

MAYOR TROY PICKARD
CR KERRY HOLLYWOOD
CR TOM MCLEAN, JP
CR NIGE JONES
CR LIAM GOBBERT
CR RUSSELL POLIWKA
CR MIKE NORMAN
CR JOHN CHESTER
CR JOHN LOGAN
CR RUSS FISHWICK, JP
CR SOPHIE DWYER