

minutes

MEETING HELD ON **TUESDAY 28 JUNE 2016**

www.joondalup.wa.gov.au

This document is available in alternate formats upon request

TABLE OF CONTENTS

ITEM NO.	TITLE	PAGE NO.
	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	1
	DECLARATIONS OF INTEREST	3
	PUBLIC QUESTION TIME	4
	PUBLIC STATEMENT TIME	7
	APOLOGIES AND LEAVE OF ABSENCE	9
C26-06/16	REQUESTS FOR LEAVE OF ABSENCE – CRS NIGE JONES, SOPHIE DWYER AND LIAM GOBBERT - [104767]	9
	CONFIRMATION OF MINUTES	9
C27-06/16	MINUTES OF COUNCIL MEETING HELD 17 MAY 2016	9
	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	10
	IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	10
	PETITIONS	10
	REPORTS	10
C28-06/16	CONSIDERATION OF CHANGE TO ORDER OF BUSINESS – [08122, 02154]	10
CJ079-06/16	PROPOSAL FOR LEVYING DIFFERENTIAL RATES FOR THE 2016-17 FINANCIAL YEAR – [105684]	11
CJ097-06/16	SORRENTO BEACH INFRASTRUCTURE OPTIONS – [105359]	16/153
C29-06/16	RESUMPTION OF ORDER OF BUSINESS – [08122, 02154]	24
CJ080-06/16	DRAFT 2016-17 BUDGET – [105684]	25
CJ081-06/16	DEVELOPMENT AND SUBDIVISION APPLICATIONS – APRIL 2016 – [07032]	58

ITEM NO.	TITLE	PAGE NO.
CJ082-06/16	DUNCRAIG EDIBLE GARDEN - PILOT PROJECT EVALUATION AND RECOMMENDATIONS – [105189, 05066]	62
CJ083-06/16	PROPOSED CHILD CARE CENTRE DEVELOPMENT AT LOT 70 (2) RENOUE STREET AND LOT 71 (10) WARBURTON AVENUE, PADBURY – [27399]	74/154
CJ084-06/16	DEVELOPMENT OF A GREYWATER RE-USE REBATE PROGRAM FOR THE CITY OF JOONDALUP – [76584]	75
CJ085-06/16	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2016 ANNUAL GENERAL MEETING – [00033]	84
CJ086-06/16	MINUTES OF EXTERNAL COMMITTEES – [41196]	87
CJ087-06/16	EXECUTION OF DOCUMENTS – [15876]	91
CJ088-06/16	CITY OF JOONDALUP SUBMISSION – DRAFT PERTH AND PEEL GREEN GROWTH PLAN FOR 3.5 MILLION – [105752]	94
CJ089-06/16	STATUS OF PETITIONS – [05386]	103
CJ090-06/16	PROPOSED ANIMALS AMENDMENT LOCAL LAW 2016 – REQUEST TO ADVERTISE – [21067]	106
CJ091-06/16	2016 ANNUAL REVIEW OF DELEGATIONS – [07032]	111
CJ092-06/16	LIST OF PAYMENTS MADE DURING THE MONTH OF APRIL 2016 – [09882]	116
CJ093-06/16	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 APRIL 2016 – [07882]	119
CJ094-06/16	EXPRESSION OF INTEREST 005/16 – CITY OF JOONDALUP FARMERS' MARKET, CENTRAL WALK, JOONDALUP – [105641]	122
CJ095-06/16	PROPOSED STAIRWAY AT WHITFORDS NODES PARK, HILLARYS – [02656]	131
CJ096-06/16	PROVISION OF MEDIAN AND VERGE MOWING REVIEW – [101515]	143
CJ097-06/16	SORRENTO BEACH INFRASTRUCTURE OPTIONS – [105359]	153/16
CJ083-06/16	PROPOSED CHILD CARE CENTRE DEVELOPMENT AT LOT 70 (2) RENOUE STREET AND LOT 71 (10) WARBURTON AVENUE, PADBURY – [27399]	154/74

ITEM NO.	TITLE	PAGE NO.
C30-06/16	COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION - [02154, 08122]	173
	REPORTS – POLICY COMMITTEE – 7 JUNE 2016	174
CJ098-06/16	DRAFT TELECOMMUNICATIONS INFRASTRUCTURE LOCAL PLANNING POLICY - CONSIDERATION FOLLOWING ADVERTISING – [101289]	174
CJ099-06/16	WASTE MANAGEMENT POLICY – REVOCATION – [16285]	180
CJ100-06/16	VISUAL ARTS COMMISSIONING PROGRAM EVALUATION – [103931]	184
CJ101-06/16	REVIEW OF MEMORIALS IN PUBLIC RESERVES POLICY – [103963, 100385]	192
	REPORTS – FINANCE COMMITTEE – 8 JUNE 2016	200
CJ102-06/16	STATUS REPORT ON CITY FREEHOLD PROPERTIES PROPOSED FOR DISPOSAL AND A PROPOSED CROWN LAND ACQUISITION – [63627]	200
CJ103-06/16	DRAFT 20 YEAR STRATEGIC FINANCIAL PLAN 2015-16 TO 2034-35 – [105350]	209
	REPORT – SPECIAL AUDIT COMMITTEE – 14 JUNE 2016	229
CJ104-06/16	QUOTATION 010/16 – PROVISION OF EXTERNAL AUDIT SERVICES – [105737]	229
	URGENT BUSINESS	236
	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	236
	ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING	236
	CLOSURE	236

CITY OF JOONDALUP

COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY 28 JUNE 2016.

ANNOUNCEMENT OF VISITORS

Former Councillor Recognition and Presentation

Before officially opening the Council Meeting, Mayor Pickard indicated he would like to welcome a special guest who is was in attendance this evening – former City of Joondalup Councillor Sam Thomas.

Mayor Pickard stated it was with great pleasure that the City formally recognised Sam's contribution. He served on Council between October 2011 and October 2015.

Mayor Pickard advised that Sam was a North-Central Ward Councillor between 2011 and 2015 and on behalf of the City, thanked Sam for his efforts and dedication during his time as an Elected Member.

Mayor Pickard believed the hard work and dedication of former Joondalup Councillors deserved to be recognised and appreciated as it can be a very difficult, challenging and time consuming role.

Mayor Pickard presented an engraved plaque from the City as a gift of appreciation to former Councillor Thomas.

Mayor Pickard stated he would like to place on the public record the City's appreciation to Sam for his service to the community, and extended the City's best wishes to him for his future pursuits.

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.02pm.

Mayor:

TROY PICKARD

Councillors:

CR KERRY HOLLYWOOD	North Ward	
CR TOM McLEAN, JP	North Ward – <i>Deputy Mayor</i>	
CR PHILIPPA TAYLOR	North-Central Ward	<i>Absent from 8.16pm to 8.19pm</i>
CR LIAM GOBBERT	Central Ward	
CR RUSSELL POLIWKA	Central Ward	
CR CHRISTINE HAMILTON-PRIME	South-West Ward	
CR MIKE NORMAN	South-West Ward	<i>Absent from 9.14pm to 9.15pm</i>
CR JOHN CHESTER	South-East Ward	
CR RUSS FISHWICK, JP	South Ward	
CR SOPHIE DWYER	South Ward	

Officers:

MR GARRY HUNT	Chief Executive Officer	<i>Absent from 8.22pm to 8.24pm</i>
MR MIKE TIDY	Director Corporate Services	
MR JAMIE PARRY	Director Governance and Strategy	
MS DALE PAGE	Director Planning and Community Development	
MR NICO CLAASSEN	Director Infrastructure Services	
MR BRAD SILLENCE	Manager Governance	
MR RONEY OOMMEN	Manager Financial Services	<i>to 8.23pm</i>
MR DANIEL DAVINI	Media Advisor	
MR JOHN BYRNE	Governance Coordinator	
MRS LESLEY TAYLOR	Governance Officer	
MRS ROSE GARLICK	Governance Officer	<i>Absent from 8.38pm to 8.40pm</i>

Observers:

MR BLIGNAULT OLIVIER	Manager City Projects	<i>to 8.23pm</i>
MR MARK McCRORY	Manager Marketing and Communications	<i>to 8.23pm</i>
MR MIKE SMITH	Manager Leisure and Cultural Services	<i>from 7.13pm to 8.23pm</i>
MS RUTH MARCH	Manager Infrastructure Services	<i>to 8.23pm</i>
MR GLENN HEAPERMAN	Manager Human Resource Services	<i>to 8.23pm</i>
MR DAVID MURNAIN	Manager Information Technology	<i>to 8.23pm</i>
MS GLENDA BLAKE	Manager Strategic and Organisational Development	<i>to 8.23pm</i>
MR MICHAEL HAMLING	Manager Operation Services	<i>to 9.12pm</i>
MR PETER McGUCKIN	Acting Manager Executive and Risk Services	<i>to 8.25pm</i>
MRS JULIE FORRESTER	Acting Manager Community Development and Library Services	<i>to 8.23pm</i>
MRS SHEREE EDMONDSON	Acting Manager Asset Management	<i>to 8.23pm</i>
MS JODIE DUTTON	Business Performance Analyst	<i>to 8.59pm</i>
MS TANIA POLLITT	Executive Assistant to CEO	<i>to 8.45pm</i>
MRS KAREN THOMPSON	Executive Officer	<i>to 8.25pm</i>
MR ROB DICKASON	Community Development Project Officer	<i>to 8.23pm</i>

There were 43 members of the public and one member of the press in attendance.

DECLARATIONS OF INTEREST

Disclosure of Financial Interest

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

Name/Position	Cr Mike Norman.
Item No./Subject	CJ098-06/16 – Draft <i>Telecommunications Infrastructure Local Planning Policy</i> – Consideration following Advertising.
Nature of interest	Financial Interest.
Extent of Interest	Cr Norman holds shares in Telstra above the threshold.

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 Sophie Dwyer.
Item No./Subject	CJ082-06/16 – Duncraig Edible Garden – Pilot Project Evaluation and Recommendations.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Dwyer is a former member of the Duncraig Edible Garden.

Name/Position	Cr John Chester.
Item No./Subject	CJ082-06/16 - Duncraig Edible Garden - Pilot Project Evaluation and Recommendations.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Members of the Duncraig edible Garden Committee are known to Cr Chester.

Name/Position	Cr Mike Norman.
Item No./Subject	CJ088-06/16 – City of Joondalup Submission – Draft Perth and Peel Green Growth Plan for 3.5 Million.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Norman is chairman of the Joondalup Community Coast Care Forum Inc.

Name/Position	Cr Michael Norman.
Item No./Subject	CJ095-06/16 - Proposed Stairway at Whitfords Nodes Park, Hillarys.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Norman is coordinator of Friends of Sorrento Beach and Marmion Foreshore that supports the project.

PUBLIC QUESTION TIME

The following questions were taken on notice at the Council meeting held on 17 May 2016:

Mrs M Macdonald, Mullaloo:

Re: Freedom of Information Act.

Q1 *Given that the City deals with all freedom of information applications by assessing them against the principles, parameters and guidelines as stipulated under the Freedom of Information Act 1992 and that the Act leaves the agency to determine who shall be charged and who shall not be charged, how does the City determine who will be charged in the absence of a policy?*

A1 All applications are assessed on a case by case basis in view of the complexity of each application.

Q2 *Given that the Act states that people who are impecunious should have charges waived or reduced, does the City ask people whether they have the ability to pay for documents received under the Act when determining whether they should be charged?*

A2 The payment of fees and charges are discussed with an applicant where relevant which may include a reduction of scope to reduce fees and charges.

Q3 *How many people were asked to pay for access to documents under the Act in calendar year 2015?*

A3 One applicant was requested to pay a fee, in addition to the statutory lodgement fee, before considering the application further due to the size of the application.

Re: Ocean Reef Marina.

Q4 *Given that the City has spent approximately \$4 million of ratepayers and taxpayers funds on the Ocean Reef Marina development process and many thousands of pages of reports have been produced on which Councillors have based their decisions, is it ethical for the City to deny ratepayers access to these documents?*

A4 Any inspection of information by the public is in accordance with the *Local Government Act 1995* or any direction from Council.

Q5 *Given that the City has submitted a financial viability study to the state government, when will ratepayers be given access to this report which is not listed on the website as a document to which access will be given?*

A5 The City has provided some financial information on the Ocean Reef Marina to the State Government through LandCorp. Any determination to provide public access to this information will be made by Council.

The following questions were submitted prior to the Council meeting held on 28 June 2016:

Mr J and Mrs S Kenton, Padbury:

Re: Liquor License – Joondalup United Football Club.

Q1 By what process does the City of Joondalup make and authorise decisions to support or reject applications for liquor licensing on local park premises within the City, and does this process include ensuring consultation with or notification of, relevant parties taking place?

A1 The City does not support or reject liquor license applications, that decision is made solely by the Director of Liquor Licensing. The City provides a “letter of authority” for applications that specifies the “tenure” of the user group and can either “object” or “not object” to the application. The City assesses each application based on the user groups’ previous bookings and any complaints received. Club Restricted Licenses also require the City to certify Section 39 (compliance with *Health Act 1911*) and Section 40 (compliance with planning/development approval) requirements.

Q2 Is the Council aware that the application for a liquor license (A000193622) by the Joondalup United Football Club, and which was granted on 26 May 2016, did not meet the applicant’s advertising requirements?

A2 The City cannot provide comment on this as the *Liquor Control Act 1988* is enacted and enforced by the Department of Racing Gaming and Liquor.

However, as a result of the City making enquiries, the club has advised that they undertook formal notice including signage on the Forrest Park Community Sporting Facility, letter drop to 200m radius of Forrest Park, letter drop to nearby schools and places of worship as required by the Department of Racing Gaming and Liquor.

Q3 Does the City of Joondalup retain copies of liquor licensing applications for premises within the City?

A3 No. Applications for liquor licenses are made directly to the Department of Racing Gaming and Liquor.

Q4 Does the City of Joondalup receive and retain copies of the Director of Liquor Licensing decisions for premises within the City?

A4 No. The City is not a party to this decision. However it is a requirement of the hire of City facilities that users receive the appropriate liquor licenses as required.

Q5 Does the City of Joondalup consider they have any responsibility to residents in allowing sporting groups to use alcohol on the premises of local parks within the City?

A5 The Council has endorsed the *Alcohol Management Policy* to encourage the responsible availability and consumption of alcohol within the district, in partnership with other external agencies and organisations.

The following questions were submitted verbally at the Council meeting:**Mr C Unstead, Joondalup:**

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Q1 Who has asked for the exclusivity of the dog beach?

Q2 In what form do you require feedback from the public during the public consultation period for the closure of the Whitfords horse exercise area?

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

Ms S Bevan, Bullsbrook:

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Q1 What is the purpose of the public consultation period in regards to the Whitfords horse exercise area?

A1 Mayor Pickard advised that when making a local law, it is a legislative requirement that notification of this needs to be advertised.

Q2 Are there any circumstances under which the Council would not put forward the proposed amendment?

A2 Mayor Pickard advised that is a determination for the Council to make.

Ms K Beer, Bullsbrook:

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Q1 What are the dates for the public consultation period?

Q2 What is meant by the term ‘regional significance’ regarding the horse exercise area which is noted in the Agenda?

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

Mrs S Kenton, Padbury:

Re: Liquor License – Joondalup United Football Club.

Q1 Why does the City of Joondalup allow sporting club liquor license use for use at the City’s local park premises without ensuring that the local residents have an opportunity to consider the public interest?

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

- Q2 *In the light of a strong cultural link between sport and alcohol and the fact that these premises are in an open public space, could the City of Joondalup consider consulting with interested parties broadly, not just locally to develop a better policy to allow the community to have their say in what these premises are used for and what their children and juveniles are exposed to?*
- A2 Mayor Pickard advised that there is no intention to initiate such a process at this time. However, if there became a systemic problem in the City of Joondalup where clubs were abusing their liquor licenses and it was impacting adversely on the residential amenity of adjoining residential properties, then the initiative to engage the community can be considered.

PUBLIC STATEMENT TIME

The following statements were submitted verbally at the Council meeting:

Mrs K White, Hillarys:

Re: CJ095-06/16 Proposed Stairway at Whitfords Nodes Park, Hillarys.

Mrs White requested support on the item relating to the proposed stairway at Whitfords Nodes Park, Hillarys and commented on aspects of the staircase.

Mr D Avery, West Swan:

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Mr Avery spoke in relation to the Whitfords horse exercise area on behalf of Riding For The Disabled Association and expressed his enjoyment and the benefits of riding and walking with a horse on the Whitfords horse exercise area.

Mrs J McIlveen, Kingsley:

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Mrs McIlveen shared her love for the beach and the joy of seeing dogs and horses on the beach and requested that the dog beach and the horse exercise area continue at Whitfords beach.

Mrs P Dilks, Banksia Grove:

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Mrs Dilks requested the horse exercise area at Whitfords remain open and be extended to the original 500 metres.

Mrs S Bailey, Kallaroo:

Re: CJ082-06/16 Duncraig Edible Garden - Pilot Project Evaluation and Recommendations.

Mrs Bailey spoke in relation to the importance of developing and expanding the Duncraig edible garden.

Mrs K Moller, Greenwood:

Re: CJ082-06/16 Duncraig Edible Garden - Pilot Project Evaluation and Recommendations.

Mrs Moller spoke in relation to the Duncraig Edible Garden, justifying the need for the expansion of the edible garden.

Mrs K Jones, Kinross:

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Mrs Jones spoke in relation to the Whitfords horse exercise area requesting the area remain open and shared with dogs in order that she continues to have the opportunity to exercise her horse.

Mrs S Unstead, Joondalup:

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Mrs Unstead spoke in relation to the Whitfords horse exercise area stating that she has been using the beach for many years both with her dogs and horses. She advised that she had obtained 40 signatures to a petition to retain the horse exercise area from dog owners who were not opposed to the horses being there.

Mr C Unstead, Joondalup:

Re: CJ090-06/16 – Proposed Animals Amendment Local Law 2016 – Request to Advertise.

Mr Unstead spoke in relation to the Whitfords horse exercise area referring to a petition requesting an extension of the dog beach and not the closure of the horse beach. He stated it was not the intention of dog owners to be requesting an extension of the dog beach to the detriment of horse owners.

Mr Unstead also expressed concern that various concerns raised by the Committee on Save the Horse exercise area have not been answered sufficiently.

APOLOGIES AND LEAVE OF ABSENCE**Apology**

Cr Nige Jones.

Leave of Absence previously approved

Cr John Logan 27 June to 3 July 2016 inclusive.

C26-06/16 REQUESTS FOR LEAVE OF ABSENCE – CRS NIGE JONES, SOPHIE DWYER AND LIAM GOBBERT- [104767]

Cr Nige Jones requested Leave of Absence from Council duties covering the period 28 June to 10 July 2016 inclusive.

Cr Sophie Dwyer requested Leave of Absence from Council duties covering the period 8 July to 14 July 2016 inclusive; 11 September to 16 September 2016 inclusive and 6 November to 11 November 2016 inclusive.

Cr Liam Gobbert requested Leave of Absence from Council duties covering the period 29 August to 4 October 2016 inclusive.

MOVED Cr Gobbert, SECONDED Cr Poliwka that Council APPROVES the Requests for Leave of Absence from Council Duties covering the following dates:

- 1 Cr Nige Jones 28 June to 10 July 2016 inclusive;
- 2 Cr Sophie Dwyer 8 July to 14 July 2016 inclusive;
 Cr Sophie Dwyer 11 September to 16 September 2016 inclusive;
 Cr Sophie Dwyer 6 November to 11 November 2016 inclusive;
- 3 Cr Liam Gobbert 29 August to 4 October 2016 inclusive.

The Motion was Put and

CARRIED (11/0)

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

CONFIRMATION OF MINUTES**C27-06/16 MINUTES OF COUNCIL MEETING HELD 17 MAY 2016**

MOVED Cr Chester, SECONDED Cr Hollywood that the Minutes of the Council Meeting held on 17 May 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, Hamilton-Prime, Hollywood, McLean, Norman, Poliwka and Taylor.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Business Forum

Mayor Pickard advised that on Wednesday 29 June 2016 he looked forward to joining ECU Vice Chancellor Professor Steve Chapman to officially launch THE LINK website at a City of Joondalup Business Forum to be held at Joondalup Resort.

Mayor Pickard commented this was a project conceived 12 months ago. THE LINK is the result of a joint initiative between the City of Joondalup and Edith Cowan University which enables businesses and investors to access relevant information on how to take advantage of business opportunities in Joondalup and connect with global leading ECU research expertise.

Mayor Pickard believed THE LINK was a milestone project for WA and a benchmark for local government and university sector collaboration, and will be a launched in front of a record turnout for the City's Business Forums with over 220 attendees registered.

Mayor Pickard placed on the public record the City's and the Council's congratulations to Professor Chapman on recently being appointed Commander of the Order for the British Empire for his services to higher education.

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

Nil.

PETITIONS

Nil.

REPORTS

C28-06/16 **CONSIDERATION OF CHANGE TO ORDER OF BUSINESS – [08122, 02154]**

MOVED Cr Norman, **SECONDED** Cr Hamilton-Prime that Council, in accordance with clause 14.1 of the *City of Joondalup Meeting Procedures Local Law 2013*, **SUSPENDS** the operation of clause 4.3 – Order of the Business of the *City of Joondalup Meeting Procedures Local Law 2013*, to enable the consideration of Item CJ97-06/16 – Sorrento Beach Infrastructure Options to be discussed prior to CJ080-06/16 – Draft 2016-17 Budget.

The Motion was Put and

CARRIED (11/0)

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

CJ079-06/16 PROPOSAL FOR LEVYING DIFFERENTIAL RATES FOR THE 2016-17 FINANCIAL YEAR

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	105684, 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

To consider submissions in response to the City's advertised proposal for applying differential rates for the 2016-17 financial year.

EXECUTIVE SUMMARY

At its meeting held on 17 May 2016 (CJ077-05/16 refers) Council resolved to apply differential rates in the draft 2016-17 Budget, to advertise seeking public submissions in relation to the proposed differential rates and minimum payments and that a report be presented to Council to consider any submissions received before the adoption of the draft 2016-17 Budget.

The advertising period for submissions closed on Monday 13 June 2016. One submission was received.

It is recommended that Council APPLIES differential rates for rating in the 2016-17 financial year in accordance with Section 6.33 of the *Local Government Act 1995* and that the differential rates and minimum payments for the draft 2016-17 Budget be those as advertised.

BACKGROUND

At its meeting held on 17 May 2016 (CJ077-05/16 refers), Council considered a report that set out the object and reasons for the proposed differential rates for the 2016-17 financial year.

Differential rating was introduced in 2008-09. The 2016-17 differential rates propose an increase of 2.5% for residential, commercial and industrial improved and vacant land rates including the respective minimum payments.

DETAILS

In accordance with the provisions of Section 6.36 of the *Local Government Act 1995* (the Act) the City advertised its intention to apply differential rating in the 2016-17 financial year and the differential rates proposed.

The City placed advertisements in *The West Australian* on Saturday 21 May 2016 and in subsequent editions of the local newspapers on 24 and 26 May, 2 and 7 June 2016 as well as on the City's public notice boards and website.

The period of advertising was for a minimum 21 days during which the City invited submissions in relation to the proposed differential rates. The closing day for public submissions was Monday 13 June 2016. One submission was received.

The respondent owns two residential housing lots that back on to each other. One lot is the primary residence, has a house on it and is rated as improved. The other lot is used as an extension to the main property and is rated as vacant land.

The respondent's concern is in regard to the City's interpretation and use of Section 6.36 of the Act resulting in higher rates on vacant land and that this is disadvantaging rate owners.

Section 6.36 of the Act is the section relating to the requirement for the City to advertise and invite submissions in relation to its proposal to levy differential rates. It is more likely that the respondent's intended concern is Section 6.33 of the Act which gives the City the power to levy differential rates.

Section 6.33(1) sets out that the City may levy differential rates according to any or a combination of characteristics one of which is:

(c) *whether or not the land is vacant land; or*

Neither the Act nor the *Local Government (Financial Management) Regulations 1996* make any stipulations as to how a differential rate on vacant land should relate to other differential rates. The only other relevant provision is that if the highest differential rate is more than twice the lowest differential rate Ministerial approval is required. This is not the case with the differential rates proposed by Council for 2016-17.

The Council has proposed to set a differential rate for vacant residential land that is twice the differential rate for residential improved land. The report considered at its meeting held on 17 May 2016 (CJ077-05/16 refers) set out the object and reasons for the residential vacant differential rates as follows:

Residential Vacant – *the rate in the \$ of 0.106290 has been set to ensure that the proportion of total rate revenue derived from residential property remains consistent with previous years and is higher than residential improved property in an effort to promote development of this category of property thereby stimulating growth and development in the community.*

It is the City's view that the provisions of Sections 6.33 and 6.36 of the Act have been correctly interpreted. The application of a differential rate for residential vacant land that is twice the differential rate for residential improved land is within the provisions of Sections 6.33 and 6.36 of the Act. The City has clearly articulated the object and reasons for the differential on residential vacant land to meet its goal to promote development of vacant residential property thereby stimulating growth and development in the community.

Issues and options considered

The City is required under Section 6.36 of the Act to consider any submissions received in relation to the proposed differential rates.

Council has the option to:

- set alternative rates in the dollar after considering the submission
or
- resolve to set the rates in the dollar for the draft 2016-17 Budget as advertised.

Option 2 is recommended as it is the City's view that the provisions of Sections 6.33 and 6.36 of the Act have been correctly interpreted and the application of a differential rate for residential vacant land as proposed is within the provisions of Sections 6.33 and 6.36 of the Act.

Legislation / Strategic Community Plan / policy implications

Legislation

Section 6.33 of the *Local Government Act 1995* sets out the provisions in relation to differential rating and enables the City to apply separate rates in the dollar for different categories of property based on zoning, land use, whether they are improved or unimproved or any other characteristic or combination of characteristics prescribed.

Section 6.36 of the *Local Government Act 1995* requires that if the City intends to apply differential rating it must give local public notice of its intention to do so and invite submissions in relation to the proposed differential rates and minimum payments, within 21 days of the date of the notice. Before making a final resolution in relation to the setting of the rates in the dollar and the adoption of the budget the Council is required to consider any submissions received.

Strategic Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

There are no risk management issues for applying a differential rate provided the statutory provisions are complied with.

Financial / budget implications

The application of differential rating is apportioning the total rate revenue between different categories of property. There are no net budget implications from applying differential rating. The City could derive exactly the same total revenue by applying a general rate to all categories of property. If a general rate were applied residential rates would increase and commercial and industrial rates would decrease.

Regional significance

Not applicable.

Sustainability implications

Applying differential rating is important to ensure an equitable distribution of rates across all sectors of the community. Having a reasonable rate increase is considered prudent and in the best interests of the long term financial sustainability of the City of Joondalup.

Consultation

The proposed differential rates have been advertised and submissions invited in accordance with the requirements of Section 6.36 of the Act. The City placed advertisements in *The West Australian* on Saturday 21 May 2016 and in subsequent editions of the local newspapers on 24 and 26 May, 2 and 7 June 2016 as well as on the City's public notice boards and website. One submission was received.

COMMENT

The proposal to apply differential rates has been considered by Council (CJ077-05/16 refers) which resolved to advertise and invite submissions on the proposal from the public. One submission was received. The issues raised in that submission are not considered to warrant changing the proposed differential rates. It is recommended that the differential rates and minimum payments advertised be applied in the draft 2016-17 Budget.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Chester, SECONDED Cr Poliwka that Council APPLIES differential rates for rating in the 2016-17 financial year in accordance with Section 6.33 of the *Local Government Act 1995* and that the differential rates and minimum payments for the draft 2016-17 Budget be as follows:

	Cents in the Dollar	Minimum Payment
General Rate - GRV		\$
Residential Improved	5.3145	849
Residential Vacant	10.6290	868
Commercial Improved	6.5029	868
Commercial Vacant	10.6290	868
Industrial Improved	5.9486	868
Industrial Vacant	10.6290	868
General Rate - UV		
Residential	0.9668	849
Rural	0.9621	849

The Motion was Put and

CARRIED (10/1)

In favour of the Motion: Mayor Pickard, Crs Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Poliwka and Taylor.

Against the Motion: Cr Chester.

CJ097-06/16 SORRENTO BEACH INFRASTRUCTURE OPTIONS

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	105359, 101515
ATTACHMENT	Attachment 1 Sorrento Beach Park - existing park infrastructure Attachment 2 Sorrento Beach Park - potential park infrastructure upgrades
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 existing and future opportunities for the development of infrastructure at and around Sorrento Beach.

EXECUTIVE SUMMARY

In July 2015, the State Government offered the City a grant of \$200,000 for the installation of a beach enclosure at Sorrento Beach as part of its Shark Mitigation Strategy. The State Government has acknowledged that the engineering challenges and regional aspects of the enclosure warrant the State Government considering a contribution above the original allocation of \$200,000.

At its meeting held on 15 December 2015 (CJ229-12/15 refers), Council considered the progression of negotiations with the State Government for the provision of a one off grant for the construction of a beach enclosure at Sorrento Beach and resolved, in part that it:

“4 REQUESTS the Chief Executive Officer to submit a further report on the upgrade requirements for parking and traffic treatments and park facilities;”

This report considers the existing and potential opportunities for the upgrade of traffic, parking and park facilities at and around Sorrento Beach.

It is therefore recommended that Council:

- 1 NOTES the options for potential improvements to local infrastructure at and around Sorrento Beach as detailed in Attachment 2 to Report CJ097-06/16;*
- 2 ENDORSES option three to monitor and review the need for infrastructure upgrades at and around Sorrento Beach following the installation of a beach enclosure.*

BACKGROUND

In July 2015, the State Government committed \$200,000 to build a beach enclosure at Sorrento Beach. The project was initiated by the State Government as part of their Shark Hazard Mitigation Strategy to provide safer swimming options for residents and visitors to the Western Australian coastline, with the Sorrento and Albany locations selected as the best locations for a beach enclosure.

At its meeting held on 15 December 2015 (CJ229-12/15 refers), Council considered the progression of negotiations with the State Government for the provision of a one off grant for the construction of a beach enclosure at Sorrento Beach. The State Government agreed to review the one off grant allocation for the initial installation of the proposed Sorrento Beach enclosure. The State Government has indicated that the grant is available only for the capital cost of installing the beach enclosure and that future maintenance costs and any associated infrastructure upgrades would remain the responsibility of the City.

At its special meeting held on 3 May 2016 (JSC01-05/16 refers), Council resolved, in part that it:

“2 ACCEPTS the tender submitted by Eco Shark Barrier Pty Ltd for the supply, installation and maintenance of Sorrento Beach enclosure (enclosure Option 3) as specified in Tender 008/16 for the fixed lump sum of \$910,000 (GST exclusive) subject to:

- 2.1 the City obtaining a grant of \$400,000 from the State Government for the capital costs;
- 2.2 the City obtaining any necessary statutory approvals.”

In May 2016, the State Government committed a further \$200,000 in acknowledgement that the site posed unique challenges with deep water at Sorrento Beach and the need to anchor the enclosure to the south wall at Hillarys Boat Harbour. Detailed design and approvals are currently being progressed with installation scheduled to be completed prior to December 2016.

The proposed beach enclosure is likely to increase visitor numbers to Sorrento Beach. This increased activity may have a beneficial effect on local business, but will likely increase demand for services including parking, park infrastructure and could potentially worsen local traffic issues in the area. This report considers the existing and potential opportunities for the upgrade of traffic, parking and park facilities at and around Sorrento Beach.

DETAILS

The area at and around Sorrento Beach is reasonably well developed with minimal free or unused space available to accommodate new or upgraded infrastructure. The opportunity to make improvements is therefore generally restricted to isolated, smaller areas with modest improvement potential.

The existing infrastructure consists of two drinking fountains, four BBQ's, six showers, four shelters and 305 parking bays (Attachment 1 refers). At a conceptual level (Attachment 2 refers), the improvements that can readily be made to the existing local infrastructure include the following:

- An additional drinking fountain.
- One new shower and upgrades to two existing showers.
- Five additional shelters.
- One new BBQ.
- Planting of approximately 50 trees.
- Up to 123 additional parking bays.
- The potential relocation of the toilet block.

Parking Bays

There are 94 existing parking bays north of the Sorrento Surf Life Saving Club. Ingress and egress from this parking area is compromised by poor internal circulation. Parking can potentially be rationalised by changing access into the parking area to in only and exit only lanes and modifying the existing traffic islands, connecting footpaths and turning pockets. This would enable the provision of 21 additional parking bays within the car park and 27 additional parking bays on West Coast Drive. These improvements would also improve the pedestrian movements by relocating the vehicle access points and creating one way traffic flow.

On the east side of West Coast Drive, the parking area provides 26 convenient parking bays opposite Sorrento Beach with a protected one way circulation for easy entry and exit and space for pedestrians. Modification of the area via the addition of parallel parking bays could be accommodated, leaving approximately 1.5 metre verge width for pedestrians. While slightly less convenient for pedestrians and vehicle manoeuvring, the modifications could provide 17 additional parking bays.

Within the Sorrento Surf Club Car Park there are currently 123 car bays in the existing car park. Some minor works within the car park can provide approximately 10 additional parking bays.

The existing parking area at the Sorrento Community Hall has 43 parking bays. An additional 39 bays could potentially be added by extending the existing car park to the north. With suitable landscaping of the car park, any negative visual impact on the area could be minimised. However, there are currently significant issues identified due to conflict originating from parking demands for beach users, local businesses and hall users.

Currently the only parking available for Geneff Park is within the Sorrento Community Hall car park. Future development of some parallel parking directly adjacent to the park could be considered and has the potential to add around 36 bays. These bays however, are the furthest from Sorrento Beach and would have a greater impact on the visual amenity of the park compared to the option to expand the Sorrento Community Hall car park.

Indicative costs for additional parking bays are provided in the table below:

Parking Bay Location	Approximate number of additional bays	Approximate cost per bay	Indicative cost
North of Sorrento Surf Life Saving Club	48	\$7,000	\$336,000
East side West Coast Drive	17	\$3,500	\$60,000
Sorrento Surf Club Car Park	10	\$3,500	\$35,000
Sorrento Community Hall	39	\$5,000	\$195,000
Geneff Park	36	\$5,000	\$180,000
Overall cost	150		\$806,000

The design phase of any change to existing carparks in the vicinity, is expected to take a minimum of six months due to the required detailed design assessment into changes to the road layout including turning pockets in and out of the car parks and the integration of associated transport and park infrastructure. Works should be scheduled to avoid peak usage periods being the hotter months between October to April. Construction timeframes are difficult to anticipate at this stage and is reliant on the detailed design adopted by Council.

Park Infrastructure Upgrades

Due to the topography of the site and the lack of trees, the northern parkland area is exposed and lacks wind protection and shade. Five additional shelters with seating and one barbecue can be installed in areas with the best wind protection along the existing dune interface path to improve park amenity.

The current lack of shade limits the passive recreation and picnic opportunities in the existing turf areas. Introducing new tree plantings throughout the northern parkland turf areas and car parks where appropriate will increase shade and act as windbreaks to improve conditions for park users.

Two of the existing beach showers are of an older style and require upgrading. An additional shower facility could be installed near the interface with Hillarys Boat Harbour for use by patrons exiting to the Hillarys car park to the north. The spacing of the showers along the foreshore would be consistent and provide a high level of service.

An additional drinking fountain may be located at the northern entry to the parkland area along the West Coast Highway shared path to cater for passing cyclists and pedestrians. Three drinking fountains in total will then be located at north, south and central points along the West Coast Highway frontage catering for all park areas.

Due to the close proximity (100 metres) of the existing toilet blocks, the existing standalone building may be removed and new facilities provided further north to service the northern parkland area and improve user amenity. The existing toilet block in the surf club building is to remain.

Indicative costs for additional park infrastructure are provided in the table below:

Park Infrastructure	Approximate number of additional units	Approximate cost per unit	Indicative cost
Shelters	5	\$44,000	\$220,000
BBQ	1	\$10,000	\$10,000
Trees	50	\$400	\$20,000
Showers	1 new plus upgrades		\$30,000
Drinking fountain	1	\$10,000	\$10,000
Toilets	1	\$600,000	\$600,000
Overall cost			\$890,000

Opportunities and constraints

In late 2014, the City received a draft structure plan for the redevelopment of the Sorrento local centre. The structure plan is currently being modified to include a revised traffic report prior to being advertised.

In reviewing the individual improvements that can be made as detailed in Attachment 2 it became evident that there is an opportunity such as parks, roads, parking and private developments from the Plaza through to Hillarys Boat Harbour.

Key opportunities and constraints identified include:

- pedestrian linkages
- parks amenity
- proposed beach enclosure
- enhanced beach entries
- improved car parking
- enhanced public facilities
- improved pedestrian and cycling facilities
- potential to increase public open space
- improved pedestrian connections between beach, car park and surf club
- strengthened pedestrian connectivity to the Plaza development and Geneff Park.

Issues and options considered

Option One – Do nothing

No changes made to existing infrastructure or planning for new infrastructure. This is the least preferred option as there is a strong likelihood of increased patronage and consequently an increase in demand for upgraded infrastructure at and around Sorrento Beach.

Option Two – Progress infrastructure upgrades concurrently with the construction of the beach enclosure

Undertake the upgrading of all parks and parking infrastructure at the same time as the construction of the beach enclosure. Although this option acknowledges the potential increase in demand for infrastructure at and around Sorrento Beach it does not allow time to accurately project the future requirements and design the proposed works.

Option Three – Monitor and review the need for upgrades and construct when required

The key unknown at this stage is the increase in patronage numbers and therefore the potential increase in demand on park infrastructure and parking. Option three will provide an opportunity for the City to monitor and review demand on existing infrastructure and plan appropriately. It is recommended that upgrades be implemented after the beach enclosure is constructed to allow time to develop overall upgrade options and to determine actual increases in patronage and local trends. It would further allow the City to apply funding in the most efficient manner. This is the recommended option.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme The Natural Environment.

Objective Accessible environments.

Strategic initiative Build an effective interface between humans and the natural environment.

Policy Not applicable.

Risk management considerations

The continual growth of the northern corridor and broader population increases in Perth are expected to result in continued growth in the popularity of beaches and facilities such as those found at Sorrento. With the proposed installation of a beach enclosure at Sorrento Beach it is likely to further increase the number of visitors to the area and accelerate public demand for infrastructure upgrades. Failure to consider the needs of the area and planning for change risks falling behind in developing and maintaining appropriate levels of service from a traffic, parking and overall amenity perspective.

Financial / budget implications

While all opportunities are currently considered to be conceptual and provide an overview of the likely outcomes possible, the delivery of projects would need to undergo detailed design and approval prior to implementation. There is currently no provision for these projects in the *Five Year Capital Works Program* and funding sources, should the works be desired, would need to be identified.

Regional significance

The proposed beach enclosure is expected to draw additional visitors to the area and increase demand for public facilities. The development of the area in the longer term will become increasingly important.

Sustainability implications

Environmental

An enclosure at Sorrento Beach would attract more visitors to Sorrento, with subsequent impact on traffic numbers, pedestrians and demand for additional facilities. In order to minimise any environmental impact, the addition of facilities would need to be considered where there is opportunity to install new or additional facilities within the existing developed footprint of the area.

Social

An enclosure at Sorrento Beach would provide a community facility that enhances swimming and recreational activities which otherwise may be out of reach for some members of the public that have a fear of shark encounter. The social impact on the area is likely to include an increased patronage, increased traffic, parking, pedestrian and cyclists with increased congestion and demand for facilities.

Economic

The proposed enclosure will improve the amenity of the City's foreshore and is anticipated to attract more visitors to Sorrento Beach. The level to which the improvements will increase economic activity and subsequent benefits to the City is difficult to measure and has not been assessed. It is expected to have a positive impact on the local economy via improved potential for cafes and the like.

Consultation

To date, the City has undertaken consultation with stakeholders with respect to the beach enclosure only. The level of impact on the surrounding facilities has not been considered or discussed with stakeholders.

COMMENT

The proposed beach enclosure is expected to trigger an increase in visitors and overall demand for parking and park facilities. The manner in which the area is developed is important to consider, bearing in mind that recent development of parking at Marmion, the potential development of the Sorrento Local Centre and proposed enclosure focus attention on this foreshore precinct.

While a number of projects have been identified, they are generally small in nature and individually can deliver minor incremental improvements. As a whole, the cumulative effect of the identified projects is considered beneficial, however, given the current and proposed projects along this section of coastline, a broader review of the area is considered to have merit.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the options for potential improvements to local infrastructure at and around Sorrento Beach as detailed in Attachments 2 to Report CJ097-06/16;
- 2 ENDORSES Option Three to monitor and review the need for infrastructure upgrades at and around Sorrento Beach following the installation of a beach enclosure.

MOVED Mayor Pickard, SECONDED Cr Hamilton-Prime that Council:

- 1 NOTES the options for potential improvements to local infrastructure at and around Sorrento Beach as detailed in Attachment 2 to Report CJ097-06/16;**
- 2 ENDORSES Option 2 to progress infrastructure upgrades concurrently with the construction of the beach enclosure;**
- 3 LISTS FOR CONSIDERATION in the 2016-17 budget an amount of \$431,000 for the construction of additional parking bays at the following locations:**
 - 3.1 north of the Sorrento Surf Lifesaving Club;**
 - 3.2 east side of West Coast Drive;**
 - 3.3 Sorrento Surf Club car park;**
- 4 REQUESTS the Chief Executive Officer to develop a traffic management plan to address any potential increase in traffic and parking demand at and around Sorrento Beach as a result of the construction of the beach enclosure.**

The Motion was Put and**CARRIED (8/3)**

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood and Norman.

Against the Motion: Crs McLean, Poliwka and Taylor.

Reason required for departure from Officer's recommendation

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 to address existing parking challenges at Sorrento Beach and the anticipated extensive use of the beach enclosure.

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf160614.pdf](#)

C29-06/16

RESUMPTION OF ORDER OF BUSINESS – [08122, 02154]

MOVED Cr Fishwick, **SECONDED** Cr Hamilton-Prime that Council **RESUMES** the operation of clause 4.3 of the *City of Joondalup Meeting Procedures Local Law 2013 – Order of Business*.

The Motion was Put and

CARRIED (11/0)

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

CJ080-06/16 DRAFT 2016-17 BUDGET

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	105684, 101515
ATTACHMENT	Attachment 1 City of Joondalup draft 2016-17 Budget Executive Report Attachment 1a Statement of Comprehensive Income by Nature or Type – (grey) Attachment 1b Statement of Comprehensive Income by Program – (grey) Attachment 2 Statement of Cash Flows – (grey) Attachment 3 Rate Setting Statement – (grey) Attachment 4 Rating Information Statement – (grey) Attachment 5 Notes to and forming Part of the Budget – (blue) Attachment 6 Capital Expenditure – (yellow) Attachment 7 Vehicle and Plant Replacement Program – (pink) Attachment 8 Schedule of Fees and Charges – (white) Attachment 9 Business Unit Services Matrix – (white)
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 draft 2016-17 Budget.

EXECUTIVE SUMMARY

The process of preparing the 2016-17 Budget commenced in late 2015. It has encompassed detailed budget analysis and preparation, executive review and Elected Member workshops.

The draft 2016-17 Budget has been developed within a strategic financial planning framework after due consideration of Council priorities and the resource allocation requirements of these priorities.

The process for the development of the draft 2016-17 Budget has incorporated alignment with both the *20 Year Strategic Financial Plan* to ensure it is achievable and sustainable and the City's *Strategic Community Plan, Joondalup 2022*, to ensure the City is delivering on the vision of "A global City: bold, creative and prosperous".

It is recommended that Council, BY AN ABSOLUTE MAJORITY ADOPTS the annual budget for the City of Joondalup for the year ending 30 June 2017, incorporating the following:

- 1 Budget Statements.
- 2 Rates.
- 3 Emergency Services Levy.
- 4 Domestic Refuse Charges.
- 5 Private Swimming Pool Inspection Fees.
- 6 Early Payment Incentives.
- 7 Payment Options.
- 8 Late Payment Interest.
- 9 Emergency Services Levy Interest Charge.
- 10 Instalment and Payment Arrangement Administration Fees and Interest Charges.
- 11 Capital Works Program.
- 12 Transfers from Reserves.
- 13 Transfers to Reserves.
- 14 Fees and Charges.
- 15 Loan Borrowings.
- 16 Material Variances for Reporting Purposes.
- 17 Acknowledgement of WA Local Government Association.

BACKGROUND

The 2016-17 budget process has been in progress since late 2015. The contents of the budget have been refined over this period after presentations, analysis and review by the Chief Executive Officer, executive and senior staff, followed by extensive workshops and consultation with Elected Members.

The draft 2016-17 Budget has been guided by a long term financial planning framework aimed at securing the financial sustainability of the City. This requires continuing commitment and the draft 2016-17 Budget represents another step in that commitment.

DETAILS

Development of the draft 2016-17 Budget

The overall rate increase for 2016-17, is 2.5%. This will generate general rate revenue of \$94.8 million excluding Specified Area Rates. This represents the City's largest single source of funds and is essential for the City to deliver services and undertake planned works and projects.

The development of the 2016-17 Budget has been guided by the City's *20 Year Strategic Financial Plan* to ensure that the Budget is achievable and sustainable with challenging targets to limit operational expenditure growth. Despite these constraints most of the key projects from the plan have been able to be included as well as some additions such as the Sorrento Beach Enclosure. The City's *Strategic Community Plan, Joondalup 2022*, has been reviewed to ensure the City's 2016-17 Budget continues to deliver the vision of "A global City: bold, creative and prosperous".

The budget process has been conducted over many months and has involved extensive analytical and review stages as summarised below:

- assessment of financial capacity, sustainability, assets and reserves
- set budget parameters
- submission of operating and capital proposals
- initial assessment of proposals
 - operations
 - capital
 - community need
 - plans and strategies
 - implementation of new efficiencies
 - reference and alignment to the *Strategic Community Plan*
- on-going review of service delivery and confirmation of service standards
- critical analysis of 2014-15 and progress in 2015-16 Annual Plan performance
- review proposals for capacity
 - rating and revenue
 - resources to implement and deploy
- determine potential reductions
- executive analysis
- Strategic Financial Plan alignment and review
- Elected Member workshops (five during February, March, April and May 2016).

The integrated planning framework is depicted in the following diagram:



Operating Budget

The City of Joondalup's 2016-17 Budget continues to be influenced by the prevailing economic environment with growth and inflation at very low levels and record low interest rates. Opportunities for funding from Federal and State programs remain constrained and have had an impact on City services such as Financial Counselling. The City continues to maximise those grant opportunities when they present.

Challenges the City has had to address in framing the draft 2016-17 Budget include:

- the economic outlook remains very uncertain:
 - State Government has just had a Standard and Poor's downgrade which is an indicator of continuing economic risk and will impact the State's borrowing costs and possibly local governments
 - obtaining grant funding remains challenging
 - cost shifting continues
 - rate capping of Pensioner rebates at \$750
 - major projects still progressing including Ocean Reef Marina, Joondalup Performing Arts and Cultural Facility, Edgewater Quarry, Office Development
- community expectations on the City's capacity to continuously provide or contribute significantly to sporting and community infrastructure.

The City has reviewed all of its fees and charges to ensure they reflect legislative requirements, current policies and are set at appropriate levels for the services provided. The City is mindful of the impacts of fee increases on the community and in most cases the increases are modest. Parking fees are proposed to be increased for 2016-17 by 10c per hour.

The operating budget provides the resources required to enable the City to provide for the services, facilities and works that the community have identified in Joondalup 2022 and are reflected in the *20 Year Strategic Financial Plan*, the *Five Year Capital Works Program* and other City supporting plans. There is no surplus capacity to undertake or implement unbudgeted or unplanned works or services during 2016-17.

Expenditure Program

The 2016-17 expenditure program includes a number of significant projects and programs including:

- \$11.3 million to advance the Joondalup Performing Arts and Cultural Facility
- \$5.6 million to continue the new Warwick Hockey Centre development at Warwick Open Space including a synthetic surface pitch (this is a \$6.5 million project over three years)
- \$910,000 to construct a swimming enclosure at Sorrento Beach (the City's contribution is \$510,000)
- \$1.5 million for new basketball facilities at Arena Joondalup (total commitment \$4 million over three years)
- \$1.9 million to advance the Ocean Reef Marina, Joondalup CBD Development and other significant projects
- \$1.5 million to undertake streetscape and landscaping works on arterial and major roads and to initiate the Leafy City Program
- \$24 million for various road construction, drainage, streetlight works and other infrastructure including:
 - blackspot projects at Hepburn Avenue, Whitfords Avenue and Erindale Road
 - dualling of Ocean Reef Road from Marmion Avenue to Swanson Way
 - Ocean Reef Road and Joondalup Drive intersection upgrade
 - Joondalup City Centre and park lighting
 - road preservation and resurfacing, local traffic treatments and blackspot projects, stormwater drainage, and other infrastructure
 - new footpaths, shared use paths, bicycle parking facilities and slab path replacements
 - parking facilities

- \$5.1 million in other building works and community facility upgrades
- \$3.3 million for parks equipment, playground equipment, shelters, barbecues and parks irrigation refurbishments in accordance with landscape masterplans or asset preservation plans
- \$1.9 million on maintenance and capital for natural areas, landscaping and conservation including fencing, paths and firebreaks and management of dedicated bushland areas, bushland in developed parks and foreshores
- \$650,000 for the City to host a significant event.

(Attachment 1 refers)

Reserve Transfers

The City has established various reserve accounts to which monies are set aside at the discretion of the Council to fund future City requirements.

During the 2016-17 financial year the City will transfer \$13.4 million into various reserve accounts of which \$1.2 million represents investment earnings as well as \$1.2 million into the Parking Facility Reserve, \$1.8 million into the Tamala Park Land Sales Reserve, \$7.3 million into the Joondalup Performing Arts and Cultural Facility Reserve, \$679,300 into the Vehicle and Plant Replacement Reserve and \$697,370 into the Strategic Asset Management Reserve. \$25.9 million will be drawn from reserves of which the major amounts are \$11.3 million for continuation of the Joondalup Performing Arts and Cultural Facility project and \$1.1 million to continue the Commercial Office Development and Cafes/Kiosks/Restaurants projects, \$3.8 million for lighting in the Joondalup City Centre, \$2.1 million for various Building Works, \$1.5 million contribution to Arena Joondalup development, \$1.0 million to fund the loan repayments for the Multi Storey Car Park, \$697,127 to fund the net deficit for Waste Management Services and \$3.5 million for works in various stages of progress that will be carried forward from 2015-16. Details of reserves are described in the Notes to and Forming Part of the Budget (Attachment 5 refers).

Loan Borrowings

The 2016-17 Budget includes proposed new borrowings of \$4.5 million to partly fund the new Warwick Hockey Centre.

Existing and new borrowings will require principal and interest repayments of \$2.3 million and \$619,754 respectively. Loan principal outstanding is expected to increase from \$15 million at 30 June 2016 to \$17.3 million at 30 June 2017.

Material Variances

The *Local Government Act 1995* (the Act) requires that each year a local government is to adopt a materiality level for the purpose of reporting variances in the monthly Statement of Financial Activity. At its meeting held on 19 October 2010 (CJ179-10/10 refers), Council resolved that in future a materiality level be determined as part of budget adoption each year if it was not proposed to make any changes.

The current level of variance which is considered material for the purposes of reporting under Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* is \$50,000 or 5% of the appropriate base, whichever is the higher. It is not proposed to make any changes to that level.

Rate and Refuse Charges Increases

Differential rating will again be applied for 2016-17 ensuring that the City is able to equitably spread rate increases across the community. The differential rates proposed for residential, commercial and industrial property, both improved and vacant, have been reviewed.

Differential rates have been proposed for residential improved, residential vacant, commercial improved, commercial vacant, industrial improved and industrial vacant. The proposed differential rates for residential, commercial and industrial vacant land are twice the lowest differential rate as in previous years.

The proposed differential rates provide for an overall rate increase of 2.5%. The corresponding minimum payments are also proposed to be increased by 2.5%. The proposed rate increase is less than the 4% projected in the City's *20 Year Strategic Financial Plan 2014-15 to 2033-34*. With a 2.5% overall rate increase and based on an average gross rental value of \$22,870 the average residential improved rates levy (excluding refuse charge) within the City will be \$1,215.

There is no increase proposed for the City's domestic refuse charge which will remain at \$346. The refuse charge has not increased since 2014-15.

WA Local Government Association

The City of Joondalup has been a member of the WA Local Government Association (WALGA) since its inception in 1998, and acknowledges the benefits of advocacy and subscription services that contribute to the City's budget.

The City's base membership subscription to WALGA in 2015-16 was \$74,468. The City additionally subscribes to a range of other services including updates with regard the *Local Government Act 1995* and guidelines; Local Law services; Roman II Pavement Management service; Environmental Planning; Employee Relations; and Tax services.

The City's membership contribution enables the Association to deliver its strategic objectives of strongly representing the interests of the sector; providing leadership on key local government issues; delivering products and services that provide significant benefits to Members; and promoting a positive profile for local government within the wider community. The City's membership of WALGA enables it to be represented on the State Council and North Metropolitan Zone; participation in industry forums and invitations to comment on policy matters affecting the sector.

Members are also able to access significant discounts and procurement benefits on an increasing range of products and services through WALGA's Preferred Supply Contracts and Business Services. For 2014-15 approximately \$50 million in financial savings were provided back to Members through their use of Preferred Supply Contracts and Business Services on the basis of more than \$250 million in total local government expenditure.

As a WALGA member the City also has access to membership of the Local Government Insurance Service (LGIS).

In 2014-15 total savings to the City of Joondalup as a result of its affiliation with WALGA included \$1,474,420 from Preferred Supply Contracts and \$162,015 from LGIS Dividends.

The City acknowledges WALGA for the significant savings it makes as a member and the leadership and advocacy role it plays on behalf of the sector.

Issues and options considered

The process for the development of the draft 2016-17 Budget has involved:

- the identification of long term directions for financial management of income and expenditure following a rigorous analysis and consideration of Council's current financial position
- the establishment of financial parameters for the 2016-17 financial year including consideration of rating income, grants, fees and charges and other income, and likely demands on expenditure.

The City has, for a number of years, offered a variety of options for the payment of rates including those required under legislation. The City offers direct debit arrangements, individualised instalment arrangements and AdvancePay that enables ratepayers to commence paying the following year's rates in advance in weekly, fortnightly or monthly payments.

For 2016-17 the City will also offer a new eRates service enabling ratepayers to register and receive their rate notice by email.

Legislation / Strategic Community Plan / policy implications

Legislation The accompanying draft 2015-16 Budget has been prepared in accordance with the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

Strategic Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

When setting the Annual Budget the City is exposed to financial risk over the long term if insufficient regard is given to both revenue and expenditure implications beyond the budget period. Alignment of the *20 Year Strategic Financial Plan* during the budget process has helped to mitigate the long term risks.

Financial / budget implications

These are detailed in the budget papers.

All amounts quoted in this report are exclusive of GST, unless otherwise stated.

Regional significance

Not applicable.

Sustainability implications

The Council has, as a key financial objective, the long term financial sustainability of the City of Joondalup in order to strengthen its capacity to achieve its key objectives as set out in the *Strategic Community Plan*.

Consultation

The City of Joondalup's 2016-17 Budget has been prepared against the backdrop of significant on-going review and assessment of the City's strategic direction and financial position by the executive and Elected Members. Five budget workshops were undertaken in the preparation of the 2016-17 Budget.

The proposed differential rates for the 2016-17 year have been advertised for public comment for 21 days. The outcome of the public advertising of differential rates is contained in a separate report in this agenda.

COMMENT

The City of Joondalup's 2016-17 Budget continues to be influenced by the prevailing economic environment with growth and inflation at very low levels and record low interest rates. Opportunities for funding from Federal and State programs remain constrained and have had an impact on City services. The City continues to maximise those grant opportunities when they present.

The overall rate increase for 2016-17 is 2.5%. This will generate general rate revenue of \$94.8 million excluding Specified Area Rates. This represents the City's largest single source of funds and is essential for the City to deliver services and undertake planned works and projects. There is no increase in refuse charges in 2016-17, the second year in a row of no refuse charge increase.

The 2016-17 Budget has been framed in a very challenging economic environment. Despite this it continues to deliver on the community's expectations while reflecting the prudence and financial responsibility demanded by the economic conditions. It has been guided by the City's *20 Year Strategic Financial Plan* to ensure that it is achievable and sustainable while maintaining alignment to the City's *Strategic Community Plan, Joondalup 2022*, to ensure the City is delivering on the vision of "A global City: bold, creative and prosperous".

VOTING REQUIREMENTS

Absolute Majority.

OFFICER'S RECOMMENDATION

That Council BY AN ABSOLUTE MAJORITY:

- 1 ADOPTS the annual budget for the City of Joondalup for the year ending 30 June 2017 as per Attachments 1 - 9 to Report CJ080-06/16 comprising the following:
 - 1.1 Executive Report (Attachment 1 refers – grey);
 - 1.2 Statement of Comprehensive Income by Nature or Type (Attachment 1a refers – grey);
 - 1.3 Statement of Comprehensive Income by Program (Attachment 1b refers – grey);
 - 1.4 Statement of Cash Flows (Attachment 2 refers – grey);
 - 1.5 Rate Setting Statement (Attachment 3 refers – grey);
 - 1.6 Rating Information Statement (Attachment 4 refers – grey);
 - 1.7 Notes to and Forming Part of the Budget (Attachment 5 refers – grey);
 - 1.8 Capital Expenditure (Attachment 6 refers – yellow);
 - 1.9 Vehicle and Plant Replacement Program (Attachment 7 refers – pink);
 - 1.10 Schedule of Fees and Charges (Attachment 8 refers – white);
 - 1.11 Business Unit Services Matrix (Attachment 9 refers – white);
- 2 Rates:
 - 2.1 In accordance with the provisions of Sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995* IMPOSES Differential Rates and Minimum Payments for the 2016-17 financial year in accordance with the following tables:

2.1.1 Gross Rental Valued Properties:

On each Residential, Commercial and Industrial Lot or other piece of rateable land as follows:

Category of Property	Gross Rental Value Rates (Cents in the dollar)	Minimum Payment (\$)
Residential Improved	5.3145	849
Residential Vacant	10.6290	868
Commercial Improved	6.5029	868
Commercial Vacant	10.6290	868
Industrial Improved	5.9486	868
Industrial Vacant	10.6290	868

2.1.2 Unimproved Valued Properties:

On each Residential and Rural Lot or other piece of rateable land as follows:

Category of Property	Unimproved Value Rates (Cents in the dollar)	Minimum Payment (\$)
Residential	0.9668	849
Rural	0.9621	849

- 2.2 In accordance with the provisions of Section 6.32 and Section 6.37 of the *Local Government Act 1995* IMPOSES Specified Area Rates for the 2016-17 financial year in accordance with the following tables:

Specified Area	Gross Rental Value Rates (Cents in the dollar)	Purpose
Harbour Rise (described in 2.2.1)	0.67782	Maintaining enhanced landscaping which will be applied during 2016-17.
Iluka (described in 2.2.2)	0.52181	Maintaining enhanced landscaping which will be applied during 2016-17.
Woodvale Waters (described in 2.2.3)	1.33356	Maintaining enhanced landscaping which will be applied during 2016-17.

2.2.1 Harbour Rise Specified Rate area comprises the area bounded by:

Going along Whitfords Avenue from the corner of Seychelles Lane and following the shared boundaries of Whitfords Avenue with Lots 29 Martinique Mews, Lots 470-478, 413-414, Lot 397, Lots 331-333, crossing Barbados Turn and continuing north with shared boundaries of Curacao Lane and Lots 337-334, 378, 377, 403, 402, 376-367, and Lot 28 Angove Drive;

North-east along the boundary of Lot 28 Angove Drive, across Mallorca Avenue and following the boundaries of Lot 251 and 250 where they meet Angove Drive;

Following the shared boundaries of Ewing Drive with Lots 250, 249, 409, 410, 247, 245-240, 411 and to strata Lots 1 and 2 (Lot 408) and then across Ewing Drive along the boundary that strata Lot 1 (Lot 201) Ewing Drive shares with Lot 650 Ewing Drive, and along the rear boundaries of strata Lot 1 (Lot 201) Ewing Drive and Lots 200-198 Marbella Drive;

Along the boundary that Lot 198 Marbella Drive shares with Lot 171 and 172 Waterford Drive, across Marbella Drive and continuing along the rear boundaries of strata Lots 1 and 2 (Lot 197) to strata Lots 1 and 2 (Lot 190) Algarve Way, along the boundary that Lot

184 Tobago Rise shares with Lot 181 Waterford Drive, across Tobago Rise and then along the boundary between Lot 1 Tobago Rise and Lots 182 and 183 Waterford Drive, continuing along the rear boundaries of Lots 75-66 The Corniche and Lots 142-149 The Corniche. Along the rear boundary of Lot 150 The Corniche until the boundary between Lot 204 and Lot 166 Lukin Road is reached. Along the boundary between Lots 204 and 166 Lukin Road, along the front boundaries of Lots 166-164 Lukin Road. Along the boundary of Lot 164 Lukin Road that is shared with Hepburn Ave and continuing along Hepburn Avenue along the south-eastern boundaries of Leeward Park;

Continuing along the shared boundaries of Hepburn Avenue with Lot 170 Amalfi Drive, Lots 492-503 Seychelles Lane and Lot 29 Martinique Mews;

2.2.2 Iluka Specified Rate area comprises the area bounded by Shenton Avenue, Marmion Avenue and Burns Beach Road;

2.2.3 Woodvale Waters Specified Rate area comprises the area bounded by Timberlane Drive and Yellagonga Regional Park with street addresses of Grey-Smith Gardens, Phillips-Fox Terrace, Buvelot Place, Wakelin Close, Conder Place, Streeton Parade, Withers Grove, Olsen Court, Heysen Crest, Fullwood Walk except for Lots 156 Streeton Parade and Lot 12240 Phillips-Fox Terrace;

3 Emergency Services Levy

In accordance with the provisions of Sections 36B and 36L of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES the 2016-17 Emergency Services Levy Rates and Minimum and Maximum Payments on Residential, Vacant Land, Commercial, Industrial and Miscellaneous Lots as follows:

ESL CATEGORY	ESL Rate (Cents in \$)	Minimum and Maximum Payments ESL CHARGES BY PROPERTY USE			
		Residential and Vacant Land		Commercial, Industrial and Miscellaneous	
		Minimum	Maximum	Minimum	Maximum
1	1.2672	\$71	\$375	\$71	\$213,000

4 Domestic Refuse Charges

In accordance with the provisions of Section 67, Division 3, Part 6 of the *Waste Avoidance and Resource Recovery Act 2007*, IMPOSES the following domestic refuse charges for the 2016-17 financial year:

a	Per existing unit serviced	\$346
b	Each Additional Service	\$346
c	New Refuse Service – Establishment and delivery of bin	\$67

5 Private Swimming Pool Inspection Fees:

In accordance with the *Building Act 2011* and Regulation 53 of the *Building Regulations 2012*, IMPOSES for the 2016-17 financial year, a Private Swimming Pool Inspection fee of \$35.41 for each property where a private swimming pool is located;

6 Early Payment Incentives:

6.1 In accordance with the provisions of Section 6.46 of the *Local Government Act 1995*, OFFERS early payment incentives for the payment of rates and charges being full payment of all current and arrears of rates including specified area rates, emergency services levy, domestic refuse charge and private swimming pool inspection fees within 28 days of the issue date on the annual rate notice, for eligibility to enter the early incentive prize draw;

6.2 The Major Prize will comprise a Toyota Prius V i-Tech 1.8L Hybrid;

6.3 The Chief Executive Officer is AUTHORISED to finalise the additional Naming Rights Prize Package Sponsors and Other Prize Sponsors to be determined in accordance with past practice;

7 Payment Options:

7.1 In accordance with the provisions of Section 6.45 of the *Local Government Act 1995*, OFFERS the following payment options for the payment of rates, specified area rates (where applicable), emergency services levy, domestic refuse charge and private swimming pool inspection fees:

7.1.1 One Instalment:

7.1.1.1 Payment in full (including all arrears) within 28 days of the issue date of the annual rate notice to be eligible to enter the rates incentive scheme for prizes;

7.1.1.2 Payment in full within 35 days of the issue date of the annual rate notice and no entitlement to enter the rates incentive scheme for prizes;

7.1.2 Two Instalments:

7.1.2.1 The first instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of date of issue of the annual rate notice;

7.1.2.2 The second instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable 63 days after the due date of first instalment;

7.1.3 Four Instalments:

7.1.3.1 The first instalment of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of date of issue of the annual rate notice;

7.1.3.2 The second, third and fourth instalments, each of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable as follows:

- the second instalment 63 days after due date of first instalment;
- the third instalment 63 days after due date of second instalment;
- the fourth instalment 63 days after due date of third instalment;

7.2 The City offers AdvancePay as a further alternative option for the payment of rates whereby, following the payment of the 2016-17 rates and charges, ratepayers can, if they wish, commence paying the 2017-18 rates in advance in weekly, fortnightly or monthly payments, by direct debit, with no fees or interest charges for any payments received by the City prior to the due date in August 2017;

8 Late Payment Interest:

In accordance with the provisions of Section 6.13 and 6.51 of the *Local Government Act 1995*, IMPOSES interest on all current and arrears of rates, specified area rates (where applicable), current and arrears of domestic refuse charges, current and arrears of private swimming pool inspection fees at a rate of 11% per annum, calculated on a simple interest basis on arrears amounts which remain unpaid and current amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of the instalment as the case may be and continues until the instalment is fully paid. Excluded are deferred rates, instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance and is debited to the account monthly in arrears;

9 Emergency Services Levy Interest Charge:

In accordance with the provisions of Section 36S of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES interest on all current and arrears amounts of emergency services levy at the rate of 11% per annum, calculated on a simple interest basis on amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of an instalment and continues until the arrears is fully paid. Excluded are instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current

government pensioner rebate amounts. Interest is calculated daily on the outstanding balance and is debited to the account monthly in arrears;

10 Instalment and Payment Arrangement Administration Fees and Interest Charges:

10.1 In accordance with the provisions of Section 6.45 of the *Local Government Act 1995*, for the 2016-17 financial year, IMPOSES the following administration fees and interest charges for payment of rates (including specified area rates), domestic refuse charge and private swimming pool inspection fees:

10.1.1 Two Instalment Option:

An administration fee of \$12 for instalment two, together with an interest charge of 5.5% per annum, calculated on a simple interest basis on 50% of the total current general rate and specified area rate (where applicable) calculated from the due date of the first instalment for 63 days until the due date of the second and final instalment;

10.1.2 Four Instalment Option:

An administration fee of \$12 for each of the second, third and fourth instalments, together with an interest charge of 5.5% per annum, calculated on a simple interest basis on:

- 75% of the total current general rate and specified area rate (where applicable) calculated from the due date of the first instalment for 63 days until the due date of the second instalment;
- 50% of the total current general rate and specified area rate (where applicable) calculated from the due date of the second instalment to the due date of the third instalment;
- 25% of the total current general rate and specified area rate (where applicable) calculated from the due date of the third instalment to the due date of the fourth instalment;

10.1.3 Special Payment Arrangements:

Special weekly, fortnightly, monthly or bi-monthly payment arrangements can be made with the City for those ratepayers who may be unable to pay in full or according to the instalment plans offered. An administration fee of \$34 if paid by Direct Debit (bank account only) or \$52 for non direct debit is charged on each special payment arrangement and penalty interest of 11% per annum, from and including the thirty sixth day from the issue of the rates notice, is applied to the outstanding balance until the account is paid in full;

- 10.2 In accordance with the provisions of Section 6.49 of the *Local Government Act 1995*, AUTHORISES the Chief Executive Officer to enter into special payment arrangements with ratepayers for the payment of general rates, specified area rates (where applicable), emergency services levy, domestic refuse charges and private swimming pool inspection fees during the 2016-17 financial year;
- 11 ADOPTS the *Five Year Capital Works Program* with the 2016-17 program incorporated into the 2016-17 Budget as set out in the budget papers in Attachment 6 (yellow attachment);
- 12 AUTHORISES as part of the 2016-17 Budget the following transfers from Reserves:

Reserve	Amount	Purpose
Waste Management	\$697,127	To partially provide for waste services.
Joondalup Performing Arts and Cultural Facility	\$11,300,000	To fund the continuation of this project.
Parking Facility	\$1,172,203	To provide for parking machine and CCTV upgrades in the City Centre and principal and interest repayments on the Multi Storey Car Park loan.
Public Art	\$61,922	For a public art project.
Specified Area Rating - Woodvale	\$50,000	Woodvale Waters Entry Statements.
Non-Current Long Service Leave Liability	\$100,000	Decrease in cover for future long service leave liabilities.
Strategic Asset Management	\$8,889,323	To contribute to the relocation of the Wanneroo Basketball Association to the HBF Arena Joondalup, fund City Centre Lighting, Admiral Park floodlight upgrade, Carine Child Health Centre refurbishment, Percy Doyle Undercroft Bridge Club extension, the continuation of the Cafes/Kiosks/Restaurants, Joondalup City Centre Office Development, Penistone Park Facility redevelopment, Timberlane Park Hall upgrade, Kingsley Clubrooms upgrade and upgrade of lifts in Joondalup Library and Civic Centre.
Cash in Lieu Parking	\$156,000	Chesapeake Way On-Street Parking.
Capital Works Carried Forward	\$3,454,876	2015-16 uncompleted works to be undertaken in 2016-17.

- 13 AUTHORISES as part of the 2016-17 Budget the following transfers to Reserves:

Reserve	Amount	Purpose
Capital Works Carried Forward	\$422,135	2016-17 works that will extend into 2017-18.
Vehicle, Plant and Equipment	\$679,300	Surplus funds after completion of Vehicle and Plant replacement program in 2016-17.
Tamala Park Land Sales	\$1,833,333	Equity distribution from Tamala Park Regional Council.
Joondalup Performing Arts and Cultural Facility	\$7,324,154	Proceeds of land sales to fund future works undertaken on this project.
Strategic Asset Management	\$694,370	Provision for future projects.
Parking Facility	\$1,208,998	Surplus paid parking funds to provide for the repayment of the loan for parking and other future Joondalup City Centre works and services.
All reserves	\$1,248,320	Interest earned on the investment of reserve funds.

- 14 ADOPTS as part of the 2016-17 Budget, the Fees and Charges, as set out in Attachment 8 (white attachment) to the Budget, with those fees and charges being applicable from Monday, 4 July 2016 unless indicated otherwise in Attachment 8 (white attachment) to the Budget;
- 15 In accordance with the provisions of Section 6.20 of the *Local Government Act 1995* and as part of the 2016-17 Budget, AUTHORISES the following borrowings for the 2016-17 financial year, and where the borrowings are intended as only part funding, subject to the projects progressing to the point where loan funds are required:
- 15.1 \$4,545,423 for the part funding of the development of the Warwick Hockey Centre;
- 16 ADOPTS for the financial year ended 30 June 2017 a variance amount of \$50,000 or 5% of the appropriate base, whichever is the higher, to be a material variance for the purposes of reporting under Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*;
- 17 ACKNOWLEDGES the WA Local Government Association for the significant savings it provides to its member local governments and the leadership and advocacy role it plays on behalf of the sector.

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

- 1 **ADOPTS** the annual budget for the City of Joondalup for the year ending 30 June 2017 as per Attachments 1 - 9 to Report CJ080-06/16 comprising the following:
 - 1.1 **Executive Report (Attachment 1 refers – grey);**
 - 1.2 **Statement of Comprehensive Income by Nature or Type (Attachment 1a refers – grey);**
 - 1.3 **Statement of Comprehensive Income by Program (Attachment 1b refers – grey);**
 - 1.4 **Statement of Cash Flows (Attachment 2 refers – grey);**
 - 1.5 **Rate Setting Statement (Attachment 3 refers – grey);**
 - 1.6 **Rating Information Statement (Attachment 4 refers – grey);**
 - 1.7 **Notes to and Forming Part of the Budget (Attachment 5 refers – grey);**
 - 1.8 **Capital Expenditure (Attachment 6 refers – yellow);**
 - 1.9 **Vehicle and Plant Replacement Program (Attachment 7 refers – pink);**
 - 1.10 **Schedule of Fees and Charges (Attachment 8 refers – white);**
 - 1.11 **Business Unit Services Matrix (Attachment 9 refers – white);**
- 2 **Rates:**
 - 2.1 **In accordance with the provisions of Sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995* IMPOSES Differential Rates and Minimum Payments for the 2016-17 financial year in accordance with the following tables:**

2.1.1 Gross Rental Valued Properties:

On each Residential, Commercial and Industrial Lot or other piece of rateable land as follows:

Category of Property	Gross Rental Value Rates (Cents in the dollar)	Minimum Payment (\$)
Residential Improved	5.3145	849
Residential Vacant	10.6290	868
Commercial Improved	6.5029	868
Commercial Vacant	10.6290	868
Industrial Improved	5.9486	868
Industrial Vacant	10.6290	868

2.1.2 Unimproved Valued Properties:

On each Residential and Rural Lot or other piece of rateable land as follows:

Category of Property	Unimproved Value Rates (Cents in the dollar)	Minimum Payment (\$)
Residential	0.9668	849
Rural	0.9621	849

2.2 In accordance with the provisions of Section 6.32 and Section 6.37 of the *Local Government Act 1995* IMPOSES Specified Area Rates for the 2016-17 financial year in accordance with the following tables:

Specified Area	Gross Rental Value Rates (Cents in the dollar)	Purpose
Harbour Rise (described in 2.2.1)	0.67782	Maintaining enhanced landscaping which will be applied during 2016-17.
Iluka (described in 2.2.2)	0.52181	Maintaining enhanced landscaping which will be applied during 2016-17.
Woodvale Waters (described in 2.2.3)	1.33356	Maintaining enhanced landscaping which will be applied during 2016-17.

2.2.1 Harbour Rise Specified Rate area comprises the area bounded by:

Going along Whitfords Avenue from the corner of Seychelles Lane and following the shared boundaries of Whitfords Avenue with Lots 29 Martinique Mews, Lots 470-478, 413-414, Lot 397, Lots 331-333, crossing Barbados Turn and continuing north with shared boundaries of Curacao Lane and Lots 337-334, 378, 377, 403, 402, 376-367, and Lot 28 Angove Drive;

North-east along the boundary of Lot 28 Angove Drive, across Mallorca Avenue and following the boundaries of Lot 251 and 250 where they meet Angove Drive;

Following the shared boundaries of Ewing Drive with Lots 250, 249, 409, 410, 247, 245-240, 411 and to strata Lots 1 and 2 (Lot 408) and then across Ewing Drive along the boundary that strata Lot 1 (Lot 201) Ewing Drive shares with Lot 650 Ewing Drive, and along the rear boundaries of strata Lot 1 (Lot 201) Ewing Drive and Lots 200-198 Marbella Drive;

Along the boundary that Lot 198 Marbella Drive shares with Lot 171 and 172 Waterford Drive, across Marbella Drive and continuing along the rear boundaries of strata Lots 1 and 2 (Lot 197) to strata Lots 1 and 2 (Lot 190) Algarve Way, along the boundary that Lot 184 Tobago Rise shares with Lot 181 Waterford Drive, across Tobago Rise and then along the boundary between Lot 1 Tobago Rise and Lots 182 and 183 Waterford Drive, continuing along the rear boundaries of Lots 75-66 The Corniche and Lots 142-149 The Corniche. Along the rear boundary of Lot 150 The Corniche until the boundary between Lot 204 and Lot 166 Lukin Road is reached. Along the boundary between Lots 204 and 166 Lukin Road, along the front boundaries of Lots 166-164 Lukin Road. Along the boundary of Lot 164 Lukin Road that is shared with Hepburn Ave and continuing along Hepburn Avenue along the south-eastern boundaries of Leeward Park;

Continuing along the shared boundaries of Hepburn Avenue with Lot 170 Amalfi Drive, Lots 492-503 Seychelles Lane and Lot 29 Martinique Mews;

2.2.2 Iluka Specified Rate area comprises the area bounded by Shenton Avenue, Marmion Avenue and Burns Beach Road;

2.2.3 Woodvale Waters Specified Rate area comprises the area bounded by Timberlane Drive and Yellagonga Regional Park with street addresses of Grey-Smith Gardens, Phillips-Fox Terrace, Buvelot Place, Wakelin Close, Conder Place, Streeton Parade, Withers Grove, Olsen Court, Heysen Crest, Fullwood Walk except for Lots 156 Streeton Parade and Lot 12240 Phillips-Fox Terrace;

3 Emergency Services Levy

In accordance with the provisions of Sections 36B and 36L of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES the 2016-17 Emergency Services Levy Rates and Minimum and Maximum Payments on Residential, Vacant Land, Commercial, Industrial and Miscellaneous Lots as follows:

ESL CATEGORY	ESL Rate (Cents in \$)	Minimum and Maximum Payments ESL CHARGES BY PROPERTY USE			
		Residential and Vacant Land		Commercial, Industrial and Miscellaneous	
		Minimum	Maximum	Minimum	Maximum
1	1.2672	\$71	\$375	\$71	\$213,000

4 Domestic Refuse Charges

In accordance with the provisions of Section 67, Division 3, Part 6 of the *Waste Avoidance and Resource Recovery Act 2007*, IMPOSES the following domestic refuse charges for the 2016-17 financial year:

a	Per existing unit serviced	\$346
b	Each Additional Service	\$346
c	New Refuse Service – Establishment and delivery of bin	\$67

5 Private Swimming Pool Inspection Fees:

In accordance with the *Building Act 2011* and Regulation 53 of the *Building Regulations 2012*, IMPOSES for the 2016-17 financial year, a Private Swimming Pool Inspection fee of \$35.41 for each property where a private swimming pool is located;

6 Early Payment Incentives:

6.1 In accordance with the provisions of Section 6.46 of the *Local Government Act 1995*, OFFERS early payment incentives for the payment of rates and charges being full payment of all current and arrears of rates including specified area rates, emergency services levy, domestic refuse charge and private swimming pool inspection fees within 28 days of the issue date on the annual rate notice, for eligibility to enter the early incentive prize draw;

6.2 The Major Prize will comprise a Toyota Prius V i-Tech 1.8L Hybrid;

6.3 The Chief Executive Officer is AUTHORISED to finalise the additional Naming Rights Prize Package Sponsors and Other Prize Sponsors to be determined in accordance with past practice;

7 Payment Options:

7.1 In accordance with the provisions of Section 6.45 of the *Local Government Act 1995*, OFFERS the following payment options for the payment of rates, specified area rates (where applicable), emergency services levy, domestic refuse charge and private swimming pool inspection fees:

7.1.1 One Instalment:

7.1.1.1 Payment in full (including all arrears) within 28 days of the issue date of the annual rate notice to be eligible to enter the rates incentive scheme for prizes;

7.1.1.2 Payment in full within 35 days of the issue date of the annual rate notice and no entitlement to enter the rates incentive scheme for prizes;

7.1.2 Two Instalments:

7.1.2.1 The first instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of date of issue of the annual rate notice;

7.1.2.2 The second instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming

pool inspection fees and instalment charge, payable 63 days after the due date of first instalment;

7.1.3 Four Instalments:

7.1.3.1 The first instalment of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of date of issue of the annual rate notice;

7.1.3.2 The second, third and fourth instalments, each of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable as follows:

- the second instalment 63 days after due date of first instalment;
- the third instalment 63 days after due date of second instalment;
- the fourth instalment 63 days after due date of third instalment;

7.2 The City offers AdvancePay as a further alternative option for the payment of rates whereby, following the payment of the 2016-17 rates and charges, ratepayers can, if they wish, commence paying the 2017-18 rates in advance in weekly, fortnightly or monthly payments, by direct debit, with no fees or interest charges for any payments received by the City prior to the due date in August 2017;

8 Late Payment Interest:

In accordance with the provisions of Section 6.13 and 6.51 of the *Local Government Act 1995*, IMPOSES interest on all current and arrears of rates, specified area rates (where applicable), current and arrears of domestic refuse charges, current and arrears of private swimming pool inspection fees at a rate of 11% per annum, calculated on a simple interest basis on arrears amounts which remain unpaid and current amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of the instalment as the case may be and continues until the instalment is fully paid. Excluded are deferred rates, instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance and is debited to the account monthly in arrears;

9 Emergency Services Levy Interest Charge:

In accordance with the provisions of Section 36S of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES interest on all current and arrears amounts of emergency services levy at the rate of 11% per annum, calculated on a simple interest basis on amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of an instalment and continues until the arrears is fully paid. Excluded are

instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance and is debited to the account monthly in arrears;

10 Instalment and Payment Arrangement Administration Fees and Interest Charges:

10.1 In accordance with the provisions of Section 6.45 of the *Local Government Act 1995*, for the 2016-17 financial year, IMPOSES the following administration fees and interest charges for payment of rates (including specified area rates), domestic refuse charge and private swimming pool inspection fees:

10.1.1 Two Instalment Option:

An administration fee of \$12 for instalment two, together with an interest charge of 5.5% per annum, calculated on a simple interest basis on 50% of the total current general rate and specified area rate (where applicable) calculated from the due date of the first instalment for 63 days until the due date of the second and final instalment;

10.1.2 Four Instalment Option:

An administration fee of \$12 for each of the second, third and fourth instalments, together with an interest charge of 5.5% per annum, calculated on a simple interest basis on:

- 75% of the total current general rate and specified area rate (where applicable) calculated from the due date of the first instalment for 63 days until the due date of the second instalment;
- 50% of the total current general rate and specified area rate (where applicable) calculated from the due date of the second instalment to the due date of the third instalment;
- 25% of the total current general rate and specified area rate (where applicable) calculated from the due date of the third instalment to the due date of the fourth instalment;

10.1.3 Special Payment Arrangements:

Special weekly, fortnightly, monthly or bi-monthly payment arrangements can be made with the City for those ratepayers who may be unable to pay in full or according to the instalment plans offered. An administration fee of \$34 if paid by Direct Debit (bank account only) or \$52 for non direct debit is charged on each special payment arrangement and penalty interest of 11% per annum, from and including the thirty sixth day from the issue of the rates notice, is applied to the outstanding balance until the account is paid in full;

- 10.2 In accordance with the provisions of Section 6.49 of the *Local Government Act 1995*, **AUTHORISES** the Chief Executive Officer to enter into special payment arrangements with ratepayers for the payment of general rates, specified area rates (where applicable), emergency services levy, domestic refuse charges and private swimming pool inspection fees during the 2016-17 financial year;
- 11 **ADOPTS** the *Five Year Capital Works Program* with the 2016-17 program incorporated into the 2016-17 Budget as set out in the budget papers in Attachment 6 (yellow attachment) subject to the inclusion in the 2016-17 program of an amount of \$431,000 for the construction of additional parking bays at the following locations:
- 11.1 north of the Sorrento Surf Lifesaving Club;
- 11.2 east side of West Coast Drive;
- 11.3 Sorrento Surf Club car park;
- 12 **AUTHORISES** as part of the 2016-17 Budget the following transfers from Reserves:

Reserve	Amount	Purpose
Waste Management	\$697,127	To partially provide for waste services.
Joondalup Performing Arts and Cultural Facility	\$11,300,000	To fund the continuation of this project.
Parking Facility	\$1,172,203	To provide for parking machine and CCTV upgrades in the City Centre and principal and interest repayments on the Multi Storey Car Park loan.
Public Art	\$61,922	For a public art project.
Specified Area Rating - Woodvale	\$50,000	Woodvale Waters Entry Statements.
Non-Current Long Service Leave Liability	\$100,000	Decrease in cover for future long service leave liabilities.
Strategic Asset Management	\$8,889,323	To contribute to the relocation of the Wanneroo Basketball Association to the HBF Arena Joondalup, fund City Centre Lighting, Admiral Park floodlight upgrade, Carine Child Health Centre refurbishment, Percy Doyle Undercroft Bridge Club extension, the continuation of the Cafes/Kiosks/Restaurants, Joondalup City Centre Office

Reserve	Amount	Purpose
		Development, Penistone Park Facility redevelopment, Timberlane Park Hall upgrade, Kingsley Clubrooms upgrade and upgrade of lifts in Joondalup Library and Civic Centre.
Cash in Lieu Parking	\$156,000	Chesapeake Way On-Street Parking.
Capital Works Carried Forward	\$3,454,876	2015-16 uncompleted works to be undertaken in 2016-17.

- 13 **AUTHORISES** as part of the 2016-17 Budget the following transfers to Reserves:

Reserve	Amount	Purpose
Capital Works Carried Forward	\$422,135	2016-17 works that will extend into 2017-18.
Vehicle, Plant and Equipment	\$679,300	Surplus funds after completion of Vehicle and Plant replacement program in 2016-17.
Tamala Park Land Sales	\$1,833,333	Equity distribution from Tamala Park Regional Council.
Joondalup Performing Arts and Cultural Facility	\$7,324,154	Proceeds of land sales to fund future works undertaken on this project.
Strategic Asset Management	\$263,370	Provision for future projects.
Parking Facility	\$1,208,998	Surplus paid parking funds to provide for the repayment of the loan for parking and other future Joondalup City Centre works and services.
All reserves	\$1,248,320	Interest earned on the investment of reserve funds.

- 14 **ADOPTS** as part of the 2016-17 Budget, the Fees and Charges, as set out in Attachment 8 (white attachment) to the Budget, with those fees and charges being applicable from Monday, 4 July 2016 unless indicated otherwise in Attachment 8 (white attachment) to the Budget;
- 15 In accordance with the provisions of Section 6.20 of the *Local Government Act 1995* and as part of the 2016-17 Budget, **AUTHORISES** the following borrowings for the 2016-17 financial year, and where the borrowings are intended as only part funding, subject to the projects progressing to the point where loan funds are required:
- 15.1 \$4,545,423 for the part funding of the development of the Warwick Hockey Centre;
- 16 **ADOPTS** for the financial year ended 30 June 2017 a variance amount of \$50,000 or 5% of the appropriate base, whichever is the higher, to be a material variance for the purposes of reporting under Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*;

- 17 **ACKNOWLEDGES** the WA Local Government Association for the significant savings it provides to its member local governments and the leadership and advocacy role it plays on behalf of the sector.

AMENDMENT MOVED Cr Fishwick, **SECONDED** Cr Dwyer that an additional Part 18 be added to the Motion to read as follows:

“18 ADVISES its ratepayers who receive a pensioner rebate on their rates that the increase on their rates notice is due in part to a State Government policy decision to cap the pensioner rebate at \$750.00 from the 1 July 2016.”

The Amendment was Put and

CARRIED (11/0)

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

Cr Taylor left the Chamber at 8.16pm and returned at 8.19pm.

The Original Motion as amended, being:

That Council BY AN ABSOLUTE MAJORITY:

- 1 **ADOPTS** the annual budget for the City of Joondalup for the year ending 30 June 2017 as per Attachments 1 - 9 to Report CJ080-06/16 comprising the following:
- 1.1 **Executive Report (Attachment 1 refers – grey);**
 - 1.2 **Statement of Comprehensive Income by Nature or Type (Attachment 1a refers – grey);**
 - 1.3 **Statement of Comprehensive Income by Program (Attachment 1b refers – grey);**
 - 1.4 **Statement of Cash Flows (Attachment 2 refers – grey);**
 - 1.5 **Rate Setting Statement (Attachment 3 refers – grey);**
 - 1.6 **Rating Information Statement (Attachment 4 refers – grey);**
 - 1.7 **Notes to and Forming Part of the Budget (Attachment 5 refers – grey);**
 - 1.8 **Capital Expenditure (Attachment 6 refers – yellow);**
 - 1.9 **Vehicle and Plant Replacement Program (Attachment 7 refers – pink);**
 - 1.10 **Schedule of Fees and Charges (Attachment 8 refers – white);**
 - 1.11 **Business Unit Services Matrix (Attachment 9 refers – white);**

2 Rates:

2.1 In accordance with the provisions of Sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995* IMPOSES Differential Rates and Minimum Payments for the 2016-17 financial year in accordance with the following tables:

2.1.1 Gross Rental Valued Properties:

On each Residential, Commercial and Industrial Lot or other piece of rateable land as follows:

Category of Property	Gross Rental Value Rates (Cents in the dollar)	Minimum Payment (\$)
Residential Improved	5.3145	849
Residential Vacant	10.6290	868
Commercial Improved	6.5029	868
Commercial Vacant	10.6290	868
Industrial Improved	5.9486	868
Industrial Vacant	10.6290	868

2.1.2 Unimproved Valued Properties:

On each Residential and Rural Lot or other piece of rateable land as follows:

Category of Property	Unimproved Value Rates (Cents in the dollar)	Minimum Payment (\$)
Residential	0.9668	849
Rural	0.9621	849

2.2 In accordance with the provisions of Section 6.32 and Section 6.37 of the *Local Government Act 1995* IMPOSES Specified Area Rates for the 2016-17 financial year in accordance with the following tables:

Specified Area	Gross Rental Value Rates (Cents in the dollar)	Purpose
Harbour Rise (described in 2.2.1)	0.67782	Maintaining enhanced landscaping which will be applied during 2016-17.
Iluka (described in 2.2.2)	0.52181	Maintaining enhanced landscaping which will be applied during 2016-17.
Woodvale Waters (described in 2.2.3)	1.33356	Maintaining enhanced landscaping which will be applied during 2016-17.

2.2.1 Harbour Rise Specified Rate area comprises the area bounded by:

Going along Whitfords Avenue from the corner of Seychelles Lane and following the shared boundaries of Whitfords Avenue with Lots 29 Martinique Mews, Lots 470-478, 413-414, Lot 397, Lots 331-333, crossing Barbados Turn and continuing north with shared boundaries of Curacao Lane and Lots 337-334, 378, 377, 403, 402, 376-367, and Lot 28 Angove Drive;

North-east along the boundary of Lot 28 Angove Drive, across Mallorca Avenue and following the boundaries of Lot 251 and 250 where they meet Angove Drive;

Following the shared boundaries of Ewing Drive with Lots 250, 249, 409, 410, 247, 245-240, 411 and to strata Lots 1 and 2 (Lot 408) and then across Ewing Drive along the boundary that strata Lot 1 (Lot 201) Ewing Drive shares with Lot 650 Ewing Drive, and along the rear boundaries of strata Lot 1 (Lot 201) Ewing Drive and Lots 200-198 Marbella Drive;

Along the boundary that Lot 198 Marbella Drive shares with Lot 171 and 172 Waterford Drive, across Marbella Drive and continuing along the rear boundaries of strata Lots 1 and 2 (Lot 197) to strata Lots 1 and 2 (Lot 190) Algarve Way, along the boundary that Lot 184 Tobago Rise shares with Lot 181 Waterford Drive, across Tobago Rise and then along the boundary between Lot 1 Tobago Rise and Lots 182 and 183 Waterford Drive, continuing along the rear boundaries of Lots 75-66 The Corniche and Lots 142-149 The Corniche. Along the rear boundary of Lot 150 The Corniche until the boundary between Lot 204 and Lot 166 Lukin Road is reached. Along the boundary between Lots 204 and 166 Lukin Road, along the front boundaries of Lots 166-164 Lukin Road. Along the boundary of Lot 164 Lukin Road that is shared with Hepburn Ave and continuing along Hepburn Avenue along the south-eastern boundaries of Leeward Park;

Continuing along the shared boundaries of Hepburn Avenue with Lot 170 Amalfi Drive, Lots 492-503 Seychelles Lane and Lot 29 Martinique Mews;

2.2.2 Iluka Specified Rate area comprises the area bounded by Shenton Avenue, Marmion Avenue and Burns Beach Road;

2.2.3 Woodvale Waters Specified Rate area comprises the area bounded by Timberlane Drive and Yellagonga Regional Park with street addresses of Grey-Smith Gardens, Phillips-Fox Terrace, Buvelot Place, Wakelin Close, Conder Place, Streeton Parade, Withers Grove, Olsen Court, Heysen Crest, Fullwood Walk except for Lots 156 Streeton Parade and Lot 12240 Phillips-Fox Terrace;

3 Emergency Services Levy

In accordance with the provisions of Sections 36B and 36L of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES the 2016-17 Emergency Services Levy Rates and Minimum and Maximum Payments on Residential, Vacant Land, Commercial, Industrial and Miscellaneous Lots as follows:

ESL CATEGORY	ESL Rate (Cents in \$)	Minimum and Maximum Payments ESL CHARGES BY PROPERTY USE			
		Residential and Vacant Land		Commercial, Industrial and Miscellaneous	
		Minimum	Maximum	Minimum	Maximum
1	1.2672	\$71	\$375	\$71	\$213,000

4 Domestic Refuse Charges

In accordance with the provisions of Section 67, Division 3, Part 6 of the *Waste Avoidance and Resource Recovery Act 2007*, IMPOSES the following domestic refuse charges for the 2016-17 financial year:

a	Per existing unit serviced	\$346
b	Each Additional Service	\$346
c	New Refuse Service – Establishment and delivery of bin	\$67

5 Private Swimming Pool Inspection Fees:

In accordance with the *Building Act 2011* and Regulation 53 of the *Building Regulations 2012*, IMPOSES for the 2016-17 financial year, a Private Swimming Pool Inspection fee of \$35.41 for each property where a private swimming pool is located;

6 Early Payment Incentives:

6.1 In accordance with the provisions of Section 6.46 of the *Local Government Act 1995*, OFFERS early payment incentives for the payment of rates and charges being full payment of all current and arrears of rates including specified area rates, emergency services levy, domestic refuse charge and private swimming pool inspection fees within 28 days of the issue date on the annual rate notice, for eligibility to enter the early incentive prize draw;

6.2 The Major Prize will comprise a Toyota Prius V i-Tech 1.8L Hybrid;

6.3 The Chief Executive Officer is AUTHORISED to finalise the additional Naming Rights Prize Package Sponsors and Other Prize Sponsors to be determined in accordance with past practice;

7 Payment Options:

7.1 In accordance with the provisions of Section 6.45 of the *Local Government Act 1995*, OFFERS the following payment options for the payment of rates, specified area rates (where applicable), emergency services levy, domestic refuse charge and private swimming pool inspection fees:

7.1.1 One Instalment:

7.1.1.1 Payment in full (including all arrears) within 28 days of the issue date of the annual rate notice to be eligible to enter the rates incentive scheme for prizes;

7.1.1.2 Payment in full within 35 days of the issue date of the annual rate notice and no entitlement to enter the rates incentive scheme for prizes;

7.1.2 Two Instalments:

7.1.2.1 The first instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of date of issue of the annual rate notice;

7.1.2.2 The second instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable 63 days after the due date of first instalment;

7.1.3 Four Instalments:

7.1.3.1 The first instalment of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of date of issue of the annual rate notice;

7.1.3.2 The second, third and fourth instalments, each of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable as follows:

- the second instalment 63 days after due date of first instalment;**
- the third instalment 63 days after due date of second instalment;**
- the fourth instalment 63 days after due date of third instalment;**

7.2 The City offers AdvancePay as a further alternative option for the payment of rates whereby, following the payment of the 2016-17 rates and charges, ratepayers can, if they wish, commence paying the 2017-18 rates in advance in weekly, fortnightly or monthly payments, by direct debit, with no fees or interest charges for any payments received by the City prior to the due date in August 2017;

8 Late Payment Interest:

In accordance with the provisions of Section 6.13 and 6.51 of the *Local Government Act 1995*, IMPOSES interest on all current and arrears of rates, specified area rates (where applicable), current and arrears of domestic refuse charges, current and arrears of private swimming pool inspection fees at a rate of 11% per annum, calculated on a simple interest basis on arrears amounts which remain unpaid and current amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of the instalment as the case may be and continues until the instalment is fully paid. Excluded are deferred rates, instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance and is debited to the account monthly in arrears;

9 Emergency Services Levy Interest Charge:

In accordance with the provisions of Section 36S of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES interest on all current and arrears amounts of emergency services levy at the rate of 11% per annum, calculated on a simple interest basis on amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of an instalment and continues until the arrears is fully paid. Excluded are instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance and is debited to the account monthly in arrears;

10 Instalment and Payment Arrangement Administration Fees and Interest Charges:

10.1 In accordance with the provisions of Section 6.45 of the *Local Government Act 1995*, for the 2016-17 financial year, IMPOSES the following administration fees and interest charges for payment of rates (including specified area rates), domestic refuse charge and private swimming pool inspection fees:

10.1.1 Two Instalment Option:

An administration fee of \$12 for instalment two, together with an interest charge of 5.5% per annum, calculated on a simple interest basis on 50% of the total current general rate and specified area rate (where applicable) calculated from the due date of the first instalment for 63 days until the due date of the second and final instalment;

10.1.2 Four Instalment Option:

An administration fee of \$12 for each of the second, third and fourth instalments, together with an interest charge of 5.5% per annum, calculated on a simple interest basis on:

- 75% of the total current general rate and specified area rate (where applicable) calculated from the due date of the first instalment for 63 days until the due date of the second instalment;
- 50% of the total current general rate and specified area rate (where applicable) calculated from the due date of the second instalment to the due date of the third instalment;
- 25% of the total current general rate and specified area rate (where applicable) calculated from the due date of the third instalment to the due date of the fourth instalment;

10.1.3 Special Payment Arrangements:

Special weekly, fortnightly, monthly or bi-monthly payment arrangements can be made with the City for those ratepayers who may be unable to pay in full or according to the instalment plans offered. An administration fee of \$34 if paid by Direct Debit (bank account only) or \$52 for non direct debit is charged on each special payment arrangement and penalty interest of 11% per annum, from and including the thirty sixth day from the issue of the rates notice, is applied to the outstanding balance until the account is paid in full;

10.2 In accordance with the provisions of Section 6.49 of the *Local Government Act 1995*, AUTHORISES the Chief Executive Officer to enter into special payment arrangements with ratepayers for the payment of general rates, specified area rates (where applicable), emergency services levy, domestic refuse charges and private swimming pool inspection fees during the 2016-17 financial year;

11 ADOPTS the *Five Year Capital Works Program* with the 2016-17 program incorporated into the 2016-17 Budget as set out in the budget papers in Attachment 6 (yellow attachment) subject to the inclusion in the 2016-17 program of an amount of \$431,000 for the construction of additional parking bays at the following locations:

11.1 north of the Sorrento Surf Lifesaving Club;

11.2 east side of West Coast Drive;

11.3 Sorrento Surf Club car park;

- 12 **AUTHORISES** as part of the 2016-17 Budget the following transfers from Reserves:

Reserve	Amount	Purpose
Waste Management	\$697,127	To partially provide for waste services.
Joondalup Performing Arts and Cultural Facility	\$11,300,000	To fund the continuation of this project.
Parking Facility	\$1,172,203	To provide for parking machine and CCTV upgrades in the City Centre and principal and interest repayments on the Multi Storey Car Park loan.
Public Art	\$61,922	For a public art project.
Specified Area Rating - Woodvale	\$50,000	Woodvale Waters Entry Statements.
Non-Current Long Service Leave Liability	\$100,000	Decrease in cover for future long service leave liabilities.
Strategic Asset Management	\$8,889,323	To contribute to the relocation of the Wanneroo Basketball Association to the HBF Arena Joondalup, fund City Centre Lighting, Admiral Park floodlight upgrade, Carine Child Health Centre refurbishment, Percy Doyle Undercroft Bridge Club extension, the continuation of the Cafes/Kiosks/Restaurants, Joondalup City Centre Office Development, Penistone Park Facility redevelopment, Timberlane Park Hall upgrade, Kingsley Clubrooms upgrade and upgrade of lifts in Joondalup Library and Civic Centre.
Cash in Lieu Parking	\$156,000	Chesapeake Way On-Street Parking.
Capital Works Carried Forward	\$3,454,876	2015-16 uncompleted works to be undertaken in 2016-17.

- 13 **AUTHORISES** as part of the 2016-17 Budget the following transfers to Reserves:

Reserve	Amount	Purpose
Capital Works Carried Forward	\$422,135	2016-17 works that will extend into 2017-18.
Vehicle, Plant and Equipment	\$679,300	Surplus funds after completion of Vehicle and Plant replacement

Reserve	Amount	Purpose
		program in 2016-17.
Tamala Park Land Sales	\$1,833,333	Equity distribution from Tamala Park Regional Council.
Joondalup Performing Arts and Cultural Facility	\$7,324,154	Proceeds of land sales to fund future works undertaken on this project.
Strategic Asset Management	\$263,370	Provision for future projects.
Parking Facility	\$1,208,998	Surplus paid parking funds to provide for the repayment of the loan for parking and other future Joondalup City Centre works and services.
All reserves	\$1,248,320	Interest earned on the investment of reserve funds.

- 14 ADOPTS as part of the 2016-17 Budget, the Fees and Charges, as set out in Attachment 8 (white attachment) to the Budget, with those fees and charges being applicable from Monday, 4 July 2016 unless indicated otherwise in Attachment 8 (white attachment) to the Budget;
- 15 In accordance with the provisions of Section 6.20 of the *Local Government Act 1995* and as part of the 2016-17 Budget, AUTHORISES the following borrowings for the 2016-17 financial year, and where the borrowings are intended as only part funding, subject to the projects progressing to the point where loan funds are required:
- 15.1 \$4,545,423 for the part funding of the development of the Warwick Hockey Centre;
- 16 ADOPTS for the financial year ended 30 June 2017 a variance amount of \$50,000 or 5% of the appropriate base, whichever is the higher, to be a material variance for the purposes of reporting under Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*;
- 17 ACKNOWLEDGES the WA Local Government Association for the significant savings it provides to its member local governments and the leadership and advocacy role it plays on behalf of the sector;
- 18 ADVISES its ratepayers who receive a pensioner rebate on their rates that the increase on their rates notice is due in part to a State Government policy decision to cap the pensioner rebate at \$750.00 from the 1 July 2016.

Was Put and

CARRIED (11/0)

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

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1agn160628.pdf](#)

CJ081-06/16 DEVELOPMENT AND SUBDIVISION APPLICATIONS – APRIL 2016

WARD	All		
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development		
FILE NUMBER	07032, 101515		
ATTACHMENT	Attachment 1	Monthly Development Determined – April 2016	Applications
	Attachment 2	Monthly Subdivision Processed – April 2016	Applications
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 April 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 April 2016 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during April 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.

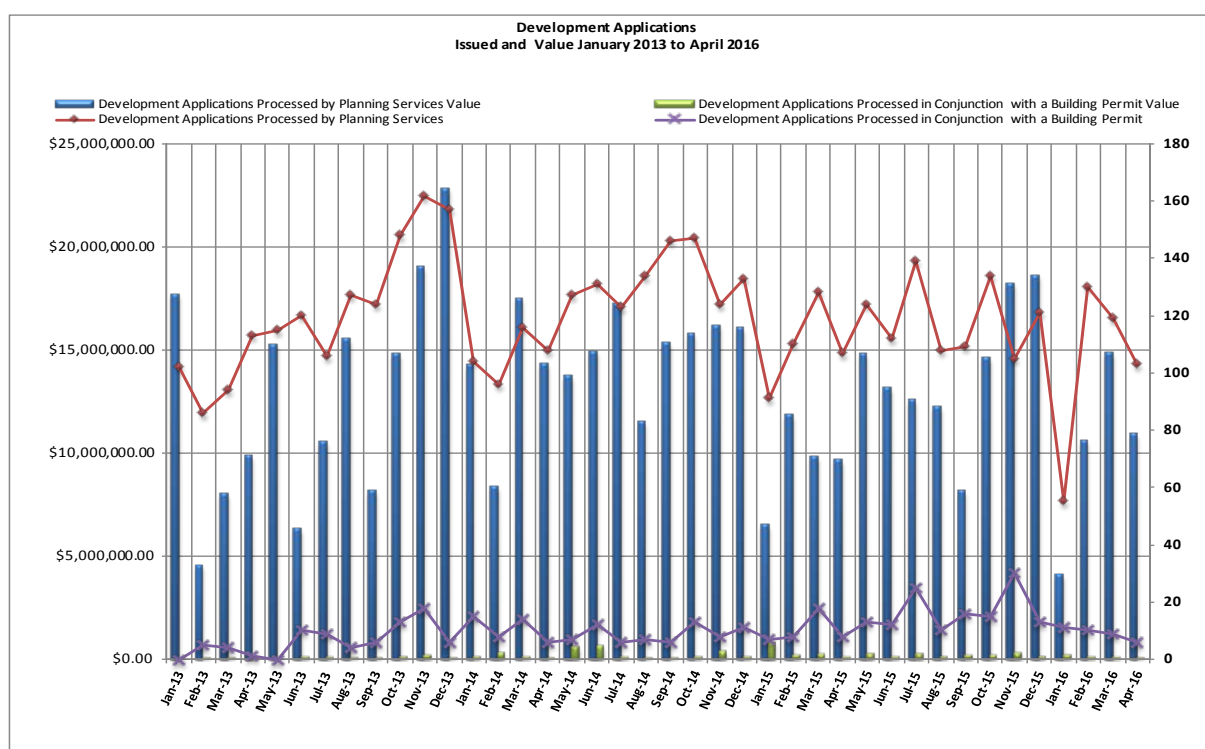
At its meeting held on 6 October 2015 (CJ167-10/15 refers) Council considered and adopted the most recent Town Planning Delegations, necessitated by the Regulations taking effect from 19 October 2015.

DETAILS

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

Development Applications determined under delegated authority – April 2016		
Type of Application	Number	Value (\$)
Development applications processed by Planning Services	103	\$ 10,892,762
Development applications processed by Building Services	6	\$67,439
TOTAL	109	\$ 10,960,201

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



The number of development applications received during April was 122. (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 April was 266. Of these, 68 were pending additional information from applicants and 9 were being advertised for public comment.

In addition to the above, 273 building permits were issued during the month of April with an estimated construction value of \$22,978,326.

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

Subdivision referrals processed under delegated authority for April 2016		
Type of referral	Number	Potential additional new lots
Subdivision applications	7	7
Strata subdivision applications	7	8

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 109 development applications were determined for the month of April with a total amount of \$46,030 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 Hollywood, 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 CJ081-06/16 during April 2016;**
- 2 Subdivision applications described in Attachment 2 to Report CJ081-06/16 during April 2016.**

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ083-06/16, page 173 refers.

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

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf160614.pdf](#)

Disclosures of interest affecting impartiality

Name/Position	Cr Sophie Dwyer.
Item No./Subject	CJ082-06/16 – Duncraig Edible Garden – Pilot Project Evaluation and Recommendations.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Dwyer is a former member of the Duncraig Edible Garden.

Name/Position	Cr John Chester.
Item No./Subject	CJ082-06/16 - Duncraig Edible Garden - Pilot Project Evaluation and Recommendations.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Members of the Duncraig edible Garden Committee are known to Cr Chester.

CJ082-06/16 DUNCRAIG EDIBLE GARDEN - PILOT PROJECT EVALUATION AND RECOMMENDATIONS

WARD	South
RESPONSIBLE DIRECTOR	Ms Dale Page Director Planning and Community Development
FILE NUMBER	105189, 05066
ATTACHMENT	Attachment 1 Proposed area of expansion
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 outcomes of the evaluation/review of the Duncraig Edible Garden (DEG) pilot project and a request for continuation of the DEG, as well as a minor expansion of the DEG at Percy Doyle Reserve.

EXECUTIVE SUMMARY

Community gardens are outdoor spaces that are planned and managed by the community, or with significant community involvement. The DEG has been managed in a partnership between the City and the DEG committee and has been used to produce food, teach about sustainable gardening and permaculture principles, and provide a community hub.

The two year pilot project approved by Council at its meeting held on 17 February 2014 (CJ004-02/14 refers) has now concluded and an evaluation has been done of the program to date. As a result of the evaluation, this report recommends continuation of the DEG as well as a minor expansion of the DEG.

The minor expansion proposed includes seven new wicking beds and a 10,000 litre water tank which will be funded via a grant from the Department of Local Government and Communities, and the planting of edible plants along the footpath leading to the library. In addition approval is being sought for the provision of on-going operational and in-kind support for waste removal, continued use of Mildenhall storage, after hour's toilet access at Duncraig Library as well as provision of promotional support, introduction of a sub meter to monitor water use, removal of four palm trees, and a waiver of application fees for any necessary planning and building approvals.

It is therefore recommended that Council:

- 1 *NOTES the outcomes of the evaluation/review of the Duncraig Edible Garden pilot project;*
- 2 *APPROVES the continuation of the existing Duncraig Edible Garden;*
- 3 *APPROVES a minor expansion of the Duncraig Edible Garden footprint to accommodate seven wicking beds, a 10,000 litre water tank and the planting of edible plants along the verge leading to the library;*
- 4 *APPROVES operational and in-kind support to the value of \$1,896.40 for waste removal, continued use of Mildenhall storage, after hours toilet access at Duncraig Library, promotional support, installation of a sub metre to monitor water use, removal of four palm trees and a waiver of application fees for any necessary planning and building approvals.*

BACKGROUND

At its meeting held on 22 June 2010 (CJ28-06/10 refers) Council requested investigation into the establishment of community gardens in the City of Joondalup.

At its meeting held on 15 February 2011 (CJ009-02/11 refers) Council considered a report outlining the potential processes, issues and costs associated with the establishment of community gardens.

Following this the City conducted targeted consultation and at its meeting held on 21 February 2012 (CJ007-02/12 refers), Council considered a summary of the feedback received and requested the Chief Executive Officer to facilitate a meeting with interested submitters to investigate the establishment of a community garden at a preferred location within the City of Joondalup, and to report back to Council on the findings.

In line with Council's resolution, a meeting to further explore community interest in a community garden project was hosted by the City in April 2012. The City hosted several follow up meetings between interested residents and community organisations and from these meetings two groups of interested gardeners emerged; one was focused on the establishment of a community garden in the Joondalup City Centre while the other was focussed on the Duncraig area.

In April 2013, meetings were held between the City and key stakeholders from each of the two community garden working groups, to discuss each group's planning progress and the information required to submit a formal request for community gardens. Discussions focussed on pilot projects initially, commencing with smaller plots of land, start up funding, in-kind support and a review process for the pilot projects. A template was provided to the working groups to assist with the development of their proposals.

The Duncraig Edible Garden committee submitted a proposal detailing how it would approach the establishment of a community garden at the entrance to the Duncraig Library within the Percy Doyle Reserve and its on-going maintenance and management. The Joondalup group dissolved and did not submit a proposal.

Given the DEG was a newly-formed unincorporated community group, and the requested pilot project location was on City land, it was proposed to Council in February 2014 that the City partner with the DEG Committee for the duration of a two year pilot period, to allow the group time to develop the necessary structure and procedures for good governance and sustainability.

The intention was that at the end of the two year pilot period the project would be reviewed and a report presented to Council for consideration prior to any further action or resource allocation. It was intended that, if considered a success, management of the Duncraig Edible Garden would be completely taken over by the DEG committee, which was expected to have become incorporated and able to operate independently by the time this occurred.

At its meeting held on 17 February 2014 (CJ004-02/14 refers) Council resolved to:

- “1 *APPROVE the use of the front entrance area of the Duncraig library for the location of a two year pilot community garden project, the Duncraig Edible Garden;*
- 2 *CONSIDER the inclusion of \$22,881 in the City’s 2014-15 draft Budget to purchase materials, plants and tools, installation of a sink, lockbox, external power point, workbench, community noticeboard and signage to assist with the establishment of the Duncraig Edible Garden;*
- 3 *APPROVE operational and in-kind support for the Duncraig Edible Garden in the form of City landscape design assistance, assistance with promotion, waste removal, minor infrastructure works, City Watch patrols, public liability insurance, utility costs and access to toilet facilities for an initial period of two years, after which a report will be brought back to Council for consideration prior to any further action or resource allocation.”*

In April 2014 the DEG committee entered into a two year Memorandum of Understanding (MOU) with the City which outlined the roles and responsibilities of both parties during the two year pilot period. In March 2016, this MOU was extended to 31 July 2016, in order to allow for Council to consider the results of the two year pilot project and provide stability for the group until decisions were made.

DETAILS

The purpose of the DEG is to provide opportunities for community development and social networking, a place for gardening education, demonstration and inspiration, and to promote permaculture values.

The DEG committee strives to create a garden that helps to improve the community environment, be inclusive of people of all ages, cultural background, socio-economic background and abilities, produce fresh fruit and vegetables and promote good health in the City of Joondalup.

During the two year pilot period a number of outcome areas were listed for the DEG committee to work towards so City officers could effectively evaluate the project on its completion. The criteria for success included demonstration of community need and on-going interest, financial sustainability, and sound governance structures.

The two year pilot project has been reviewed and DEG has met, and in some instances exceeded, the City's expectations in relation to:

- maintaining the garden area to a high standard
- maintaining significant levels of participation by local residents and community groups throughout the two year period
- keeping accurate records of events or workshops held, as well as any community feedback received, and report to the City on these findings on a bi annual basis.

Findings of the project evaluation, including key milestones of the group, are outlined below.

Over the two year period the DEG committee has hosted 27 workshops and participated in six community events attracting 819 visits to the garden. 321 of these visitors were listed on their unique attendance record, which refers to the number of individuals who have attended the DEG, whether for gardening or workshops. 304 (95%) of these attendees were City of Joondalup residents.

DEG has 968 'likes' on their Facebook page, 340 people receive a quarterly newsletter, and the group currently has 21 financial voting members. The membership number does not accurately reflect the level of community interest in DEG as a paid membership was only introduced in January 2016 and it is anticipated the number of financial voting members will increase.

Who is involved in Duncraig Edible Garden?

The DEG committee, which was elected at their AGM in July 2015, consists of three executive members (Chairperson, Secretary, and Treasurer) five ordinary committee members and 29 volunteers.

During the two year pilot period the DEG committee has made meaningful contact, and in some instances formed partnerships with local community organisations, local businesses and educational institutions. These include:

- University of Western Australia – research and social work student placements
- Laval University PhD student researching Sustainable Food Practices
- Valued Independent People
- Work for the Dole program
- Girl Guides
- Scouts
- Inclusion WA
- Joondalup Men's Shed
- North Metropolitan Health Service
- Nutrition Australia
- TerraPerma (Charles and Jolene Otway presenting many of the DEG workshops)
- NAPES (Northern Active Permaculture Enthusiasts)
- Transition Town Stirling
- Transition Town Joondalup
- Poynter farmer's market
- Groat Street Festival

- Bindi Bindi Dreaming
- The Native Gardener
- Rodger Pilkington - The Organic Farmer
- Duncraig Library.

Proposed minor expansion of Duncraig Edible Garden

The City, in partnership with the DEG committee, obtained a grant of \$9,980 from the Department of Local Government and Communities for a potential expansion of the DEG site. The proposed expansion includes an area to accommodate seven wicking beds along the rear side of the library wall and a 10,000 litre water tank.

It is proposed the water tank will be sunken and screened in a timber enclosure for security and to reduce visibility. There would also be a locking mechanism on the lid of the tank to prevent public access. The proposed water tank is 2.4 metres in diameter and once sunken would be between 1.65-1.8 metres tall, and water will be fed to the tank from the roof of the library through an underground piping system. The DEG committee will be responsible for the plumbing cost in regard to tank installation as well as any ongoing maintenance or repair costs of the water tank or attached piping system.

Through this report the DEG committee is seeking Council's approval for this minor expansion of the garden as well as an additional expansion along the footpath verge leading to the library as demonstrated in Attachment 1.

Management of the Duncraig Edible Garden

Should Council decide to support the continuation and expansion of DEG, a Memorandum of Understanding (MOU) between the City and the DEG committee will be developed to clearly outline the responsibilities of both parties and the land allocations approved by Council and covered by the MOU.

The MOU would address the interaction and interface between the community garden group, library staff and patrons, as well as operational matters such as garden maintenance, area tidiness expectations, in-kind and operational supports, and what course of action would be taken in the event that the terms of the MOU are not adhered to, or community participation in the community garden project wanes and the site falls into disuse. The MOU would also deal with the future of the garden in the event all or part of this area of Percy Doyle Reserve was to be redeveloped at a later stage.

Assistance requested

The DEG committee has requested the City and Council continue to support them with the in-kind and operational supports they have been receiving during the pilot period, and have requested some additional support, as listed below:

- standard waste removal, regular bin collection of two green waste bins as already scheduled in this locality (operational support) – existing support
- power supply (operational support), this includes an existing outdoor power outlet. Any additional costs would be incidental as minimal power is used (power to boil kettle and play radio) – existing support
- access to scheme water (operational support) – existing support and DEG propose to start paying for water used if separate meter is installed
- lighting (operational support) – existing support
- continued use of Mildenhall storage (in-kind support) – existing support

- continued after hours use of the Duncraig Library toilets (in-kind support) – existing support
- use of land (in-kind support) – existing support
- publicity/ promotional support (in-kind support) - existing support
- security patrols - existing support
- removal of four palm trees (operational support) – new support
- installation of a separate meter to monitor water use (operational support) – new support
- waiver of any applicable planning or building application fees (in-kind support) – new support if required.

Issues and options considered

The proposed area of expansion sought by the DEG is in the region of 300m² and is a currently underutilised area of the site directly abutting the library building. From the review conducted of DEG's activities and capabilities over the past two years, the City is confident that the DEG has the ability to manage this extra amount of space, provided clear management expectations are outlined in the proposed MOU. The potential risks associated with the proposed expansion have also been considered as outlined in the Risk Management section of this report.

In the event that Council agrees to the proposed expansion, a number of suggestions have been made by the City's Community Safety Team in relation to encouraging community safety, including not locating structures such as rainwater tanks or tables near the existing building to prevent access to the library roof, only having screening suitable for natural surveillance and installing vandal resistant hardware.

As there have been no reports of vandalism or anti-social behaviour during the pilot period, the risk for this type of behaviour is low. Any risk for crime in the area will be mitigated through careful management including City Rangers patrols in the area, vandal resistant hardware in the design, strategic placement of infrastructure so as not encourage opportunistic crime and ongoing liaison with the City's Community Safety Team.

The DEG Committee will be responsible for public liability insurance for both the current garden area and the proposed area of expansion.

Council has the option to:

- support the continuation and proposed minor expansion of DEG as outlined in Attachment 1 and associated in-kind and operational supports
- not support the expansion of DEG and endorse the continuation of the garden in its current format
or
- not support the continuation of the DEG in its current location.

Legislation / Strategic Community Plan / policy implications

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

Strategic Community Plan

Key theme Community Wellbeing.

Objective Community spirit.

Strategic Initiative Support and encourage opportunities for local volunteering.

Key theme The Natural Environment.

Objective Community involvement.

Strategic Initiative Facilitate active involvement from the community in preserving and enhancing the natural environment.

Policy Not applicable.

Risk management considerations

Risk Description	Risk Management Controls
Risk to the ongoing sustainability of a community garden, if it is not community-driven and managed.	Parameters for the management of the garden to be developed as part of an MOU.
Possible failure by group to maintain community interest in the expansion of DEG.	Active promotion of the project combined with its high profile location and broad support base, should maintain sufficient levels of community interest.
Possible dissolution of DEG Committee	The group is now an incorporated association with governance structures in place to maintain a committee in line with the <i>Associations Incorporation Act 1987</i> .
Potential for the City to be left with the cost of removing the garden materials in the event the project is not successful.	The DEG committee has spent significant time and resources to design and secure funding for the expansion plan, and there has been significant interest shown. Should the expansion be unsuccessful the City could convert the garden into low maintenance native plants and regain management of the area.
Potential to attract antisocial behaviour.	Regular participation in the garden will increase natural surveillance and reduce opportunities for antisocial behavior. Installing vandal proof fixtures and fittings and locating new assets to minimise opportunities for access to the library roof will reduce the potential for antisocial behaviour.

Risk Description	Risk Management Controls
Potential for the site to become unsightly if the DEG is not carefully maintained.	Maintenance standards for the site to be included in the MOU.
Risk of injury to gardening participants due to the nature of activity and tools utilised.	As part of the MOU the DEG Committee will be required to develop a user manual and induction process for new members to reduce the risk of injury.
Risk of injury while planting/maintaining the proposed garden located along grassed area between the road and footpath leading to the library.	As part of the approval to plant the proposed area the DEG committee and members will be required to adhere to additional safety requirements whilst undertaking activities in this area. These requirements will include participants being required to wear high visibility clothing while working in this area and the use of minor traffic management strategies such as diverting cars from this section of the road with traffic cones. Any costs in relation to traffic management will be incurred by the DEG committee.

Financial / budget implications

As DEG is already established, the costs of the proposed expansion will be minimal. If Council approves the proposed expansion, a grant of \$9,980 (excluding GST) which has been received from the Department of Local Government and Communities will be used for the key components of the proposed expansion. The DEG committee is a financial position to self fund the proposed expansion along the footpath verge leading to the library.

Ongoing Maintenance and Support Requested

The following support is requested.

Item	Comments
Existing waste removal	The DEG committee has requested the existing level of waste removal be continued. The existing level of waste removal includes regular bin collection of two green waste bins as already scheduled in this locality. The DEG committee will be expected to arrange waste removal for large or non standard loads.
City Rangers Patrols	The locality is on the City Rangers patrol schedule, so no additional patrols would be required.
Promotional support	The City can promote the DEG through existing networks and promotional avenues available to all community groups. The DEG Committee can promote through its own networks, Facebook page and engage with the community newspaper and Twin Cities FM at no cost.
Installation of a separate meter to monitor water use	The cost of this is an estimated \$300.
Water supply	Water supply is currently available on site. A separate meter will be installed to monitor water use and apportion cost to DEG of their use accordingly.

Item	Comments
Power supply	Power supply is available on site, and any additional costs would be incidental as minimal power is used (power to boil kettle and play radio).
In-kind land use	The current and proposed land use area is public open space and is not currently a leased facility. Providing this land free of charge will therefore not result in lost revenue.
Continued after hours use of the Duncraig Library toilets	Arrangements between Duncraig Library and the DEG committee are in place for potential after hours toilet use, continuation will generate no additional costs to the City.
Lighting	Lighting is available on site, and requires no additional cost to the City.
Removal of four palm trees	The cost of tree removal and stump grinding is approximately \$1,000 in operational staff labour costs.
Continued use of Mildenhall storage	Arrangements between booking facilities, the DEG committee, and the existing lessee of Mildenhall are in place. DEG's continued use of this space will not result in any loss of revenue.

The dollar value of support requested is summarised below:

Item	Cost/Value	Comments
Removal of existing palm trees including stump grinding.	\$1,000	Works can be undertaken in house by operational staff.
Power supply.	\$0	Incidental cost to the City.
Access to scheme water.	\$0	No additional cost to the City.
Lighting (existing).	\$0	No additional cost to the City.
Installation of a separate meter to monitor water use.	\$300	Asset Management will absorb this cost operationally to enable DEG water use monitoring and invoicing.
Support in applying for relevant building permission for infrastructure associated with the proposed expansion including waiving if relevant application fees.	\$234	Fee waiver requested.
Support in applying for relevant planning permission for infrastructure associated with the proposed expansion including waiving if relevant application fees.	\$190	Fee waiver requested.
SUB TOTAL	\$1,724	
Contingency @ 10%	\$172.40	
TOTAL VALUE	\$1,896.40	

External Funding Opportunities

In March 2016 the Department of Local Government and Communities awarded the City, in partnership with the DEG committee, a grant of \$9,980 excluding GST for key components of the proposed expansion.

Further opportunities for external funding will be explored should Council support the proposed expansion.

Regional significance

It is anticipated that the DEG will be used predominantly by local residents.

Sustainability implications

Environmental

The Duncraig Edible Garden (DEG) has had an educative focus to date. Informal teaching/learning opportunities have been available to participants including knowledge sharing in relation to organic gardening practices, water wise gardening, waste minimisation through composting, herb, fruit and vegetable gardening (food sustainability) and planting to suit the environment.

Social

DEG has become an increasingly popular hub for community members to meet and develop friendships and links, and has provided informal education opportunities, community leadership development, passive recreation and wellbeing opportunities, and networking of people with similar interests.

DEG is a facility that supports community cohesiveness and creates an opportunity for all community members to contribute to, and belong, in the City of Joondalup.

The DEG has enhanced the amenity of the front entrance area to the Duncraig Library which benefits community gardeners, the City, library staff and patrons.

Economic

There will be some ongoing costs to the City in relation to the operational and in-kind support, as outlined within the 'Financial Implications' section of this report.

Consultation

This report has been drafted with inputs from a number of business units within the City. No external consultation has occurred in preparation of the report.

COMMENT

The DEG is a valuable and worthwhile project for enhancing community connectedness, and has benefits in regards to reducing social isolation, the promotion of sustainable horticultural practices, healthy lifestyle practices including good nutrition, educational opportunities and community leadership development.

The committee has matured and developed during the two year pilot period, become incorporated and has developed appropriate governance structures to ensure long-term and sustainable management of the group.

Since the project's inception community interest has steadily grown and membership increased. The DEG committee has also made meaningful connections with various community partners and there is healthy support for continuation and expansion of DEG.

Should Council decide to support the continuation and proposed expansion of DEG, a Memorandum of Understanding (MOU) between the City and the DEG committee will be developed to clearly outline the responsibilities of both parties in relation to this project.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the outcomes of the evaluation/review of the Duncraig Edible Garden pilot project;
- 2 APPROVES the continuation of the existing Duncraig Edible Garden;
- 3 APPROVES an expansion of approximately 300m² to accommodate seven wicking beds, a 10,000 litre water tank and the inclusion of edible plants along the verge leading to the library;
- 4 APPROVES operational and in-kind support to the value of \$1,896.40 for waste removal, continued use of Mildenhall storage, after hours toilet access at Duncraig Library, promotional support, installation of a sub meter to monitor water use, removal of four palm trees and a waiver of appropriate application fees for any planning or building approvals that may be required.

The Chief Executive Officer left the Chamber at 8.22pm and returned at 8.24pm.

MOVED Cr Dwyer, SECONDED Cr Fishwick that Council:

- 1 **NOTES the outcomes of the evaluation/review of the Duncraig Edible Garden pilot project;**
- 2 **APPROVES the continuation of the existing Duncraig Edible Garden;**
- 3 **APPROVES an expansion of approximately 300m² to accommodate seven wicking beds, a 10,000 litre water tank and the inclusion of edible plants along the verge leading to the library;**
- 4 **APPROVES operational and in-kind support in the form of waste removal, continued use of Mildenhall storage, after hours toilet access at Duncraig Library, promotional support, installation of a sub meter to monitor water use, removal of four palm trees and a waiver of appropriate application fees for any planning or building approvals that may be required;**
- 5 **REQUESTS the Chief Executive Officer to provide a further report, by December 2016, on the feasibility of the proposal by the Duncraig Edible Garden to include areas annotated as 5, 6 and 7 on the plan submitted to Elected Members at the Briefing Session on 14 June 2016, into an expansion of the garden to the north of the existing Duncraig library building.**

AMENDMENT MOVED Cr Chester, SECONDED Cr Norman that Part 3 of the Motion be amended to read as follows:

“3 *APPROVES an expansion of approximately 450m² to the north-east of the existing Duncraig Library to accommodate extra wicking beds, a 10,000 litre water tank and the inclusion of edible plants along the verge leading to the library;*”

The Amendment was Put and

LOST (5/6)

In favour of the Amendment: Crs Chester, Gobbert, Hamilton-Prime, Norman and Poliwka.

Against the Amendment: Mayor Pickard, Crs Dwyer, Fishwick, Hollywood, McLean and Taylor.

The Motion as Moved by Cr Dwyer, and Seconded by Cr Fishwick was Put and

CARRIED (11/0)

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

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf160614.pdf](#)

**CJ083-06/16 PROPOSED CHILD CARE CENTRE DEVELOPMENT
AT LOT 70 (2) RENOUE STREET AND LOT 71 (10)
WARBURTON AVENUE, PADBURY**

WARD	South-West
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	27399, 101515
ATTACHMENT	Attachment 1 Location plan Attachment 2 Development plans Attachment 3 Landscaping concept plan Attachment 4 Environmentally sustainable design checklist Attachment 5 Map of submitters
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.

This Item was dealt with later in the meeting, after Item CJ095-06/16 – Page 143 refers.

CJ084-06/16 DEVELOPMENT OF A GREYWATER RE-USE REBATE PROGRAM FOR THE CITY OF JOONDALUP

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	76584, 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 consider a report on development of a greywater rebate program for the City of Joondalup.

EXECUTIVE SUMMARY

At its meeting held on 15 December 2015 (CJ79-12/15 refers), Council requested the Chief Executive Officer to prepare a report on the development of a greywater reuse rebate program for the City of Joondalup.

Greywater reuse systems can reduce the annual water usage of residential properties by diverting waste water from laundries, bathrooms and kitchens into an onsite treatment system that irrigates a small section of garden.

As public health risks exist with greywater, the installation of a greywater reuse system can be expensive. Maintenance requirements and site restrictions also have significant impact on the demand for the installation of greywater reuse systems.

There are many alternative water saving options available to residential properties that can reduce water usage and are significantly more cost effective.

It is recommended that Council notes the existing initiatives and actions undertaken by the City to reduce water use, including community education programs, water saving features within new and refurbished buildings and facilities, designation of hydrozone and ecozone areas and management of water within the City's parks.

It is also recommended that Council agrees not to pursue a rebate program to encourage greywater reuse systems to be installed, and that alternate water saving initiatives be explored during the development of a new City Water Plan.

BACKGROUND

As a result of a Notice of Motion, Council at its meeting held on 15 December 2015 (C79-12/15 refers), requested the Chief Executive Officer to prepare a report on the development of a greywater reuse rebate program for the City of Joondalup.

Greywater is the wastewater generated from bathroom showers, hand basins, laundries and kitchen sinks. Treated greywater is able to be reused to irrigate gardens, which can help reduce the demand on groundwater and drinking water supplies.

Although greywater does not include toilet waste, it does contain pathogenic micro organisms, oils, fats, detergents, soaps, nutrients, salts, particles of hair, food and lint.

Due to the health risks associated with greywater reuse, only greywater treatment and disposal systems that have been approved by the Western Australian Department of Health are able to be installed.

The installation of an approved greywater reuse system must comply with the *Code of Practice for the Reuse of Greywater in Western Australia* (the Code). The Code contains requirements that must be considered prior to installation.

Local governments are responsible for assessing applications to install greywater reuse systems on single residential lots. Assessment includes ensuring that the greywater reuse system proposed is a type that is approved by the Western Australian Department of Health.

As the greywater treatment systems approved by the Department of Health are designed to mitigate risks to public health, the costs associated with their installation can be significant. Operational restrictions and design limitations of greywater treatment systems are also likely to discourage their installation.

DETAILS

Western Australia is experiencing a drying climate that is impacting the availability of water resources across the region. Increases in average temperatures are increasing rates of evaporation, while population growth is adding further demand on water resources.

In consideration of the need to promote water conservation and water efficiency within the community, the City developed the City of Joondalup, *City Water Plan 2012 - 2015* (the City Water Plan) with a purpose to provide:

“a coordinated approach for the City to sustainably manage water resources within City operations and the community. The Plan identifies the main water related issues impacting the City and sets objectives for scheme and groundwater water conservation, water quality and quantity improvement.

The implementation of the City Water Plan approach will allow the City to demonstrate leadership in meeting its water conservation and water quality management targets and create community awareness regarding the need to manage water resources for the future.”

Community education and participation, in improving water efficiency in the wider community, is an objective of the City Water Plan. Although a new water plan is currently in development, it is expected that community participation in actions and activities that reduce an overall demand for water will continue.

As greywater contains disease causing organisms such as bacteria, viruses, protozoa and helminths, requirements exist on the methods in which greywater may be reused. Only greywater systems that have been approved by the Department of Health may be considered.

Greywater systems will typically provide two methods of irrigation. A greywater reuse system that captures laundry, bathroom and kitchen waste water and utilises a subsurface disposal method, may cost a minimum of \$4,000 to install. A greywater system that utilises a surface irrigation method would require treatment to a much higher standard and cost a minimum of \$10,000. Greywater reuse systems require ongoing maintenance which can increase the costs associated with greywater reuse.

In addition to cost, disadvantages with the installation of a greywater reuse system that may discourage homeowners include:

- an irrigation area that is 24 square metres in size, is required to be available
- restrictions on human contact with the irrigation area
- only selective vegetation can be used within an irrigation area, that have a high tolerance to salts, pH levels and chemicals
- greywater must not be used in a manner that will result in direct contact with vegetables or other edible plants
- setback requirements exist to boundaries, bores, rain water tanks, swimming pools and buildings
- behaviour changes within the household such as limitations on the type of cleaning products that may be used in the home
- the potential for pollution and undesirable health and environmental effects when greywater is not reused appropriately.

These factors will have a significant impact on the demand for greywater reuse systems. The City has not received an application for a greywater reuse system to be installed in the last three years.

Potential water savings from greywater reuse systems

On average, a single residential property will produce 42 kilolitres of greywater per year. Where the majority of greywater can be captured and reused on a garden, greywater will only be discharged onto the approved irrigation area.

The remainder of the garden including all lawn areas are still required to be independently reticulated.

A Perth Residential Water Study undertaken by the Department of Water between 2008 and 2009 identified that an average Perth household uses 108 kilolitres of water on irrigation per year. This study also provides a Perth average garden size of 235 square metres, therefore provides an average rate of water use of 0.46kL of water per square metre of garden.

A greywater reuse system provides 24 square metres of irrigation area in sandy soil. A greywater reuse system will therefore provide an average annual saving of 11 kilolitres of water per year.

Rebate programs for greywater reuse systems

The City of Fremantle currently offers a rebate for any resident who installs a greywater reuse system. The rebate is for the amount of the application fee to the local government which currently stands at \$236. The City of Fremantle receives an average of five greywater reuse system applications per year.

The Water Corporation has previously offered a rebate of \$500 for the installation of a greywater reuse system, as part of a previous Waterwise Rebate Scheme.

The Water Corporation undertook an extensive advertising campaign, and while there was a substantial uptake of rebates for other water saving measures by residents, the uptake for greywater reuse systems was limited with only 222 rebates provided over a six year period in the Perth metropolitan area.

During the six year period the \$500 rebate was available by the Water Corporation, the City only received six applications to install a greywater reuse system. It is not known whether a rebate was provided for any of these systems.

Alternative water saving options

There are a number of ways that a household may save water usage in the home. The Department of Water and the Water Corporation promote alternative methods for saving water that include:

- ensuring awareness with sprinkler usage and seasonal adjustments such as turning irrigation systems off on cooler days
- reducing shower times
- increasing the use of swimming pool covers
- optimising the use of evaporative air conditioners
- planting gardens that require less water
- identifying and fixing leaks in and around the home
- the replacement of inefficient water using appliances and fixtures, with water saving devices.

The replacement of inefficient water using appliances include the use of flow control valves in bathrooms, the installation of a water efficient shower head, the use of water efficient washing machines and the replacement of single flush toilet systems with dual flush alternatives.

Cost effectiveness

A comparison can be made on the cost of implementing water saving measures and the amount of water that may be saved.

The most cost effective method of saving water is through behavioural change. This includes limiting the irrigation time for sprinklers, turning reticulation off during seasonal change, repairing leaks, operating appliances such as washing machines and dishwashers when they have a full load and adjusting shower times. These behavioural changes could provide significant water savings with little to no cost to implement.

The installation of water saving devices such as a water efficient shower head can be highly cost effective. The Federal Government, Water Efficiency Labelling and Standards Scheme (WELS) indicate that on average an annual water saving of 14.5 kilolitres can be achieved by installing a water efficient shower head, at a cost of approximately \$100.

WELS indicates that on average an annual water saving of 30 kilolitres can be achieved, by installing dual flush toilets in the home. The cost to purchase a dual flush toilet system can typically range between \$200 and \$800.

The installation of a greywater reuse system is one of the least cost effective water saving methods, when comparing the average annual water saving of 11 kilolitres to the likely cost of installing a greywater reuse system.

Development of a new City Water Plan

The City Water Plan is currently under review and a new water plan is being developed. The new water plan will continue to provide a coordinated approach for the City to sustainably manage water resources, within City operations and the community.

A new water plan will identify the main water related issues impacting the City, and set objectives for scheme and groundwater conservation initiatives, water quality and water quantity improvement.

The implementation of a new water plan will allow the City to demonstrate leadership in meeting its water conservation and water quality management targets. It will also encourage community awareness on the need to manage water resources for the future and provide opportunities for community water saving projects and initiatives.

It is anticipated that a draft water plan will be developed by the end of 2016.

Current initiatives

The City undertakes a number of environmental education initiatives that promote water conservation to the community, including:

- gardening seminars – two gardening seminars are held every year promoting water conservation messages and tips for water wise gardening. Over the past three years, 680 residents have attended one of the City's gardening workshops
- Home Eco-Audit Program – through the Home Eco-Audit Program, residents can sign up for a free eco-audit of their home. As part of the program, residents can have an auditor visit their home to assess their energy and water consumption and make recommendations for reducing their consumption. Residents can also receive up to \$50.00 worth of energy or water saving hardware for their home including water efficient showerheads, tap flow restrictors and shower timers. Over the past three years, 240 audits have been provided to residents
- information and awareness raising - In partnership with the Department of Water, the City has produced two brochures Saving Water in the Home and Saving Water in the Garden, which it distributes through the City's libraries and customer service centres. Information on how to save water in the home and garden is also provided on the City's website.

The City also considers energy and environmental efficiencies within new and refurbished community facility buildings. This includes:

- installation of low flow taps and shower heads
- placing water timers on showers
- installing toilet cisterns that provide a half flush option
- the installation of a rainwater tank at the Currambine Community Centre to charge toilet cisterns
- the use of waterless urinal systems.

Greywater systems have not been installed at a City facility, in consideration of the cost of installation and the water saving benefit.

In response to climate change and the ongoing provision of quality open spaces to the community, the Landscape Master Plan (LMP) was adopted by Council in 2008. One of the key driving principles of the LMP for rationalising and reducing water use on the City's large sporting parks, is designating areas for hydrozoning and ecozoning.

LMP projects, managed through a Parks Development Program, are dedicated to optimising the efficiency of irrigation systems and providing watering flexibility for turf surfaces in parks. Selected hydrozones are watered according to levels of use, with those surfaces subject to higher use and requiring more resilience, scheduled to receive more water than peripheral turf surfaces.

In addition, ecozones are introduced where possible, to provide water wise landscape alternatives to extraneous areas that were previously grassed. Selected ecozones are planted with local provenance shrubs that require establishment watering only.

Water use on the City's parks and recreational areas are determined by evaporation-based scheduling, as part of a systematic approach to efficient irrigation programming. Plant and environmental factors are used to determine water requirements.

Temperature, wind speed, solar radiation and relative humidity determine the amount of water required for productive plant growth. They are measured directly using an evaporation pan or calculated as evaporation from weather stations.

Irrigation controllers with 'signal data systems' have been installed for real time communication with irrigation systems. Soil moisture meters have also been installed within public open spaces, to assist with the efficiency of reticulation systems.

Issues and options considered

Council may choose to either:

- agree that a greywater rebate program should not be pursued, noting that the City is preparing a new water plan that will address community water saving initiatives
or
- request that a greywater rebate program be developed and implemented by the City.

Option 1 is recommended.

A new City Water Plan will provide an opportunity for all water saving initiatives to be considered. The installation of a greywater reuse system is not cost effective when compared to other simple water saving devices. Although public health risks can be mitigated by the installation of approved greywater reuse systems, the disposal of all waste water to a reticulated sewer system is the most effective method for managing health risk.

Due to limitations on the operation of greywater reuse systems and as evidenced by the City of Fremantle and Water Corporation, it is unlikely that there would be any increase in the number of greywater reuse systems currently being installed, if a rebate was being offered.

Should Option 2 be endorsed by Council however, any rebate considered would need to be of an amount that would encourage a change in community behaviour. Consultation with the community may be required through a resident survey to determine the level of rebate that would be successful in this regard.

The development and initiation of a program would include:

- determining the likely uptake of a rebate, through a resident survey
- establishing the amount of a rebate, in consideration of community survey responses
- provision of funding within the annual budget
- developing a rebate application form
- developing criteria to assess an application for a rebate
- documenting an operational process, including the payment of the rebate.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme The Natural Environment.

Objective Community involvement.

Strategic initiative Facilitate active involvement from the community in preserving and enhancing the natural environment.

Policy Not applicable.

Risk management considerations

A rebate program for greywater reuse systems could place a limit on the amount of the rebate, or the number of rebates provided. It is not anticipated that many applications would be received.

Financial / budget implications

There have been no applications for greywater reuse systems within the past three years. A rebate that equals the amount of the application fee is expected to have little or no impact on this.

The costs associated with the development of a rebate program that includes survey forms for residents, assessment criteria, development of processes and arrangements for rebate payments, would be included within existing operational budgets.

The cost of a resident survey is estimated to be in the region of \$5,300. Advertising costs, including the production of promotional materials and a community newspaper advertisement could potentially increase the cost to around \$6,000.

Regional significance

Not applicable.

Sustainability implications

The City recognises the importance of the sustainable use of water within its operations and facilities, and the need to promote water conservation and water efficiency within the community. Increases in average temperatures and population growth are placing higher demands on water resources.

The City of Joondalup is committed to sustainable water management through the existing City Water Plan and the development of a new water plan. Initiatives to reduce water use are important to ensure long term availability of water resources, though implementation of a rebate program to encourage the installation of greywater reuse systems is unlikely be an effective way of achieving this objective at this point in time.

Consultation

Not applicable.

COMMENT

Connection of all domestic waste water to the reticulated sewerage system is the most appropriate method to dispose of waste water, to reduce the risks to public health. Where it is intended to reuse household greywater, the risk to health can be mitigated by installing a greywater reuse system that is approved by the Western Australian Department of Health and installed in accordance with the Code.

While greywater reuse systems are likely to provide an overall reduction of water use, this method is not cost effective in comparison to other water saving options. A water efficient shower head which costs less than \$100 can provide greater water saving to the average household. Providing free, easy to install showerheads to residents would be cheaper and more effective than a rebate on the installation of greywater reuse systems.

Rebates offered by other organisations have shown that a financial incentive has not encouraged the installation of greywater reuse systems. The costs of installation and maintenance, the inconvenience of greywater reuse systems and the relative low-cost of water, are likely to continue to discourage their installation.

With the development of a new water plan for the City, opportunities exist to explore alternative projects that encourage the community to save water.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the existing initiatives and actions undertaken by the City to reduce water use, including community education programs, water saving features within new and refurbished buildings and facilities, designation of hydrozone and ecozone areas and management of water within the City's parks;
- 2 AGREES not to pursue a rebate program to encourage greywater reuse systems to be installed, and that alternate water saving initiatives be explored during the development of a new City Water Plan.

MOVED Cr Fishwick, SECONDED Cr Dwyer that Council:

- 1 **NOTES the existing initiatives and actions undertaken by the City to reduce water use, including community education programs, water saving features within new and refurbished buildings and facilities, designation of hydrozone and ecozone areas and management of water within the City's parks;**
- 2 **AGREES to initiate a greywater re-use rebate program for residents within the City of Joondalup;**
- 3 **AGREES to other alternate water saving initiatives being explored during the development of a new City Water Plan;**
- 4 **REQUESTS the Chief Executive Officer to prepare a report on implementing and determining a rebate for residents who wish to install an approved greywater reuse system.**

The Motion was Put and

CARRIED (10/1)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Norman, Poliwka and Taylor.

Against the Motion: Cr McLean.

Reason required for departure from Officer's recommendation

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 greywater re-use is an action that can aid in improving water efficiency and water conservation.

Governance Officer, Mrs Rose Garlick left the Chamber at 8.38pm and returned at 8.40pm.

CJ085-06/16 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2016 ANNUAL GENERAL MEETING

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	00033, 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 nominating its voting delegates for the 2016 Annual General Meeting of the Western Australian Local Government Association (WALGA) to be held on Wednesday 3 August 2016.

EXECUTIVE SUMMARY

The Annual General Meeting of WALGA is traditionally held during the WA Local Government Convention. The majority of local governments in the state have representatives attending.

Crs Amphlett and Thomas were nominated as the City's voting delegates in 2015, with Mayor Troy Pickard and Chief Executive Officer Mr Garry Hunt as their proxy delegates.

BACKGROUND

The 2016 WALGA Annual General Meeting will be held on Wednesday 3 August 2016.

DETAILSVoting Delegates

In order to participate in voting on matters received at the Annual General Meeting, each member Council must register its voting delegates by 4 July 2016. Pursuant to the WALGA Constitution, all member Councils are entitled to be represented by two voting delegates. Voting delegates may be either Elected Members or serving officers. Proxy voting is available where the Council's appointed representatives are unable to attend.

The current City of Joondalup members of the WALGA North Metropolitan Zone are:

Members

Cr Philippa Taylor.
Cr Russ Fishwick.
Cr Christine Hamilton-Prime.
Cr John Logan.

Deputies

Cr Sophie Dwyer (first alternative member).
Cr Nige Jones (second alternative member).
Cr Russell Poliwka (third alternative member).
Cr Mike Norman (fourth alternative member).

Crs Fishwick and Logan are the City's delegate and deputy delegate respectively, to the WALGA State Council.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation

Not applicable.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Strong leadership.

Strategic initiative

Advocate and influence political direction to achieve local and regional development.

Policy

Not applicable.

Risk management considerations

If the City of Joondalup does not submit its voting members, it will not be able to vote on the matters to be debated as part of the Annual General Meeting of WALGA.

Financial / budget implications

Not applicable.

Regional significance

Matters considered at the 2016 WALGA Annual General Meeting relate to local government as an industry.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The North Metropolitan Zone Committee of WALGA, consisting of the Cities of Joondalup, Stirling and Wanneroo, is the main link the City has in considering matters relating to WALGA activities.

It is considered prudent to designate two voting delegates for the 2016 Annual General Meeting of WALGA to ensure the City is represented and is able to vote on matters affecting the City and the broader local government sector.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council NOMINATES:

- 1 two voting delegates for the 2016 Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday 3 August 2016;
- 2 two proxy voting delegates for the 2016 Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday 3 August 2016 in the event that Council's appointed representatives are unable to attend.

MOVED Cr Hamilton-Prime, SECONDED Cr Hollywood that Council NOMINATES:

- 1 **Cr Russ Fishwick and Cr Christine Hamilton-Prime as the Council's voting delegates for the 2016 Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday 3 August 2016;**
- 2 **Cr Philippa Taylor and Mr Garry Hunt, Chief Executive Officer as the Council's 'Proxy' voting delegates for the 2016 Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday, 3 August 2016 in the event that Council's appointed representatives are unable to attend.**

The Motion was Put and

CARRIED (11/0)

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

CJ086-06/16 MINUTES OF EXTERNAL COMMITTEES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	41196, 101515
ATTACHMENTS	Attachment 1 Minutes of Tamala Park Regional Council meeting held on 21 April 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 the Tamala Park Regional Council meeting held on 21 April 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.

Tamala Park Regional Council meeting – 21 April 2016.

A meeting of the Tamala Park Regional Council was held on 21 April 2016.

At the time of this meeting Cr John Chester and Cr Kerry Hollywood were Council's representatives on the Tamala Park Regional Council.

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

9.6 Catalina Display Village Strategy

It was resolved by the Tamala Park Regional Council as follows:

“That the Council:

1. *RECEIVES the Display Village Strategy prepared by the Satterley Property Group dated March 2016.*
2. *APPROVES the location of Catalina Beach Display Village (DV3), the commercial terms and conditions and the release of lots 2122 to 2136 as builders display lots in accordance with the Selection and Allocation Process, as detailed in the Display Village Strategy (dated March 2016).*
3. *APPROVES the use of lot 2094 as a Sales Office for the Catalina Project and lot 2137 for an associated car park for the Catalina Beach and Catalina Grove Precincts for 2018, subject to the Satterley Property Group providing specific details on the form, design, operation and detailed costs and reference to the TPRC budget for Council.*
4. *ADVISES the Satterley Property Group that approval to the proposals for the Catalina Beach Display Village (DV4) and Catalina Grove Display Village (DV5) is considered premature at this stage.”*

9.7 Catalina Grove Precinct Plan - Satterley Property Group Analysis

It was resolved by the Tamala Park Regional Council as follows:

“That the Council:

1. *RECEIVES the Catalina Grove Precinct Plan Analysis (February 2016) prepared by Satterley Property Group.*
2. *NOTES that the Satterley Property Group analysis of the Catalina Grove Precinct Plan is not a detailed economic or feasibility assessment and request the Satterley Property Group to undertake a cashflow feasibility following further consideration of the Catalina Grove Precinct Plan by the project consultants and other specialist consultants.*
3. *REQUESTS the Satterley Property Group to finalise a program for progressing the resolution of issues raised in its analysis of the Catalina Grove Precinct Plan, including the consultation with key stakeholders, including the City of Wanneroo, WAPC, PTA and Main Roads.*
4. *ADVISES the Satterley Property Group that the actions in recommendations (2) and (3) above need to be undertaken in order to finalise the optimum design for Catalina Grove and reported to Council prior to proceeding with any potential amendment to Tamala Park Local Structure Plan relating to Catalina Grove.”*

9.8 Proposed Repricing of Lots (STAGES 11, 12, 13B, 14A, 14B, 14C, 14D & 15)

It was resolved by the Tamala Park Regional Council as follows:

“That the Council:

1. *RECEIVES the recommended repricing of lots within Stages 11, 12, 13B, 14A, 14B, 14C, 14D & 15 (dated 31 March 2016), prepared by Satterley Property Group.*
2. *APPROVES the lot pricing for the unsold lots in Stages 11, 12, 13B, 14A, 14B, 14C, 14D and 15 based on the higher value of the SPG pricing (31 March 2016) and the market value by the Council appointed valuer.*
3. *REQUESTS the Satterley Property Group to provide advice as to how the shortfall in revenue is to be addressed and potential impact on other elements of the TPRC budget for the June 2016 Council meeting.”*

9.9 Catalina Front Landscaping Tender

It was resolved by the Tamala Park Regional Council as follows:

“That the Council:

1. *ACCEPTS the LD Total tender (dated March 2016) for the provision of front landscaping services in accordance with Tender 2/2016.*
2. *AUTHORISES the Chairman and the CEO to sign and affix the TPRC common seal to the Contracts.”*

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 Hollywood, **SECONDED** Cr Gobbert that Council **NOTES** the minutes of the Tamala Park Regional Council meeting held on 21 April 2016 forming Attachment 1 to Report CJ086-06/16.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ083-06/16, page 173 refers.

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

To access this attachment on electronic document, click here: [ExternalMinutes160614.pdf](#)

CJ087-06/16 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	15876, 101515
ATTACHMENT	Attachment 1 Documents executed by affixing the Common Seal for the period 3 May to 24 May 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 3 May to 24 May 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 3 May to 24 May 2016 executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ087-06/16.

BACKGROUND

During the period 3 May to 24 May 2016, three documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Amendment No. 83 to District Planning Scheme No. 2	1
Partial Surrender of Easement	1
Section 70A Notification	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 Hollywood, SECONDED Cr Gobbert that Council NOTES the Schedule of Documents for the period 3 May to 24 May 2016, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ087-06/16.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ083-06/16, page 173 refers.

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

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf160614.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Cr Mike Norman.
Item No./Subject	CJ088-06/16 – City of Joondalup Submission – Draft Perth and Peel Green Growth Plan for 3.5 Million.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Norman is chairman of the Joondalup Community Coast Care Forum Inc.

CJ088-06/16 CITY OF JOONDALUP SUBMISSION - DRAFT PERTH AND PEEL GREEN GROWTH PLAN FOR 3.5 MILLION

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	105752
ATTACHMENT	Attachment 1 Draft Strategic Conservation Plan for the Perth and Peel Regions Attachment 2 City of Joondalup Draft Submission - draft <i>Perth and Peel Green Growth Plan</i>
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 and endorse the City's submission on the draft *Perth and Peel Green Growth Plan for 3.5 Million*.

EXECUTIVE SUMMARY

The Department of the Premier and Cabinet has released the *draft Perth and Peel Green Growth Plan for 3.5 Million (draft Green Growth Plan)* for public comment. The consultation period commenced on 17 December 2015 and concluded on 13 May 2016. Submissions received will be considered by the State Government prior to the finalisation of the documents in late 2016.

The draft *Green Growth Plan* aims to secure approval under Part 10 of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and deliver streamlined approvals processes under the *Western Australian Environmental Protection Act 1986* (EP Act) for the following development types or 'classes of action':

- Urban and industrial development.
- Rural residential development.
- Infrastructure development.

- Basic raw materials extraction.
- Harvesting of pine plantations.

The draft *Green Growth Plan* is a whole of government initiative and has been developed in collaboration with the Western Australian Planning Commission's (WAPC) draft *Perth & Peel @3.5million* sub-regional planning framework.

The draft *Green Growth Plan* aims to deliver a comprehensive environmental program for the protection of both Commonwealth matters of national environmental significance and State environmental values. This includes the following:

- 170,000 ha of new and expanded conservation reserves in Perth and Peel regions and immediate surrounds, including improved protection and management of Bush Forever sites and establishment of the Peel Regional Park.
- Implementation of critical steps to cut nutrient run-off into the Swan Canning and Peel Harvey estuaries and ensure the health of these systems over the long-term.
- Implementation of a program of on-ground management to improve protection and management of threatened species, wetlands of international significance and threatened ecological communities.

A draft submission on the draft *Green Growth Plan* has been prepared for consideration and endorsement (Attachment 2 refers). Generally, the principles and objectives outlined within the draft *Green Growth Plan* are considered sound, however there are a number of areas within the plan, and the related action plans, that require clarification and/or further information to be provided by the State Government. The issues highlighted mainly relate to the mechanisms that will be utilised to implement and fund the conservation commitments outlined within the draft *Green Growth Plan*. The refinement of areas included within the plan's conservation program is also required to ensure that the objectives of the draft *Green Growth Plan* are aligned with the City's strategic planning objectives.

The City of Joondalup submitted comments to the Department of the Premier and Cabinet prior to the closing date for submissions of 13 May 2016. The City's submission is subject to retrospective Council endorsement.

BACKGROUND

In July 2011, the Western Australian Minister for Planning, the Minister for Environment and the Commonwealth Minister for Sustainability, Environment, Water, Population and Communities agreed to undertake a strategic assessment of the Perth and Peel regions of Western Australia. Strategic assessments under the *Environmental Protection Biodiversity Conservation Act* (EPBC Act) aim to encourage a 'bigger picture' approach to assessing how biodiversity, environmental and heritage values that are Matters of National Environmental Significance (MNES) can be protected, while allowing sustainable development. This is achieved through addressing a number of individual actions or a class of actions, by several proponents, on a regional scale that would otherwise be assessed on a project-by-project basis.

The objectives of the Perth and Peel Strategic Assessment are to:

- significantly reduce the need for project by project assessment under the EPBC Act in the Perth and Peel region

- deliver an effective long term and strategic response to key environmental issues in the Perth and Peel region, for example, Carnaby's Cockatoo and water quality in the Peel-Harvey estuary
- provide greater certainty to industry as to which areas can be developed and what the obligations will be in terms of mitigation, including environmental offsets
- provide greater certainty in terms of long term land supply to meet the needs of a city of 3.5 million.

The Perth and Peel regions are projected to grow to 3.5 million people by 2050 – an increase of almost 70 per cent on the current population. Supporting this growth and delivering an efficient and liveable city, while protecting the unique natural environment, is a significant challenge. Following the completion of the strategic assessment of the Perth and Peel region, the State Government has prepared the draft *Perth and Peel Green Growth Plan for 3.5 Million* to meet this challenge. In this context the draft plan aims to deliver two critical outcomes:

- Cutting red tape by securing upfront Commonwealth environmental approval and streamlining State environmental approvals for the development required to support growth to 3.5 million people.
- Unprecedented protection of bushland, rivers, wildlife and wetlands through implementation of a comprehensive plan to protect the environment.

The draft *Green Growth Plan* aims to secure approval under Part 10 of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and deliver streamlined approvals processes under the *Western Australian Environmental Protection Act 1986* (EP Act) for the following development types or 'classes of action':

- Urban and industrial development.
- Rural residential development.
- Infrastructure development.
- Basic raw materials extraction.
- Harvesting of pine plantations.

The draft *Green Growth Plan* is a whole of government initiative and has been developed in collaboration with the Western Australian Planning Commission's (WAPC) draft *Perth & Peel @ 3.5million* sub-regional planning frameworks.

The Department of the Premier and Cabinet has released the draft *Perth and Peel Green Growth Plan for 3.5 Million* for public comment. The consultation period commenced on 17 December 2015 and concluded on 13 May 2016. Submissions received will then be considered by the State Government prior to the finalisation of the documents in late 2016.

DETAILS

The suite of draft *Green Growth Plan* documents, amounting to over 3,000 pages, seeks to provide a comprehensive approach to the avoidance and mitigation of environmental impacts. The documents that form the draft *Green Growth Plan* are listed below:

- 1 Strategic Conservation Plan.
- 2 Action Plan A - Urban and Industrial.
- 3 Action Plan B - Rural Residential.
- 4 Action Plan C - Infrastructure.
- 5 Action Plan D - Basic Raw Materials.

- 6 Action Plan E - Pines Harvesting.
- 7 Action Plan F - Commonwealth Conservation Commitments.
- 8 Action Plan G - State Environmental Objectives and Commitments.
- 9 Action Plan H - Conservation Program.
- 10 Action Plan I - Assurance.
- 11 State Impact Assessment Report.
- 12 Commonwealth Impact Assessment Report.

The suite of documents is available for viewing on the Department of the Premier and Cabinet website at the following link:

<https://www.dpc.wa.gov.au/Consultation/StrategicAssessment/Pages/Draft-Green-Growth-Plan-documents.aspx>

The principal document of the draft *Green Growth Plan* is the strategic conservation plan, included as Attachment 1, which sets out the conservation and environmental outcomes and objectives that will be achieved over its 30 year lifespan. These outcomes and objectives will be delivered through the implementation of:

- the avoidance, mitigation and rehabilitation requirements that will be implemented through the processes set out in Action Plans A to E
- the Conservation Framework, which includes the specific conservation and environmental commitments set out in Action Plans F and G and the Conservation Program set out in the Strategic Conservation Plan and Action Plan H.

The draft *Green Growth Plan* aims to deliver a comprehensive environmental program for the protection of both Commonwealth matters of national environmental significance and State environmental values, within the context of a growing population of 3.5 million people. This will be achieved by providing up front environmental approval under Part 10 of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and delivering streamlined approvals processes under the *Western Australian Environmental Protection Act 1986* (EP Act) for the following development types or 'classes of action':

- Urban and industrial development.
- Rural residential development.
- Infrastructure development.
- Basic raw materials extraction.
- Harvesting of pine plantations.

For development outside of the above classes of action the current State and Federal environmental approval processes will remain in place.

In order to provide long term security to significant habitat and Matters of National Environmental Significance (MNES) such as Carnaby's Cockatoo, the draft *Green Growth Plan* proposes a conservation program that includes expansion of the State's conservation estate and increased protection for significant bushland areas within the Perth and Peel region. During the consultation period for the draft *Green Growth Plan* the Department of the Premier and Cabinet released spatial mapping that shows the areas within the City of Joondalup that are included within the proposed conservation program. Under the draft plan sites are included as either areas that are part of the expanded conservation system (Phase 1 and Phase 2) or as a specific or broad conservation commitment or value.

The **specific conservation commitments** relate to the draft commitments in Action Plans F and G which require protection of a specific occurrence of an environmental value, including the following:

- Threatened flora.
- Threatened ecological communities.
- Conservation category wetlands.
- Wetlands of international importance.
- Vegetation complexes with less than 10% remaining.
- Bush forever areas within the three classes of action mapped (excluding those within the 'rural complementary' and 'negotiated planning solution' categories).

The **broad commitments and values** show areas of environmental values that are subject to draft commitments in Action Plans F and G where some portions will need to be retained for conservation through future processes. The environmental values captured by these commitments include:

- threatened fauna habitat
- vegetation complexes with more than 10% but less than 30% remaining
- 'negotiated planning solution' and 'rural complementary' bush forever areas within the three classes of action mapped
- 50 metre buffers for conservation category wetlands.

A review of the detailed mapping provided by the Department of the Premier and Cabinet has been undertaken to identify sites subject to the *draft Green Growth Plan* that are located within the City of Joondalup. The draft *Green Growth Plan* states that areas for inclusion within the conservation commitments will be further refined and criteria will be developed to inform this refinement process, and may include the following principles:

- Consideration of any valid approved structure plans.
- Size of the conservation/environmental area, with preference to retaining areas of four hectares and greater.
- Opportunities for conservation/environmental linkages to other areas.
- Extent of multiple overlapping conservation/environmental values, with preference to retaining these areas.
- Quality of the environmental values.
- Strategic importance of developing an area, with preference given to considering clearing in higher importance areas such as activity centres.
- Overall avoidance targets needing to be met under the draft commitments (for example Carnaby's cockatoo habitat).
- Consideration of relevant biodiversity strategies and frameworks (for example local biodiversity strategies, Regional Framework for Local Biodiversity Conservation Priorities in Perth and Peel).

A significant amount of the City's bushland areas have been identified for inclusion in the proposed conservation program as either specific or broad conservation commitments. The key inclusions are summarised below.

Specific Conservation Commitments

The City's Major Conservation Reserves and Bush Forever sites have been identified for inclusion in the expanded State conservation estate, these bushland areas are:

- Craigie Open Space
- Shepherds Bush Conservation Reserve

- Hepburn Heights Conservation Area
- Warwick Open Space Bushland
- Yellagonga Regional Park.

Under the draft *Green Growth Plan* the above areas will be included within the State's conservation estate as 'conservation reserves'.

A 'conservation reserve' is made up of areas of Crown land set aside for the protection and conservation of biodiversity and/or natural or cultural heritage values, that are reserved and managed under the *Conservation and Land Management Act 1984* (CALM Act) and/or *Land Administration Act 1997* (LAA). Conservation reserves are areas of Crown land set aside for the protection and conservation of biodiversity and/or natural or cultural heritage values. There are three main types of conservation reserves in Western Australia – nature reserves, national parks, and conservation parks.

Nature reserves are established for wildlife and landscape conservation, scientific study and preservation of features of archaeological, historic or scientific interest. Recreation that does not harm natural ecosystems is allowed, but other activities are usually not permitted. Nature reserves can also have an extra classification applied to them and become an "A class" reserve, which means they receive a higher level of protection. There are currently no nature reserves within the City of Joondalup. Examples in Western Australia include Bold Park and Kings Park which are managed by the Botanic Gardens and Parks Authority.

National parks are also established for wildlife and landscape conservation, scientific study, preservation of features of archaeological, historic or scientific interest, but are also able to be used for enjoyment by the public. They have national or international significance for scenic, biological or cultural values. There are currently no national parks within the City of Joondalup; however the Neerabup National Park, located within the City of Wanneroo, borders the City of Joondalup.

Conservation parks have the same purpose as national parks but do not have the same national or international significance (though they have significant local or regional value for conservation and recreation). Land is usually reserved as a conservation reserve rather than nature reserve or national park when there is a potential competing land use, for example, because the land has high mineral potential. Currently only one Conservation Park exists within the City of Joondalup, the Tamala Conservation Park, located at the City's northern boundary. The land is currently managed by the Western Australian Planning Commission and they are currently in the process of implementing an Establishment Plan for the park. Once established into a conservation park the land will be managed by the Department of Parks and Wildlife.

Under the draft *Green Growth Plan*, conservation reserves will be comprised of lands reserved under the CALM Act (including Conservation Parks, National Parks and Nature Reserves), except in the following circumstances:

- Where, as part of the South West Native Title Settlement overlap exists with parcels of land that have been selected by South West Aboriginal Land and Sea Council (SWALSC), are under review by SWALSC for selection or have been identified by SWALSC. In these instances, the areas will be offered to the Noongar Boodja Trust as reserves under the LAA with Management Orders solely vested in the Trust that have Noongar Cultural and Social benefits and Conservation in the purpose.
- Where the area is more suited to being managed by a local government or other statutory body (for example Botanic Parks and Gardens Authority) and the local government or statutory body is willing to take on the management of the reserve. In

these instances the areas will be reserved under the LAA with a management order limited to a conservation purpose and other compatible purposes.

For Bush Forever sites that are currently classified as Parks and Recreation and have multiple land uses within the site, such as Warwick Open Space, the City is recommending to the State Government that mechanisms be put in place to enable the bushland area to be excised from the overall lot to enable the bushland area to be classified as conservation and enable the current recreational uses of the site to remain.

Broad Conservation Commitments

Under the draft *Green Growth Plan* the majority of areas identified as broad conservation commitments are reserves that are currently zoned as Parks and Recreation under the *Metropolitan Regional Scheme* (MRS) that may be suitable to be rezoned for the purpose of 'Conservation'.

Numerous areas within the City of Joondalup have been identified through the draft *Green Growth Plan* mapping as 'broad conservation commitments'. This includes the City's high and medium value bushland areas as well as several of the City's passive and active recreational reserves. In the instances of passive and active parks being identified, it is the bushland parcels of the land that have been identified as vegetation suitable for retention. While the majority of natural areas identified are suitable for inclusion in a conservation program that would increase protection of the City's natural areas, there are several sites that would not be suitable for inclusion within the conservation program.

The main areas that have been highlighted as being unsuitable for inclusion as broad conservation commitments are parcels of land within the Joondalup City Centre. It is recommended that areas proposed for inclusion within the Joondalup City Centre be removed from the draft *Green Growth Plan* mapping, with the exception of regionally significant environmental areas, Central Park (eastern portion) and Lakeside Park. Details regarding the strategic nature of the Joondalup City Centre area have been included within the City's submission, as detailed in Attachment 2.

Several parcels of privately owned land, as well as City free hold land holdings have also been identified as broad conservation commitments. For areas outside of crown land, the draft *Green Growth Plan* provides for these areas to be secured for conservation purposes via a land acquisition process. For the purpose of the draft *Green Growth Plan*, land acquisition refers to the purchase of privately owned land (including free hold land) to be transferred to the conservation reserve system. However it should be noted that the draft *Green Growth Plan* does not involve compulsory acquisition of privately held land. Landholders will have to volunteer the sale of their land, and a price must be mutually agreed.

Specific mechanisms for implementing and funding the commitments within the draft *Green Growth Plan* are not detailed within the draft plan. Within the City's submission to the Department of the Premier and Cabinet it has been requested that further details regarding the implementation be provided. Furthermore the City's submission also requested that the State Government works with the City of Joondalup to refine the areas within the City's boundaries to be potentially included as broad conservation commitments to ensure that the City's significant bushland areas are provided with appropriate protection while other areas remain zoned for the relevant land use.

Issues and options considered

Council has the option to:

- endorse the draft submission, without modifications, and advises the Department of the Premier and Cabinet that no changes are required to the City's submission or
- endorse the draft submission, with modifications, and advise the Department of the Premier and Cabinet of the required changes.

Legislation / Strategic Community Plan / policy implications

Legislation

The *Green Growth Plan* aims to secure approval under Part 10 of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and deliver streamlined approvals processes under the *Western Australian Environmental Protection Act 1986* (EP Act).

Strategic Community Plan

The draft submission applies to a number of key themes, objectives and strategic initiatives in the City's *Strategic Community Plan* including the quality built environment and natural environment themes.

Policy

Following Commonwealth endorsement of the draft *Green Growth Plan*, under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), a number of State Planning Policies will be reviewed.

Risk management considerations

Should Council choose not to endorse the draft submission, there is the risk that the aspirations and vision outlined in the City's own strategic planning and environmental documents will not be adequately captured within the sub regional planning frameworks.

Financial / budget implications

There are no financial implications associated with providing a submission to the State Government on the draft *Green Growth Plan*. However the future financial implications for the City, in regard to the implementation of the plan, are uncertain due to the absence of an Implementation Plan and Funding Plan, which are to be developed by the State Government.

Regional significance

A key objective of the draft *Green Growth Plan* is the increased protection of regionally significant bushland that contains under-represented vegetation complexes and provides habitat for environmentally significant species. A number of these areas are located within the City of Joondalup, including the City's Major Conservation Areas, Bush Forever sites and Yellagonga Regional Park.

Sustainability implications

The draft *Green Growth Plan* aims to provide enhanced protection for the significant environmental values within the Perth and Peel region. A number of key bushland areas within the City of Joondalup have been included within the planned expansion of the state's conservation estate; this increased protection will enable the biodiversity values of the City to be conserved into the future. However refinement of areas to be included as broad conservation commitments is required, to ensure alignment with the City's strategic planning objectives.

Consultation

Not applicable.

COMMENT

The City of Joondalup supports the State Government's efforts to streamline planning approvals processes in order to achieve greater environmental outcomes from development. Despite the large number of documents included within the draft *Green Growth Plan*, there is still a lack of detail, regarding specific inclusions of the plan. This has made formulating a submission challenging in terms of identifying specifically how the draft plan will affect the City of Joondalup's strategic planning for future growth within the region. Earlier provision of the detailed mapping (released late March) would have greatly assisted in formulating more informed submissions.

Furthermore the absence of an implementation and funding plan means that the City of Joondalup is unable to provide a fully informed submission on the draft *Green Growth Plan*. The City's submission highlights issues related to this lack of detail and the need for the State Government to undertake further consultation with the City in regard to the implications of the plan.

The City's submission also seeks clarification from the State Government in relation to mechanisms that will be employed to implement the commitments within the draft *Green Growth Plan*. Additionally the submission requests that the State Government works with the City to refine the areas to be included as conservation commitments.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Chester, SECONDED Cr Dwyer that Council ENDORSES the City of Joondalup submission to the Department of the Premier and Cabinet on the draft *Perth and Peel Green Growth Plan for 3.5 Million*, included as Attachment 2 to Report CJ088-06/16.

The Motion was Put and

CARRIED (11/0)

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

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf160614.pdf](#)

CJ089-06/16 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 17 May 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 17 May 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 Hollywood, SECONDED Cr Gobbert that Council NOTES:

- 1 the status of outstanding petitions submitted to Council during the period 15 September 2015 to 17 May 2016, forming Attachment 1 to Report CJ089-06/16;**
- 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 2015 advising them of the petition and requesting action be taken to address the concerns of the petition;**
 - 2.2 the City has recently been informed by the managing agent that the land owner is currently in the process of preparing plans for the redevelopment of the centre, but at this stage it is not clear what the**

scope of the redevelopment will be and whether it will involve the demolition of the old service station building on the site;

- 2.3 the lead petitioner has been advised;
- 3 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 16 August 2016;
- 4 that a report in relation to the following petitions:
- 4.1 a section of Burns Beach be made available as an animal exercise area;
- 4.2 a change to the City's *Beach Management Plan* to reduce the congestion at Hillarys Dog Beach,
- will not be progressed until the permanent closure of the horse exercise area at Hillarys Beach is finalised through the completion of a local law amendment process;
- 5 that a report in relation to the petition requesting Council to reconsider the proposed installation of the footpath on Strathyre Drive, Duncraig is proposed to be presented to Council at its meeting to be held on 19 July 2016;
- 6 that in relation to the petition requesting that Council removes the verge flame tree outside of 23 Ripley Way, Duncraig, the tree was removed on 18 April 2016 to enable the Water Corporation to undertake required repairs to their infrastructure;
- 7 that in relation to the petition requesting that Council ensures that future unit development in Strathyre Drive, Duncraig and surrounding streets with R60 approval provide two car bays per unit will be considered as part of the review of the *Residential Development Local Planning Policy* which is proposed to be undertaken in late 2016.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ083-06/16, page 173 refers.

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

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf160614.pdf](#)

CJ090-06/16 PROPOSED ANIMALS AMENDMENT LOCAL LAW 2016 – REQUEST TO ADVERTISE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	21067, 101515
ATTACHMENT	Attachment 1 <i>Animals Amendment Local Law 2016</i> Attachment 2 <i>Animals Local Law 1999</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to make the *City of Joondalup Animals Amendment Local Law 2016* for the purpose of public advertising.

EXECUTIVE SUMMARY

At its meeting held on 23 March 1999 (CJ67-03/99 refers), Council adopted the *City of Joondalup Animals Local Law 1999*. The local law provides for the regulation, control and management of the keeping of animals within the City of Joondalup and includes the establishment of dog and horse exercise areas.

The *Dog Act 1976* was amended in 2014 to enable local governments to determine dog exercise and dog prohibited areas by simple resolution rather than through a local law. This change to the *Dog Act 1976* rendered those aspects of the City's *Animals Local Law 1999* relating to dog exercise and dog prohibited areas void.

At its meeting held on 17 May 2016 (CJ071-05/16 refers), Council resolved to permanently close the horse exercise area at Hillarys Beach. As the designation of the horse beach is contained within the City's *Animals Local Law 1999*, an amendment to this local law will be required to remove the designation of the horse exercise area at Hillarys Beach.

It is therefore recommended that Council MAKES the City of Joondalup Animals Amendment Local Law 2016, as detailed in Attachment 1 to this Report, for the purposes of public advertising.

BACKGROUND

At its meeting held on 23 March 1999 (CJ67-03/99 refers), Council adopted the *City of Joondalup Animals Local Law 1999*. The local law provides for the regulation, control and management of the keeping of animals within the City of Joondalup. This also includes the designation of a horse exercise area on a beach reserve, and the designation of a number of dog exercise and dog prohibited areas, in the City's district.

The *Dog Act 1976* was amended in 2014 to enable local governments to determine dog exercise and dog prohibited areas by simple resolution rather than through a local law. This legal change rendered the designation and enforcement of such areas within the City's *Animals Local Law 1999* void and unenforceable.

At its meeting held on 16 September 2014 (CJ169-09/14 refers), Council established a number of dog exercise and dog prohibited areas in the City's district in accordance with section 31 of the *Dog Act 1976*. These areas have been amended as required in the past two years.

At its meeting held on 21 September 2010 (CJ158-09/10 refers), Council resolved to increase the phase-out period for the closure of the horse exercise area at Hillarys Horse Beach to a four year period, after the initial recommendation of a two year phase out period.

At its meeting held on 17 May 2016 (CJ071-05/16 refers), Council resolved to give effect to its previous decision to permanently close the horse exercise area at Hillarys Beach.

DETAILS

The establishment of dog exercise and dog prohibition areas within a local law is no longer necessary and can be made by simple resolution of the Council. It is therefore appropriate to remove from the City's *Animals Local Law 1999* any reference to the establishment of such areas.

In order to close the horse exercise area at Hillarys Beach as per Council's decision at its meeting held on 17 May 2016 (CJ071-05/16 refers), it is necessary to amend the *City of Joondalup Animals Local Law 1999*.

Detail of amendments

The following points detail the changes proposed to the *City of Joondalup Animals Local Law 1999*:

- Delete Clause 10.
- Delete Clause 26.
- Delete penalty items 1, 16, 17 and 18 from the First Schedule.
- Delete Second Schedule including Diagram 1.
- Delete Third Schedule including Diagram 2.

The above changes are detailed in the amendment local law, included as Attachment 1 to this report.

The procedure for making local laws, as detailed in the *Local Government Act 1995* (the Act), is a specific legislative process that must be adhered to in order for the local law to be accepted by the Joint Standing Committee on Delegated Legislation (JSCDL) and by Parliament.

Section 3.12(2) of the Act states that the first action in the process of making a local law is for the Mayor to give notice to the meeting of the purpose and effect of the proposed local law. Regulation 3 of the *Local Government (Functions and General) Regulations 1996* states that this is achieved by ensuring that:

- (a) *the purpose and effect of the proposed local law is included in the agenda for that meeting*
- (b) *the minutes of the meeting of the Council include the purpose and effect of the proposed local law.*

In view of this, the purpose and effect of the proposed *City of Joondalup Animals Amendment Local Law 2016* are as follows:

- The purpose of this local law is to remove the setting aside of the horse exercise area at Hillarys Beach and remove the ability under the local law to establish dog exercise areas and dog prohibited areas in the district.
- The effect of this local law is to remove the ability for horses to be exercised at Hillarys Beach and remove redundant provisions within the local law relating to dog exercise areas and dog prohibited areas.

Issues and options considered

Council can either:

- approve the release of the attached *City of Joondalup Animals Amendment Local Law 2016* for a six week public comment period, which is aligned to the intent of Council's resolution of 17 May 2016 (CJ071-05/16 refers) to permanently close the Hillarys Beach
- approve the release of the attached *City of Joondalup Animals Amendment Local Law 2016* for a six week public comment period, subject to amendments or
- not approve amendment of the *Animals Local Law 1999*.

Option 1 is the preferred option.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*
City of Joondalup Local Government and Public Property Local Law 2014.
City of Joondalup Animals Local Law 1999.

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.

Subdivision 2, Division 2 of Part 3 of the Act applies to the creation, amending and repealing of local laws. It is anticipated that the amendment local law making process will take approximately four to six months to complete the process, following a decision of Council.

Risk management considerations

The amendment local law is yet to be considered by the JSCDL, which reviews local laws created by local governments (including amendments) as well as other subsidiary legislation.

Should the City not follow the local law creation process as detailed in the Act, the JSCDL may recommend to the Parliament disallowance of the local law.

Financial / budget implications

Minor costs will be incurred in amending the local laws, which relate mainly to the placement of advertisements and gazettal notices. The estimated cost of these advertisements is \$1,500.

Current financial year impact

Funds are budgeted for progression of local law amendments in the annual budget.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Should Council decide to make the *City of Joondalup Animals Amendment Local Law 2016* for the purposes of public advertising, statutory advertising and consultation with all members of the public will occur, as follows:

- Giving statewide public notice advertising the proposed local law and inviting submissions to be made within no less than six weeks from the date of advertising, including:
 - advertising in a newspaper circulating throughout the state
 - displaying public notices at the City of Joondalup Administration Centre, public libraries and customer service centres
 - advertising on the City's website.
- Providing a copy of the notice and a copy of the proposed local law to the Minister for Local Government and Communities.

COMMENT

Other and outdated provisions of the *Animals Local Law 1999* are in the process of being reviewed which may result in further amendment or repeal of provisions of the local law. However, the *City of Joondalup Animals Amendment Local Law 2016* has been progressed to specifically deal with the removal of the designation of a horse exercise area on a beach reserve and the removal of dog exercise and dog prohibited areas in the City's district.

The future provision of animal exercise areas (excluding dogs) can be made as a determination in accordance with the *City of Joondalup Local Government and Public Property Local Law 2014*. The provision of dog exercise and dog prohibited areas are now able to be made by simple resolution of the Council in accordance with section 31 of the *Dog Act 1976*.

The proposed *City of Joondalup Animals Amendment Local Law 2016* is intended to remove reference to outdated dog exercise and dog prohibited areas, and give effect to Council's previous decision to close the horse exercise area at Hillarys Beach.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Norman, **SECONDED** Mayor Pickard that Council **MAKES** the *City of Joondalup Animals Amendment Local Law 2016*, as detailed in Attachment 1 to Report CJ090-06/16, for the purposes of public advertising.

AMENDMENT MOVED Cr Gobbert, **SECONDED** Cr Hamilton-Prime that an additional Part 2 be added to the Motion to read as follows:

"2 in accordance with clause 13.6(2) of the City of Joondalup Meeting Procedures Local Law 2013 REQUESTS the Chief Executive Officer to take immediate action to implement the decision."

The Amendment was Put and

CARRIED (9/2)

In favour of the Amendment: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean and Poliwka.

Against the Amendment: Crs Norman and Taylor.

The Original Motion as amended, being:

That Council:

- 1 **MAKES** the *City of Joondalup Animals Amendment Local Law 2016* as detailed in Attachment 1 to Report CJ090-06/16, for the purposes of public advertising;
- 2 in accordance with clause 13.6(2) of the City of Joondalup *Meeting Procedures Local Law 2013* REQUESTS the Chief Executive Officer to take immediate action to implement the decision.

Was Put and

CARRIED (11/0)

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

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf160614.pdf](#)

CJ091-06/16 2016 ANNUAL REVIEW OF DELEGATIONS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	07032, 101515
ATTACHMENT	Attachment 1 Schedule of proposed amendments Attachment 2 Revised Register of Delegation of Authority Attachment 3 Explanation of changes – Planning and Development (Local Planning Schemes) Regulations 2015
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 undertake a formal review of its delegations within the Register of Delegation of Authority.

EXECUTIVE SUMMARY

Sections 5.18 and 5.46 of the *Local Government Act 1995* (the Act) require that at least once every financial year, delegations are to be reviewed by the delegator. The Council last reviewed its delegations on 23 June 2015 (CJ095-06/15 refers).

A schedule of proposed amendments to the Register of Delegation of Authority is submitted as Attachment 1 to this Report. The Register of Delegation of Authority incorporating the proposed amendments is submitted as Attachment 2 to this Report.

It is therefore recommended that Council:

- 1 *ENDORSES the review of its delegations in accordance with sections 5.18 and 5.46 of the Local Government Act 1995;*
- 2 *in accordance with section 127 of the Building Act 2011 DELEGATES to the Development Compliance Officer (position numbers 00119, 00120, 00155 and 00614) the power to grant and issue occupancy permits, issue building orders and notices and perform associated functions of a permit authority pursuant to the Building Act 2011;*

- 3 *BY AN ABSOLUTE MAJORITY and in accordance with sections 5.16 and 5.42 of the Local Government Act 1995 and clause 82 of Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015 DELEGATES the local government functions as listed in the amended Register of Delegations of Authority forming Attachment 2 to Report CJ091-06/16.*

BACKGROUND

In accordance with sections 5.16 and 5.42 of the Act, a local government can delegate certain functions to a committee of Council, or the Chief Executive Officer. A variety of other legislation also permits the delegations of functions to the Chief Executive Officer, as well as other officers.

Sections 5.18 and 5.46 of the Act require that at least once every financial year, delegations are to be reviewed by the delegator. The Council last reviewed its delegations on 23 June 2015 (CJ095-06/15 refers) and therefore, a formal review by Council is required.

At its meeting held on 24 June 2014 (CJ091-06/14 refers), Council undertook a comprehensive review of the Register of Delegation of Authority, incorporating the following measures:

- A revised layout for each instrument of delegation.
- Improvements to the wording and referencing of individual delegations.
- New and increased scope of individual delegations.

The 2016 review has focussed on assessing the suitability and relevance of delegations.

DETAILS

The 2016 annual review of the Register of Delegation of Authority was undertaken to determine:

- the appropriateness of the existing delegations and whether to amend or delete any delegations
- the need for any additional delegations
- administrative corrections.

A schedule of proposed amendments (Attachment 1 refers) lists those amendments that have been identified as requiring Council approval. The proposed amendments reflect:

- the inclusion of additional officers to improve workflow processes and service delivery
- a new delegation as a result of a requirement under the *Local Government (Functions and General) Regulations 1996* (Part 4 Division 3 Regulations 24AB, 24AH and 24AJ - Establishing panels of pre-qualified suppliers) to delegate authority to the Chief Executive Officer to accept applications to a panel of pre-qualified suppliers for the supply of goods/services valued at less than \$350,000
- change of position titles
- deletion of delegations that are no longer required
- amendments as a result of changes to the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

A number of changes are proposed to the delegations (Attachment 3 refers). Although there are some additional proposed inclusions listed, a large portion of the changes serve to correct the terminology used as a result of changes to legislation and planning policies, or are suggested to provide a greater level of clarity for Council and employees who utilise the delegations.

This review has also taken into account WALGAs recently released *Guide for Planning Delegations (Development Applications)*. This guide provides a framework for the use of delegated authority for the determination of development applications, acknowledging that a high level of delegation is necessary to ensure an efficient and effective regulatory process. Part 1 of the guide provides a process for developing delegations and streams for applications depending on the nature of a development and extent of delegation, while noting that there is not a 'one size fits all approach' due to local differences.

Overall the delegated authority provided to City officers is consistent with the guide, with the majority of decisions on applications that do not propose significant variations to scheme or other requirements able to be determined under delegated authority. However, some minor changes to the delegations have been recommended to increase the efficiency of the regulatory process, including delegating power to determine all display village applications, as well as the refusal of applications that do not comply with the objectives of the City's local planning policies.

As a result of the introduction of the regulations on 19 October 2015 Council only has the ability to delegate to the CEO. Currently the CEO has sub-delegated the powers listed in the delegations to City officers consistent with previous Delegations, being:

- Part 1 delegated to the positions of Senior Urban Planner, Coordinator Planning Approvals and Coordinator Urban Design and Policy.
- Part 2 delegated to the positions of Manager Planning Services and Director Planning and Community Development.

Subject to Council adopting the recommendations of this Report, the CEO will sub-delegate the powers listed in the delegations to officers consistent with the current delegations.

The changes proposed to Part 1 of the Delegations – General, which will be delegated to the positions of Senior Urban Planner, Coordinator Planning Approvals and Coordinator Urban Design and Policy are explained in more detail in Attachment 3.

Issues and options considered

Council can either:

- accept the proposed amendments
- vary the proposed amendments
- or
- reject the proposed amendments

and adopt the revised Register of Delegation of Authority accordingly.

Legislation / Strategic Community Plan / policy implications

Legislation Section 5.16 – 5.18 and 5.42 – 5.46 of the *Local Government Act 1995* regulate the ability of a local government to delegate the exercise of its powers or the discharge of its duties under the Act.

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 Not applicable.

Risk management considerations

Council is required to review its delegations at least once every financial year. Failure to complete the review would result in non-compliance with its statutory responsibilities under the *Local Government Act 1995*.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the City. The use of delegated authority means the large volume of routine work of a local government can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

VOTING REQUIREMENTS

Absolute Majority.

MOVED Cr Fishwick, SECONDED Cr Hollywood that Council:

- 1** ENDORSES the review of its delegations in accordance with sections 5.18 and 5.46 of the *Local Government Act 1995*;
- 2** in accordance with section 127 of the *Building Act 2011* DELEGATES to the Development Compliance Officer (position numbers 00119, 00120, 00155 and 00614) the power to grant and issue occupancy permits, issue building orders and notices and perform associated functions of a permit authority pursuant to the *Building Act 2011*;
- 3** BY AN ABSOLUTE MAJORITY and in accordance with sections 5.16 and 5.42 of the *Local Government Act 1995* and clause 82 of Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* DELEGATES the local government functions as listed in the amended Register of Delegations of Authority forming Attachment 2 to Report CJ091-06/16.

The Motion was Put and

CARRIED (11/0)

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

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf160614.pdf](#)

CJ092-06/16 LIST OF PAYMENTS MADE DURING THE MONTH OF APRIL 2016

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENT	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of April 2016 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of April 2016 Attachment 3 Municipal and Trust Fund Vouchers for the month of April 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 April 2016.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of April 2016 totalling \$13,567,559.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for April 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 CJ092-06/16, totalling \$13,567,559.00.

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 April 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 103055 - 103206 & EF054707 - EF055435 Net of cancelled payments.	\$8,771,916.85
	Vouchers 1644A & 1653A-1661A & 1666A – 1673A	\$4,769,892.15
Trust Account	Trust Cheques & EFT Payments 206963 - 206971 & TEF000669 – TEF000707 Net of cancelled payments.	\$25,750
Total		\$13,567,559

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 Hollywood, **SECONDED** Cr Gobbert that Council **NOTES** the Chief Executive Officer's list of accounts for April 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 CJ092-06/16, totalling \$13,567.559.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ083-06/16, page 173 refers.

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

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf160614.pdf](#)

CJ093-06/16 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 APRIL 2016

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	07882, 101515
ATTACHMENT	Attachment 1 Financial Activity Statement for the period ended 30 April 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 30 April 2016.

EXECUTIVE SUMMARY

At its meeting held on 16 February 2016 (CJ027-02/16 refers), Council adopted the Mid Year Budget Review for the 2015-16 financial year. The figures in this report are compared to the revised budget.

The April 2016 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$9,444,462 for the period when compared to the revised budget. This variance does not represent the end of year position. It represents the year to date position to 30 April 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 revised 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 \$4,044,981 higher than budget, made up of higher operating revenue \$1,096,633 and lower operating expenditure of \$2,948,348.

Operating revenue is higher than budget on Rates \$147,809, Specified Area Rates \$2,557, Grants and Subsidies \$9,641, Profit on Asset Disposals \$936,535, Interest Earnings \$88,416 and Other Revenue \$64,846, partly offset by lower than budget revenue from Contributions, Reimbursements and Donations \$42,405 and Fees and Charges \$110,765.

Operating Expenditure is lower than budget on Materials and Contracts \$2,873,355, Utilities \$236,661, Loss on Asset Disposals \$190,299 and Interest expenses \$9,968. These are partly offset by higher than budget expenditure on Employee Costs \$309,710, Depreciation and Amortisation \$31,541 and Insurance Expenses \$20,684.

The Capital Deficit is \$6,590,222 lower than budget. This is due to lower than budgeted expenditure on Capital Projects \$1,683,096, Capital Works \$5,441,879 and Vehicle and Plant Replacements \$156,937 along with higher than budgeted Capital Grants and Subsidies revenue \$188,125, offset by lower than budgeted revenue for Capital Contributions \$46,482 and Equity Distribution TPRC \$833,333.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 30 April 2016 forming Attachment 1 to Report CJ093-06/16.

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 30 April 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 Financial 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 revised budget or have been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Gobbert that Council NOTES the Financial Activity Statement for the period ended 30 April 2016 forming Attachment 1 to Report CJ093-06/16.

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ083-06/16, page 173 refers.

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

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf160614.pdf](#)

CJ094-06/16 EXPRESSION OF INTEREST 005/16 - CITY OF JOONDALUP FARMERS' MARKET, CENTRAL WALK, JOONDALUP

WARD	North
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	105641, 101515
ATTACHMENT	Attachment 1 Summary of Submissions
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 submissions to expression of interest 005/16 to operate a farmers' market in Central Walk, Joondalup.

EXECUTIVE SUMMARY

At its meeting held on 15 September 2015 (CJ161-09/15 refers) Council, in response to a petition, requested the City to initiate an expression of interest for a farmers' market to be conducted in Central Walk.

In response to this request, expressions of interest were advertised on 13 January 2016 through statewide public notice for a City of Joondalup Farmers' Market – Central Walk, Joondalup. Submissions closed on 29 January 2016. A submission was received from each of the following:

- Farmers Markets (WA) Pty Ltd.
- S Bottone and S Silvestrini t/as Melting Pot Market.

The expression of interest specification included an option to propose alternative operation arrangements. Both respondents submitted an alternative location for the farmers' market. Each respondent was asked to confirm their position on the Central Walk location. Both confirmed that they were not prepared to operate a farmers' market in Central Walk.

Following the confirmation received to the above, Melting Pot Market withdrew their submission to the expression of interest on 22 April 2016.

The submission from Farmers Markets (WA) Pty Ltd best demonstrated its capacity and experience to operate a farmers market in the City of Joondalup. It currently operates farmers' markets in Eden Beach and (until recently) in Leederville. Their staff have experience in agricultural business and tourism management. It also has a current network of farmers and fresh food producers. It proposed an alternative venue of the southern end of Central Park to operate the farmers' market.

At a meeting held on 6 May 2016, Farmers Markets (WA) Pty Ltd met with City officers to further discuss the Central Walk location and the alternative site proposed. At this meeting Farmers Market reiterated that the Central Walk location was not suitable for reasons of environment, access and lack of space for other activations essential to attracting customers.

It is therefore recommended that Council:

- 1 *DOES NOT SUPPORT the City establishing a weekly farmers' market in Central Walk;*
- 2 *LISTS Farmers Markets (WA) Pty Ltd as a preferred respondent for EOI 005/16;*
- 3 *REQUESTS the City to enter into negotiations with Farmers Markets (WA) Pty Ltd to establish a weekly farmers' market in Central Park.*

BACKGROUND

At its meeting held on 15 September 2015 (CJ161-09/15 refers) Council, in response to a petition, requested the City to initiate an expression of interest for a farmers' market to be conducted in Central Walk.

The City currently holds a market at Central Walk on five Friday evenings in the lead-up to Christmas each year. This is a general market selling ready-to-eat and packaged gourmet food, fashion, arts and crafts, gift-wares and home-wares. The Friday night markets are also open to fresh produce providers but have not tended to attract this type of stallholder, with market-goers more typically purchasing fresh produce on a Saturday or Sunday morning. The same market is also held each year as part of the Joondalup Festival.

The Central Walk Markets (now known as Joondalup Twilight Markets) were introduced in 1998 as a seven week trial event, to facilitate a vibrant and economically sustainable City Centre. Between 1998 and 2007 the market season varied in length until 2007-08 when a decline in attendance and average stallholder numbers saw the season reduced to five weeks to maximise patronage leading up to Christmas. In 2012 the markets moved to Boas Avenue (corner McLarty Avenue) and were held on Sunday afternoons from 12.00noon to 4.00pm. The same year a further attempt was made to extend the market season; however, following poor feedback from stallholders and customers, the scheduled nine week season was again reduced to five weeks.

There is currently one permanent farmers' market operating in the City of Joondalup, the Poynter Farmers' Market at Poynter Primary School in Duncraig. In addition to the Poynter Farmers' Market there are two other permanent farmers' markets currently operating in the region, being the Eden Beach Market in Jindalee and the purpose-built Wanneroo markets.

DETAILS

Expressions of Interest were advertised on 13 January 2016 through statewide public notice for the operation of a farmers' market at Central Walk, Joondalup. The advertised period was for two weeks and submissions closed on 29 January 2016.

Submissions

A submission was received from each of the following:

- Farmers Markets (WA) Pty Ltd
- S Bottone and S Silvestrini t/as Melting Pot Market.

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

Evaluation Panel

The evaluation panel comprised three members:

- one with tender and contract preparation skills
- two with the appropriate event management 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 fully compliant.

Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Understanding of the project	35%
2	Demonstrated experience	35%
3	Capacity	30%

Melting Pot Market scored 28.7% and was ranked second in the qualitative assessment. The respondent demonstrated some understanding of operating a farmers' market. The proprietors of Melting Pot Market currently operate a mobile food business called Andy's Bratwurst Hut. Its experience is limited to its mobile food business participating in food events, and does not include operation and management of a farmers market. In addition, the respondent did not demonstrate it has an established network of farmers and fresh food producers or its capacity to operate a regular farmers' market.

Melting Pot Market proposed an alternative location for the farmers' market in the car park in front of the City administration building located in Boas Avenue.

Melting Pot Market subsequently withdrew their submission to the expression of interest on the 22 April 2016.

Farmers Markets (WA) Pty Ltd scored 82.3% and was ranked first in the qualitative assessment. It has current experience in the operation of two farmers' markets in Leederville and Eden Beach. Their staff have the appropriate skills and experience required to operate a successful farmers' market and the company already has an established network of farmers and food producers.

Farmers Markets (WA) Pty Ltd proposed an alternative location for the farmers' market in the southern end of Central Park.

At a meeting held on 6 May 2016, Farmers Markets (WA) Pty Ltd met with City officers to further discuss the Central Walk location and the alternative site proposed. At this meeting Farmers Market reiterated that the Central Walk location was not suitable. It was considered that the right choice of venue was essential for vendors and customers alike with a view to establishing a new market that would act as a genuine point of destination for Joondalup and beyond on a long-term basis. Central Walk would not provide the sort of environment that would mark it out as a point of destination unlike Central Park where the landscaping is an attraction. Central Walk would not satisfy the requirements of access for vendors who require easy access for drop-off and pick-up in large trucks. A further consideration was the potential impact on nearby residents with the noise associated with early morning set-up.

Farmers Markets (WA) confirmed that they would not be interested in Central Walk as a site but that Central Park (south side) had the environment and space for other activities essential to attracting customers (such as pony-rides) to make an excellent farmers' market that would act as a point of destination. The expressed aim was for 40-50 vendors operating starting September/October 2016 and closing after Christmas for two weeks and also at Easter.

Indicative Cost Assessment

Each respondent was asked to submit any costs or in-kind support required from the City to operate the proposed farmers' markets. The items submitted by each respondent are as follows:

Farmers Markets (WA) Pty Ltd

- Up-front payment of \$10,000 for marketing and launch of market.
- Annual fee of \$7,500 to assist in operation of Welcome to Spring and Christmas festival events.
- Access to Central Park toilet facilities.
- A single three phase power outlet.
- Four 240L bins and disposal services.
- Capacity for a 20 foot container on site.
- Assistance with streamlining of vendor permit and associated costs.
- Cross promotion of the farmers' market and the City of Joondalup.

Melting Pot Market

- Use of library toilet facilities.
- Possible waste disposal services.
- Assistance in promotion of farmers' market on City website and letters to ratepayers.

Evaluation Summary

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

Respondent	Evaluation Score	Qualitative Rank
Farmers Markets (WA) Pty Ltd	82.3%	1
Melting Pot Market	28.7%	2

Based on the evaluation result the panel concluded that the submission that provides the best opportunity to operate a farmers' market in the City is that of Farmers Markets (WA) Pty Ltd.

Issues and options considered

It takes considerable time and resources to operate a successful farmers market. The City does not have the internal resources to manage this alongside a full summer events program.

A farmers' market requires a site that offers stall sizes of between 20 and 100m². While some small or gourmet producers may be suited to smaller stalls, the display of commercial quantities of fruit and vegetables generally requires a larger space. Due to the logistics of transporting and displaying fresh produce, site requirements include vehicular access, storage and sufficient space for displays typically larger than those found at general markets. Those farmers' markets not held in purpose-built venues are commonly held in open spaces such as car parks or reserves.

Central Walk does not provide sufficient storage, display space or access for vendors nor does it provide shade, seating and space for associated entertainment and children's activities that enhance the overall atmosphere of a farmers' market.

Farmers Markets (WA) Pty Ltd proposed an alternative site at the south end of Central Park.

The Central Park location is a green space that offers lawn, seating, shade and has existing toilet facilities. It has easier access for vendors and has more space available for the stalls and associated entertainment and family activities that would also be run at the market. The space also does not encroach on any existing business premises.

The evaluation panel agreed that the merits of this site could better contribute to the successful operation of a farmers' market attracting regular customers and tourists alike.

The financial and in-kind contribution requested from the City by Farmers Markets (WA) Pty Ltd would require further consideration, as there are no current budgeted funds available for the financial contributions required.

It is recommended to not proceed with a farmers' market in Central Walk. The location has limitations on the necessary access and space for vendors and has no seating, shade areas and green space which are items that can contribute to the long-term success of a farmers market.

Legislation / Strategic Community Plan / policy implications

Legislation

A statewide public expression of interest was advertised, opened and evaluated in accordance with clause 21 of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where a limitation may be placed on who can tender due to the nature of the required goods or services.

District Planning Scheme No. 2 (DSP2).

Strategic Community Plan

Key theme

Community Wellbeing.

Objective

Community spirit.

Strategic initiative

Deliver a program of community-based events and education that encourage social interaction within local neighbourhoods.

Policy

Not applicable.

Privately operated markets will be considered as Markets (Retail) under the DPS2. Markets (Retail) is defined under DPS2 as *retail premises at which goods are sold from temporary stalls in individual bays leased to or otherwise occupied by independent stallholders.*

Development approval would be required prior to the operation of the Markets, and they can only be considered within the Business and Commercial zone. The City can also consider an application on a Local Reserve, having regard to the ultimate purpose intended for the Reserve and general matters the City has regard to when considering a planning application.

Risk management considerations

As permanent farmers' market numbers in and around Perth increase, so too does the draw on growers willing to travel to the metropolitan area on a weekly basis.

Given the number and timing of existing permanent farmers' markets in the region it is likely that sourcing and retaining appropriate numbers of high-quality fresh produce stalls on a consistent basis will be challenging.

Financial / budget implications

A minimum of \$17,500 upfront plus in kind City support would be required to proceed with the farmers' market in Central Park, in addition to an ongoing minimum annual contribution of \$7,500. The cost of the in kind support is yet to be calculated.

No funds are currently available for a farmers market in the 2015-16 period and have not been provided for in the 2016-17 budget.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Social

The operation of a farmers' market would offer residents and visitors to the City an opportunity to obtain fresh produce and artisan products in an outdoor environment that encourages social interaction within the community and producers alike.

Economic

The farmers market has the potential to increase trade with local produce growers and artisan providers of the region. Patrons of the market are also likely to visit surrounding local businesses when attending the market, which has the potential to increase their trade.

Consultation

City officers have conducted informal consultation with market managers from three existing permanent farmers' markets in the Perth metropolitan region.

Responses from the three managers revealed the importance of a suitable environment to the success of farmers' markets as well as the benefits delivered where commercial or local government support is provided both at establishment and on an ongoing basis.

Should Council agree to progress with the preferred respondent there will be further consultation with key stakeholders including existing businesses.

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 the best opportunity to operate a successful farmers' market is that submitted by Farmers Markets (WA) Pty Ltd for a market located in Central Park.

As previously reported by Council at its meeting held on 15 September 2015 (CJ161-09/15 refers) the City has fielded enquiries from three independent market managers to run a farmers' market in the City of Joondalup, one in the South Ward and two in the City Centre. Both of the previous enquirers for the City Centre responded to the Expression of Interest.

Should Council agree to proceed with the preferred respondent Elected Members will be kept informed of the progress.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 DOES NOT SUPPORT the City establishing a weekly farmers' market in Central Walk;
- 2 LISTS Farmers Markets (WA) Pty Ltd as a preferred respondent for EOI 005/16;
- 3 REQUESTS the City to enter into negotiations with Farmers Markets (WA) Pty Ltd to establish a weekly farmers' market in Central Park.

MOVED Cr Hollywood, SECONDED Cr McLean that Council:

- 1 **NOTES that the respondents to EOI 005/16 do not support the establishment of a weekly farmers' market in Central Walk;**
- 2 **NOTES that S Bottone and S Silvestrini t/as Melting Pot Market have withdrawn their submission from EOI 005/16;**
- 3 **LISTS Farmers Markets (WA) Pty Ltd as a preferred respondent for EOI 005/16;**
- 4 **REQUESTS the City to enter into negotiations with Farmers Markets (WA) Pty Ltd to establish a weekly farmers' market in Central Park;**
- 5 **BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer authority to enter into negotiations with other possible farmers market providers should the negotiations referred to in Part 4 above not be successful.**

AMENDMENT MOVED Mayor Pickard, SECONDED Cr Hollywood that an additional Part 6 be added to the Motion to read as follows:

"6 ADVISES Farmers Markets (WA) Pty Ltd that any approval to operate a weekly farmers' market in Central Park will not include the provision of an on-site sea container in Central Park."

The Amendment was Put and

CARRIED (11/0)

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

The Original Motion as amended, being:**That Council:**

- 1 NOTES that the respondents to EOI 005/16 do not support the establishment of a weekly farmers' market in Central Walk;**
- 2 NOTES that S Bottone and S Silvestrini t/as Melting Pot Market have withdrawn their submission from EOI 005/16;**
- 3 LISTS Farmers Markets (WA) Pty Ltd as a preferred respondent for EOI 005/16;**
- 4 REQUESTS the City to enter into negotiations with Farmers Markets (WA) Pty Ltd to establish a weekly farmers' market in Central Park;**
- 5 BY AN ABSOLUTE MAJORITY DELEGATES to the Chief Executive Officer authority to enter into negotiations with other possible farmers market providers should the negotiations referred to in Part 4 above not be successful;**
- 6 ADVISES Farmers Markets (WA) Pty Ltd that any approval to operate a weekly farmers' market in Central Park will not include the provision of an on-site sea container in Central Park.**

Was Put and**CARRIED (11/0)**

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

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf160614.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Cr Michael Norman.
Item No./Subject	CJ095-06/16 - Proposed Stairway at Whitfords Nodes Park, Hillarys.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Norman is coordinator of Friends of Sorrento Beach and Marmion Foreshore that supports the project.

CJ095-06/16 PROPOSED STAIRWAY AT WHITFORDS NODES PARK, HILLARYS

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	101515, 02656
ATTACHMENT	Attachment 1 Stairway concept design northern lookout
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 construction methods, location and external funding options to construct a stairway on the northern dune system at Whitfords Nodes Park.

EXECUTIVE SUMMARY

At its meeting held on 21 October 2014 (CJ195-10/14 refers), Council considered the proposal by the Harbour Rise Home Owners Association (HRHOA) to construct a stairway to link the park turf area to the northern lookout at Whitfords Nodes Park, Hillarys. The following resolution was passed:

“That Council:

- 1 *NOTES the cost estimates and grant funding opportunities for the construction of the stairway at Whitfords Nodes, as detailed in Report CJ195-10/14;*
- 2 *REFERS the proposal to construct a feature recreational stairway to the northern lookout at Whitfords Nodes Park back to the Chief Executive Officer to examine alternative technologies, the likelihood of environmental approval and other potential funding options to cover a major proportion or all of the cost of the stairway.”*

The City has investigated alternative construction materials to the galvanised steel and composite plastic that was previously considered.

An estimate received by the City suggests that using 100% plastic composite material will cost significantly more than the galvanised steel and composite plastic structure. Wood was considered and was the cheapest construction material, however, was not seen as a viable option due to the potential fire risk and on-going maintenance costs. Based on investigations the City's preferred construction method is galvanised steel and composite plastic (refer table 1).

No capital funding for a stairway at Whitfords Nodes Park has been allocated within the City's *Five Year Capital Works Program*.

The City and HRHOA are investigating funding opportunities from corporate (sponsorship), state and federal (grants). This currently includes:

- Grant funding: the only funding currently available for this type of infrastructure is the Lotterywest Community Spaces Grant.
- Sponsorship: the HRHOA is currently investigating sponsorship opportunities which may include sponsorship and naming options.
- City funding: no capital funding has been allocated within the City's *Five Year Capital Works Program*. Funding for the project would need to be derived from HRHOA and other sources.

It is therefore recommended that Council:

- 1 *SUPPORTS the construction of a stairway on the northern dune system at Whitfords Nodes Park, Hillarys subject to a major proportion or all of the cost of the stairway being funded by external sources;*
- 2 *LISTS FOR CONSIDERATION in the 2017-18 Five Year Capital Works Program \$30,000 (municipal funds) to develop detailed construction drawings to be used for a grant funding proposal and planning approval;*
- 3 *LISTS FOR CONSIDERATION in the 2018-19 Five Year Capital Works Program \$365,000 for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys subject to all of the construction cost being funded by external sources;*
- 4 *REQUESTS the Chief Executive Officer to make an application on behalf of the City for grant funding from Lotterywest (Lotterywest Community Spaces Grant) for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys;*
- 5 *SUPPORTS the Harbour Rise Homeowners Association in seeking sponsorship for the balance of the funds required for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys;*
- 6 *ADVISES the Harbour Rise Homeowners Association of its decision.*

BACKGROUND

In 2014, HRHOA presented a proposal to the City for the construction of a stairway to link the turf area at Whitfords Nodes Park, Hillarys with the summit of the northern dune lookout. This lookout would be located at the north-east corner of the park. The rationale was to construct a facility to provide exercise opportunities. The proposal was described as "the Jacobs Ladder of the north". (Attachment 1 refers).

The following is a chronology of events relating to the proposal:

- In January 2014, the City received an ecological assessment of the HRHOA's proposal.
- The Capital Works Committee considered the proposal at its meeting of 3 June 2014 (Item 3 refers). The officer's recommendation was that the Capital Works Committee did not support the proposal. The Committee requested that the Chief Executive Officer provide an additional report providing information on costs and possible external funding sources for the stairway project, if it were to proceed.
- A further report containing the additional information was considered by the Capital Works Committee at its meeting of 7 October 2014 (Item 4 refers). The Committee resolved to support the officer's recommendation, that is, that the proposal should not be supported.
- At its meeting held on 21 October 2014 (CJ195-10/14 refers) Council referred the proposal to construct a recreational stairway to the northern lookout at Whitfords Nodes Park back to the Chief Executive Officer to examine alternative technologies, the likelihood of environmental approval and other potential funding options to cover a major proportion or all of the cost of the stairway.

DETAILS

Whitfords Nodes Park is a heavily utilised park, located directly north of Hillarys Boat Harbour. The park has a toilet block, play equipment and access via short pathways to Whitfords Beach.

Whitfords Nodes Park is constructed within dunal swales; coastal dunes are located west of the grassed parkland area, with a highly vegetated dune system located to the east. The large dunal system on the eastern edge of the park contains a network of limestone pathways, linking the parkland with two high lookouts. The pathways were upgraded three years ago and are in sound condition. Fences adjacent to the paths that link the lookouts have been renewed in 2015. The HRHOA proposal is to link the park with the northern lookout via a stairway that traverses the southern side of the high northern dune where the lookout is located (Attachment 1 refers). Construction and maintenance of a stairway at this location will be difficult as it will be situated on a steep relatively unstable dunal system.

Construction Materials

Various methodologies and materials were considered for the construction of the stairway as per Table 1 below.

Material	Advantages	Disadvantages	Cost estimate
Concrete	Concrete is strong and long lasting. It is resistant to weathering in exposed areas.	Concrete stair construction will require the need for extensive foundations and associated excavation. Concrete is not as aesthetically pleasing as other options.	\$360,000

Material	Advantages	Disadvantages	Cost estimate
Wood	Wood can be visually attractive. Wood construction may not require the degree of site disturbance as other materials, concrete being an example.	Due to the coastal environment the timber will weather quickly requiring regular maintenance and is readily destroyed by fire.	\$260,000
Galvanised Steel and Composite Plastic	Strong, robust. The use of composite plastic decking and hand rails is visually attractive. Composite plastic can be sourced in a range of colours and textures. Galvanised steel supporting structures are more fire resistant than composite plastic.	Galvanised steel will require maintenance. In a marine environment, galvanised steel can discolour and lose structural integrity after a period of time.	\$345,500
Composite Plastic	Strong, robust. The use of composite plastic decking and hand rails is visually attractive. Composite plastic can be sourced in a range of colours and textures.	Composite plastic is more expensive than the plastic galvanised steel option. Composite plastic structures would not be as fire resistant as galvanised steel or concrete.	\$470,000

Table 1 – Construction options

The figures in the above table are estimates only. Accurate costs can only be ascertained when detailed engineering drawings are completed and quotes received. Based on the above information the City's preferred construction method is galvanised steel and composite plastic.

Funding Options

The City and HRHOA are investigating avenues of funding for the stairway proposal from corporate (sponsorship), state and federal (grants) funding sources. The breakup of the funding options is as follows:

- Grant funding: the only funding currently available for this type of infrastructure is the Lotterywest Community Spaces Grant.
- Sponsorship: the HRHOA is currently investigating sponsorship opportunities which may include sponsorship and naming options.
- City funding: no capital funding has been allocated within the City's *Five Year Capital Works Program*. Funding for the project would need to be derived from HRHOA and other sources.

The grant funding options are listed below as per Table 2.

Grant	Description	Amount Funded	Comments
Lotterywest Community Spaces	Community Spaces Outdoor grants can help create spaces for people to come together and join in activities that	A contribution of funds is required. Lotterywest will not fully fund the project.	The City of Joondalup is required to apply for the funding. The project would have to be well supported within

Grant	Description	Amount Funded	Comments
	benefit their well-being such as skate parks, playgrounds, memorials, and community gardens.	There is no limit on the amount eligible to apply for. However applications for over \$200,000 must be discussed with Lotterywest before an application is submitted. Grant funding must be matched in cash on at least a dollar for dollar basis. Any partner funding must be confirmed.	the community and show a need exists for the project by the whole community. Applications are accepted at any time.
National Stronger Region Fund	Funding of \$1 billion over five years, commencing in 2015- 16, to fund priority infrastructure in regional communities. NSRF funding will be provided for capital projects which involve the construction of new infrastructure, or the upgrade or an extension of existing infrastructure.	Grants must be between \$20,000 and \$10 million. Grant funding must be matched in cash on at least a dollar for dollar basis. Any partner funding must be confirmed.	The City can apply as the sole applicant or submit an application as the lead organisation in a consortium with community groups (note: a consortium may include ineligible organisations). The NSRF funded component of the project must be completed on or before 31 December 2019. The project must deliver an economic benefit to the region beyond the period of construction. Projects should support disadvantaged regions or areas of disadvantage within a region.

Grant	Description	Amount Funded	Comments
Healthway	The primary purpose of Healthway sponsorship is to promote health campaign messages relevant to Healthway priority health areas. Sponsorship applications are segmented into three categories, with slightly different application and acquittal requirements for each category: Under \$5,000; \$5,000 to \$50,000; and over \$50,000.	Healthway sponsorships can range from as little as \$1,000 to over \$1 million.	The City of Joondalup is required to apply for the funding. Applications for sponsorship can be made at any time but must be received by Healthway at least four months prior to the start of the sponsored activity or event. Capital works, major equipment or infrastructure costs are not funded by Healthway. Therefore this project is not eligible for Healthway funding.
CSRFF annual grants	The program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities. Through CSRFF, the State Government will invest annually in the development of high-quality physical environments in which people can enjoy sport and recreation.	The maximum standard CSRFF grant approved will be no greater than one-third of the total estimated cost (excluding GST) of the applicant's project.	The City of Joondalup would be required to apply for the funding. Grants given in this category must be claimed in the financial year following the date of approval.

Grant	Description	Amount Funded	Comments
			<p>Priority is given to projects that lead to facility sharing and rationalisation. Multi-purpose facilities reduce infrastructure required to meet similar needs and increase sustainability. Funding has been considerably reduced for the next funding round. Applications are accepted one round each year and the latest round is in September 2015. Although the project may increase physical activity, it's not eligible for CSRFF funding. The Department of Sport and Recreation confirmed that construction of a stairway would be considered as "bikeways or pathways acting as transport routes" which under the CSRFF Policy and Procedures (page 7) is excluded from CSRFF funding.</p>

Table 2 – External funding options

Environment and Planning Approvals

The City has held discussions with the Department of Planning concerning the submission requirements for the proposed Whitfords Nodes stairway. The City will be required to consult with the Western Australian Planning Commission (WAPC) before it can proceed with the construction of a stairway. This consultation will require the City to provide a formal proposal to the WAPC for them to confirm that it complies with the purpose and intent of the 'Parks and Recreation' reserve, the Bush Forever designation and *State Coastal Planning Policy 2.6*. This submission will require the inclusion of a detailed plan of the stairs, proposed construction materials, footprint of the extent of the proposed stairs and location. The consideration of the proposal by the WAPC does not have a statutory timeframe and could take a number of months.

Following this, the City will then be required to apply to the Department of Environmental Regulation (DER) for a permit to clear native vegetation for the construction to proceed. The City approached the DER for some initial feedback on the proposal and was advised that formal feedback would not be provided until a detailed application was lodged with it.

Issues and options considered

Option One - construct stairway at the northern lookout.

- The construction of the stairway would produce an amenity for park users wanting to undertake a vigorous exercise regime; running or walking up and down the incline.
- The stairs would also reduce the distance and the time taken to access the northern lookout.
- Stairway construction will be difficult because of the steepness of the site and may have a detrimental environmental impact on the dunal system.
- Lookout access is located in an isolated area, and difficult to observe from the rest of the park creating passive-surveillance issues.
- The project will require approvals for land clearing within the *Environmental Protection Act 1986*. Given Whitfords Nodes Park is within a Bush Forever site, there is a general presumption (by Bush Forever) against clearing.

Option Two - do not construct the stairway.

- There is currently a fit-for-purpose pathway in place to access the two lookouts within Whitfords Nodes Park.
- To undertake the project will require funding, engineering designs, site surveys and environmental approvals. The ongoing maintenance costs of a stairway in an exposed coastal location can also be significant.
- Environmental damage to the bushland will be avoided.
- A stairway maintenance budget allocation will not be required.

Option one is the preferred option.

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

*Metropolitan Regional Scheme.
Amendment 1082/33 Bush Forever and related Lands.
Environmental Protection Act 1986.*

Strategic Community Plan**Key theme**

The Natural Environment.

Objective

Accessible environments.

Strategic initiative

- Promote significant local natural areas.
- Build an effective interface between humans and the natural environment.

Policy

Sustainability Policy.

This proposal does not form part of the *Coastal Foreshore Management Plan 2014-2024*.

Risk management considerations

Should a recreational stairway be constructed, there are a number of potential ongoing risks to the structure which include the following:

- damage to the structure from fire due to its location in bushland

- clearing the bushland to construct the stairway can leave the areas vulnerable to prevailing winds that may erode the sand dunes and require on-going maintenance activities
- vegetation removal can result in weed species occupying the voids created by the removal of native species, unless extensive planting and rehabilitation is undertaken post construction
- maintenance costs on coastal structures are high due to the exposed location, salt-laden winds, erosion and acts of vandalism.

Financial / budget implications

As per Table 1 above, the City's preferred construction method is galvanised steel and composite plastic. The total cost estimate for the project is provided below in Table 3.

Item	Cost estimate
Construction	\$345,000
Detailed design	\$30,000
Approvals and project management	\$20,000
TOTAL	\$395,000

Table 3: Estimated project costs

No funding has been allocated within the City's *Five Year Capital Works Program*. The following funding options are being considered.

- Grant funding: the only funding currently available for this type of infrastructure is the Lotterywest Community Spaces Grant
- Sponsorship: the HRHOA is currently investigating sponsorship opportunities which may include sponsorship and naming options with HBF.

Current financial year impact

Not applicable.

Future financial year impact

Annual operating cost \$3,000.

Estimated annual income Not applicable.

Capital replacement 20 years.

20 Year Strategic Financial Plan impact The estimated maintenance costs of the galvanised steel and plastic composite structure is approximately \$3,000 per annum. The whole-of-life cost will be \$455,000.

Impact year If the stairway is constructed in 2017-18 it will require replacing in 2037-38.

Regional significance

This development has the potential to attract visitors from outside the City's boundaries. This type of infrastructure is in keeping with the facilities found in a regional open space.

Sustainability implications

Environmental

The construction of the stairway may result in the following environmental impacts:

- removal of native coastal vegetation caused by the construction of the stairway and fencing
- the potential of dune blowouts due to dunal sand being exposed to prevailing winds.

Social

Alternate access to the lookout may bring additional amenity value to the park.

Economic

- The construction of the stairway will have implications in terms of initial capital costs, plus annual maintenance replacement costs.
- The construction of the stairway has the potential to attract visitors from across the metropolitan area.

Consultation

No formal consultation process has been entered into by the City, however informal discussions and meetings have been held with the HRHOA and the Joondalup Community Coast Care Forum (JCCCF). Both the HRHOA and the JCCCF have indicated their strong support for this proposed project.

At a meeting held on 11 May 2016 the HRHOA confirmed that they will be seeking sponsorship to assist in the funding of this project. The City will provide assistance to the HRHOA in their endeavours.

COMMENT

The proposal contained within this report to construct a stairway to the northern lookout may have an environmental impact on the dunal system. This impact will have to be weighed against the amenity value achieved by the construction of the proposed stairway.

The City has already completed works at Whitfords Nodes Park which improved vehicle access into the park and provided pedestrian connectivity between the park and the car park. The renewal of conservation fencing and revegetation has also been completed in an area adjacent to the northern car park. Additional works planned for this financial year include the upgrading and resurfacing of the northern car park which have now commenced.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Norman, SECONDED Cr Hamilton-Prime that Council:

- 1 SUPPORTS the construction of a stairway on the northern dune system at Whitfords Nodes Park, Hillarys subject to a major proportion or all of the cost of the stairway being funded by external sources;**
- 2 LISTS FOR CONSIDERATION in the 2017-18 Five Year Capital Works Program \$30,000 (municipal funds) to develop detailed construction drawings to be used for a grant funding proposal and planning approval;**
- 3 LISTS FOR CONSIDERATION in the 2018-19 Five Year Capital Works Program \$365,000 for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys subject to all of the construction cost being funded by external sources;**
- 4 REQUESTS the Chief Executive Officer to make an application on behalf of the City for grant funding from Lotterywest (Lotterywest Community Spaces Grant) for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys;**
- 5 SUPPORTS the Harbour Rise Homeowners Association in seeking sponsorship for the balance of the funds required for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys;**
- 6 ADVISES the Harbour Rise Homeowners Association of its decision.**

AMENDMENT MOVED Mayor Pickard, SECONDED Cr Hamilton-Prime that Part 3 of the Motion be amended to read as follows:

- “3 LISTS FOR CONSIDERATION in the 2018-19 Five Year Capital Works Program \$365,000 for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys subject to a major proportion or all of the construction cost being funded by external sources;”***

The Amendment was Put and

CARRIED (11/0)

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

The Original Motion as amended, being:

That Council:

- 1 SUPPORTS the construction of a stairway on the northern dune system at Whitfords Nodes Park, Hillarys subject to a major proportion or all of the cost of the stairway being funded by external sources;**
- 2 LISTS FOR CONSIDERATION in the 2017-18 *Five Year Capital Works Program* \$30,000 (municipal funds) to develop detailed construction drawings to be used for a grant funding proposal and planning approval;**
- 3 LISTS FOR CONSIDERATION in the 2018-19 Five Year Capital Works Program \$365,000 for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys subject to a major proportion or all of the construction cost being funded by external sources;**
- 4 REQUESTS the Chief Executive Officer to make an application on behalf of the City for grant funding from Lotterywest (Lotterywest Community Spaces Grant) for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys;**
- 5 SUPPORTS the Harbour Rise Homeowners Association in seeking sponsorship for the balance of the funds required for the construction of the stairway to the northern dune system at Whitfords Nodes Park, Hillarys;**
- 6 ADVISES the Harbour Rise Homeowners Association of its decision.**

Was Put and

CARRIED (11/0)

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

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf160614.pdf](#)

CJ096-06/16 PROVISION OF MEDIAN AND VERGE MOWING REVIEW

WARD	All
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	101515
ATTACHMENT	Attachment 1 Median and verge mowing zones
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 review of the service delivery method of median and verge mowing to nominated locations in Zone 2 - Central (Ocean Reef Road to Hepburn Ave) and Zone 3 - South (Hepburn Avenue to Beach Road), considering financial outcomes and the community's expectations.

EXECUTIVE SUMMARY

The City has a requirement for the provision of median and verge mowing at nominated locations throughout the City of Joondalup. At its meeting held on 31 March 2015 (CJ039-03/15 refers), Council awarded the tender for the provision of median and verge mowing to nominated locations in Zone 1 - North (Kinross Boundary to Ocean Reef Road) to an external services provider.

Council further requested (CJ040-03/15 and CJ041-03/15 refer) for the Chief Executive Officer to arrange for the mowing services in nominated locations in Zone 2 - Central (Ocean Reef Road to Hepburn Avenue) and Zone 3 - South (Hepburn Avenue to Beach Road) to be undertaken in house with the level of mowing service currently undertaken in parks and non-active reserves (local recreation parks) to be reduced sufficiently to accommodate the reallocation of these resources to the mowing of medians and verges. These services commenced as of April 2015.

Finally, Council requested the in-house provision of median and verge mowing to nominated locations in Zone 2 - Central (Ocean Reef Road to Hepburn Ave) and Zone 3 - South (Hepburn Avenue to Beach Road) be reviewed in 12 month's time.

At its meeting held on 23 November 2015 (C71-11/15 refers) Council requested the Chief Executive Officer procure an external service provider for the provision of median and verge mowing to nominated locations in Zone 2 - Central (Ocean Reef Road to Hepburn Avenue) and Zone 3 - South (Hepburn Avenue to Beach Road). This was due to the high number of complaints being received from the community regarding the reduced mowing service level to local recreation parks in Zone 2 - Central and Zone 3 - South. Council also noted that a report on the review of the median and verge mowing service was to be presented to Council prior to 30 June 2016.

The outcomes of the review undertaken include the following:

- financially, the external delivery model is cheaper than utilising City resources
- the presentation of the local recreation parks due to the reduced level of service
- the community's perception with a reduced level of service in mowing of their local recreation parks.

The review of the service delivery method for median and verge mowing to nominated locations in Zone 2 - Central (Ocean Reef Road to Hepburn Avenue) and Zone 3 - South (Hepburn Avenue to Beach Road), taking into account financial impact and community expectations, demonstrates that an external service provider undertaking median and verge mowing is the preferred option.

It is therefore recommended that Council:

- 1 *NOTES the outcomes of the median and verge mowing review;*
- 2 *NOTES that the preferred service method for the provision of median and verge mowing is via an external service provider/s;*
- 3 *REQUESTS the Chief Executive Officer to procure the services of an external service provider/s for the provision of median and verge mowing in Zone 2 - Central (Ocean Reef Road to Hepburn Ave) and Zone 3 - South (Hepburn Avenue to Beach Road) to align with the contract term remaining in Zone 1 - North (City (Kinross) boundary to the north and south to (but not including) Ocean Reef Road).*

BACKGROUND

The City has a requirement for the provision of median and verge mowing at nominated locations throughout the City of Joondalup. The City advertised three tenders for these works, in distinct geographical zones (Attachments 1 and 2 refer), with a view of determining whether the City would receive best value for money by zoning the works, or whether best value would be achieved by having one tenderer to perform all the mowing requirements.

The tender for the provision of median and verge mowing to nominated locations in Zone 1 - North (Kinross Boundary to Ocean Reef Road), Zone 2 - Central (Ocean Reef Road to Hepburn Avenue) and Zone 3 - South (Hepburn Avenue to Beach Road) was advertised through statewide public notice on 29 November 2014. The tender period was for two weeks and tenders closed on 18 December 2014.

At its meeting held on 31 March 2015 the following was resolved by Council:

CJ039-03/15

- 1 *That Council ACCEPTS the tender submitted by the Trustee for Turfmaster Unit Trust trading as Turfmaster Facility Management for the provision of median and verge mowing to nominated locations in Zone 1 - North (Kinross Boundary to Ocean Reef Road).*

CJ040-03/15

That Council:

- 1 *DECLINES all tenders received for the provision of median and verge mowing to nominated locations in Zone 2 - Central (Ocean Reef Road to Hepburn Ave);*
- 2 *REQUESTS that the Chief Executive Officer arrange to undertake the services in-house, with the level of mowing service currently undertaken in parks and non-active reserves to be reduced significantly to accommodate the reallocation of these resources to the mowing of medians and verges;*
- 3 *REQUESTS the in-house provision of this service be reviewed in 12 months time.*

CJ041-03/15

That Council:

- 1 *DECLINES all tenders received for the provision of median and verge mowing to nominated locations in Zone 3 - South (Hepburn Avenue to Beach Road);*
- 2 *REQUESTS that the Chief Executive Officer arrange to undertake the services in-house, with the level of mowing service currently undertaken in parks and non-active reserves to be reduced significantly to accommodate the reallocation of these resources to the mowing of medians and verges;*
- 3 *REQUESTS the in-house provision of this service to be reviewed in 12 months time.*

Further to the above, at its meeting held on 23 November 2015 (C71-11/15 refers) an item was raised under Urgent Business. The reduced level of mowing on local recreation parks was creating significant complaints within the community. There was a need to redress this immediately to cater for community expectations over the summer period when usage of local recreation parks was greatest.

At this meeting it was resolved:

“That Council:

- 1 *REQUESTS the Chief Executive Officer to procure an external service provider for the provision of:*
 - 1.1 *median and verge mowing to nominated locations in Zone 2 – Central (Ocean Reef Road to Hepburn Avenue);*
 - 1.2 *median and verge mowing to nominated locations in Zone 3 - South (Hepburn Avenue to Beach Road),**for a period up to 30 June 2016;*
- 2 *NOTES a report on the review of the verge and arterial mowing service will be presented to Council prior to 30 June 2016.”*

This report provides the outcomes of the review of the median and verge mowing service.

DETAILS

The City advertised three tenders for median and verge mowing in distinct geographical zones, with a view of determining whether the City would receive best value for money by zoning the works, or whether best value would be achieved by having one tenderer to perform all the mowing requirements. The three zones were defined as follows:

- Zone 1 – North is demarcated by the City (Kinross) boundary to the north and south to (but not including) Ocean Reef Road.
- Zone 2 – Central includes Ocean Reef Road south to (but not including) Hepburn Avenue.
- Zone 3 – South includes Hepburn Avenue south to Beach Road.

All zones included the requirement to mow medians and verges on major arterial roads (category R1 – 11 services per annum), distributor roads (category R2 – 8 services per annum) and local roads (category R3 – 3 services per annum) (Attachment 1 refers). The completion of each mowing service as detailed in the tender scope required the category R1 locations to be completed within seven days, the category R2 locations to be completed within five days and the category R3 locations to be completed within three days.

Table 1 below details the area of medians and verges in each category to be mowed in the three zones.

Zone Size (Hectare)				
Zone	Category R1	Category R2	Category R3	Total
Zone 1 - North	38.07	4.35	0.40	42.82
Zone 2 - Central	34.73	1.39	0.91	37.03
Zone 3 - South	23.52	7.48	0.90	31.90
Total	96.32	13.22	2.21	111.75

Table 1: Area of medians and verges in each zone

Service Provision by Zone

Zone 1 – North

Median and verge mowing services were provided by an external service provider. The provision of traffic management is included as part of the contractors responsibility. The use of a contractor to undertake these works allowed in-house resources to continue with the normal mowing schedule for local recreation parks.

The City received no complaints regarding the mowing of local recreation parks.

Zone 2 – Central and Zone 3 – South

Median and verge mowing services were provided by existing in-house resources by reducing the level of mowing service on local recreation parks. The reallocation of in-house resources resulted in a significant impact on the level of mowing service to local recreation parks. Traffic management was provided using the City's incumbent contractor for traffic management services.

During the period 1 April 2015 to 23 November 2015, a total of 1,344 mowing services were scheduled for local recreation parks. Of this, a total of 457 missed services (scheduled mowing services not undertaken) were recorded affecting 130 locations. The reduced service resulted in the City receiving 44 complaints from Elected Members and the community. The most common complaints were as follows:

- Issues relating to long and unmown grass within parks.
- Weed infestation within parks.
- Aesthetically unappealing and untidy parks.
- Parks unable to be safely used for recreation purposes.
- Dogs being covered in prickles (seed pods) after their daily walks.

Along with the comments received by the community in reducing the level of mowing service undertaken in local recreation parks, there were associated impacts experienced by City resources. These impacts included the following:

- Increase time required mowing overgrown parks due to missed services, for example, a park that would have taken 30 minutes to mow took two hours.
- Increase in number of complaints received and subsequent time required to address and resolve.

Review outcome

As requested by Council, the City completed a review of the service delivery methods for the provision of median and verge mowing which included the following:

- Monitoring and evaluating community complaints through the service timeframe.
- Monitoring and evaluating cost of service delivery per hectare.
- Monitoring and evaluating in-house service delivery costs, including the cost of traffic management.
- Monitoring and evaluating the impacts on local recreation parks that received reduced mowing frequency in order to provide the median and verge mowing.

The level of service as per the tender schedule for the median and verge mowing was met in all three zones. The average time taken to complete these services for the different categories of medians and verges is provided in Table 2 below:

Zone	Number of Days		
	R1	R2	R3
Zone 1 – North	5	1	1
Zone 2 – Central	5	1	1.5
Zone 3 – South	5.5	1	1.5

Table 2: Number of days to complete one mowing service – April 2015 to December 2015.

A summary of the financial impact of providing the median and verge mowing service from April 2015 to December 2015 is provided in Table 3 below.

Zone	City Resources	Traffic Management	External Service Provider (includes Traffic Management)	Combined Total
North - R1			71,689	71,689
North - R2 & R3			42,176	42,176
Central - R1	132,144	28,890		161,034
South - R1	104,624	30,508		135,132
Central & South R2 & R3	25,871	13,592		39,463
Sub total	262,639	72,990		
Total		\$335,629	\$113,865	\$449,494

Table 3: City median and verge mowing expenditure – April 2015 to December 2015.

In addition to the above, to assist in the delivery of median and verge mowing in Zone 2 – Central and Zone 3 - South utilising in-house resources, additional plant was required (one tractor and one ride-on mower). This plant was retained although it was scheduled to be auctioned which resulted in a \$30,000 financial impact to the Fleet Replacement Program. Furthermore, running and repair costs for this plant came to \$13,014.

The external service provider, on average, is \$2,210 (45%) cheaper per hectare in delivering this service. Table 4 below summarises the median and verge mowing expenditure by hectare from April 2015 to December 2015 comparing the mowing costs for both City resources and the external service provider.

Zone	City's Employees (\$/hectare)	External Contractor (\$/hectare)
Zone 1 - North	0	2,659
Zone 2 - Central	4,882	0
Zone 3 - South	4,855	0
Total	\$4,869*	\$2,659

Table 4: Mowing cost per hectare – April 2015 to December 2015.

* Average cost per hectare

Further to the above, Table 5 below compares a hybrid service (combination of internal and external resources as per the service delivery from April 2015 to December 2015) and a 100% in-house service provision against the submitted external service provider schedule of rates contained within the March 2015 tender for 12 months.

Zone	Single External Service Provider	Multiple External Service Providers	Hybrid Service	In-house Service*
Zone 1 - North	120,843	134,270	139,168	293,730
Zone 2 - Central	118,686	131,873	234,777	234,777
Zone 3 - South	166,986	185,541	234,465	234,465
Total	\$406,516	\$451,684	\$608,410	\$762,972

Table 5: Projected 12 month costings

* The table above does not include the initial set up cost of \$917,250 (three crews at \$305,750 per crew). Due to the seasonal requirements of median and verge mowing, these crews would not be fully utilised over the 12 month period. The cost for the under utilisation of crews has not been included in the table above.

Using an external service delivery model can provide a significant saving with no reduction in the level of service for the mowing of local recreation parks.

The review of the service delivery method for median and verge mowing to nominated locations in Zone 2 - Central (Ocean Reef Road to Hepburn Ave) and Zone 3 – South (Hepburn Avenue to Beach Road) provide the following outcomes:

- Financially, the external delivery model is cheaper than utilising City resources.
- The local recreation parks presented in a poor condition due to the reduced level of service.
- The community was not happy with a reduced level of service in mowing of their local recreation parks.

Taking into account the financial impact and community expectations, the above review reveals that utilising an external service provider to undertake median and verge mowing will provide the best outcome for the City and its residents.

Interim change in service provision

At its meeting held on 23 November 2015 (C71-11/15 refers), an item was raised under Urgent Business and it was resolved:

“That Council:

- 1 *REQUESTS the Chief Executive Officer to procure an external service provider for the provision of:*
 - 1.1 *median and verge mowing to nominated locations in Zone 2 – Central (Ocean Reef Road to Hepburn Avenue);*
 - 1.2 *median and verge mowing to nominated locations in Zone 3 - South (Hepburn Avenue to Beach Road),*

for a period up to 30 June 2016;
- 3 *NOTES a report on the review of the verge and arterial mowing service will be presented to Council prior to 30 June 2016.”*

Following this decision, the City procured the services of two external service providers for the median and verge mowing in Zone 2 – Central and Zone 3 – South. These services commenced in late January 2016. From late November 2015 to early February 2016, City resources were focused on ensuring the local recreation parks mowing occurred in adherence with the mowing schedule. There was no median and verge mowing undertaken during this period as it was not required due to seasonal conditions.

From 23 November 2015 to 10 February 2016 the City received a further 12 complaints from Elected Members and the community regarding long grass in local recreation parks. Since the introduction of the external service providers the City has received only one complaint (as at end of April 2016).

Issues and options considered

Option 1

Median and verge mowing is provided by an external service provider/s.

Outsourcing provides the following advantages:

- Enables in-house resources to continue with the normal mowing schedule for local recreation parks.
- Complies with the required level of service for both median and verge mowing and local recreation park mowing.
- Meets the expectations of the community resulting in reduced level of complaints.
- This is the cheapest option.

No disadvantages to this service delivery method were identified.

Option 1 is the preferred option.

Option 2

Median and verge mowing is provided by City resources by reducing the mowing service level across the City for local recreation parks.

This is not the preferred option as the reduced level of service was not acceptable to the community. Additionally, this option was more expensive than option one (Table 5 refers).

Option 3

Median and verge mowing is provided by increasing City resources (labour, plant, materials) and maintain mowing service levels for local recreation parks.

This is the most expensive option due to initial set up cost and ongoing operational costs. Additionally, resources would not be fully utilised due to the variation in the seasonal mowing requirements.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

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.

Employ quality and enduring infrastructure designs that encourage high utilisation and increased outdoor activity.

Adopt consistent principles in the management and provision of urban community infrastructure.

Policy *Asset Management Policy.*

Risk management considerations

The City is renowned for the quality of its parks and public open spaces which are well utilised and enrich the lives of the community. Reducing the mowing in local recreation parks to accommodate median and verge mowing was not acceptable to the community and may lead to under utilisation of parks and a decrease in outdoor activity.

The following risks have been identified:

- Reputational risk to the City as the parks are widely recognised as being of high quality and are well utilised by the community.
- Financial risk to the City if the chosen delivery method does not provide the most cost effective service.
- Fire risk in dry parks when fuel loads increase due to missed services.

Financial / budget implications

The City has an ongoing allocated budget for the provision of outsourcing median and verge mowing.

Current financial year impact

Account no.	Various.
Budget Item	Turf Mowing - Median and Verges.
Budget amount	\$ 569,886
Amount spent to date	\$ 550,679
Balance	\$ 19,207

Regional significance

Not applicable.

Sustainability implications

The community values the public open space within the City and it is the City's responsibility to provide safe, usable and aesthetically pleasing recreation locations.

Consultation

Not applicable.

COMMENT

The level of mowing service in local recreation parks in Zone 2 - Central and Zone 3 - South was reduced in order for City resources to undertake the median and verge mowing in Zone 2- Central and Zone 3 - South. This was in direct comparison to the service delivery in Zone 1 - North, where an external service provider was engaged to provide median and verge mowing.

The reduced level of service in Zone 2 – Central and Zone 3 - South resulted in numerous complaints from Elected Members and the community, specifically post Winter. The most common complaints were in relation to the long grass, excess of weeds and prickles which are a direct result of the missed services in local recreation parks.

The review of the service delivery method for median and verge mowing to nominated locations in Zone 2 - Central (Ocean Reef Road to Hepburn Avenue) and Zone 3 – South (Hepburn Avenue to Beach Road), taking into account financial impact and community expectations demonstrates that an external service provider undertaking median and verge mowing is the preferred option.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Gobbert that Council:

- 1 NOTES the outcomes of the median and verge mowing review;**
- 2 NOTES that the preferred service method for the provision of median and verge mowing is via an external service provider/s;**
- 3 REQUESTS the Chief Executive Officer to procure the services of an external service provider/s for the provision of median and verge mowing in Zone 2 - Central (Ocean Reef Road to Hepburn Ave) and Zone 3 - South (Hepburn Avenue to Beach Road) to align with the contract term remaining in Zone 1 - North (City (Kinross) boundary to the north and south to (but not including) Ocean Reef Road).**

The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ083-06/16, page 173 refers.

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

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf160614.pdf](#)

CJ097-06/16 SORRENTO BEACH INFRASTRUCTURE OPTIONS

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	105359, 101515
ATTACHMENT	Attachment 1 Sorrento Beach Park - existing park infrastructure Attachment 2 Sorrento Beach Park - potential park infrastructure upgrades
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.

This Item was dealt with earlier in the meeting, following CJ079-06/16 – Page 16 refers.

CJ083-06/16 PROPOSED CHILD CARE CENTRE DEVELOPMENT AT LOT 70 (2) RENOU STREET AND LOT 71 (10) WARBURTON AVENUE, PADBURY

WARD	South-West
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	27399, 101515
ATTACHMENT	Attachment 1 Location plan Attachment 2 Development plans Attachment 3 Landscaping concept plan Attachment 4 Environmentally sustainable design checklist Attachment 5 Map of submitters
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 determine an application for a new 'Child Care Centre' development at Lot 70 (2) Renou Street and Lot 71 (10) Warburton Avenue, Padbury.

EXECUTIVE SUMMARY

An application for development approval has been received for a new 'Child Care Centre' at Lot 70 (2) Renou Street and Lot 71 (10) Warburton Avenue, Padbury. Lot 70 (2) Renou Street is a corner property with frontages to both Warburton Avenue and Renou Street; while the adjoining Lot 71 (10) Warburton Avenue has a frontage to Warburton Avenue only. The subject site is bound to the north-east and south-east by residential properties, with a density code of R20. A small commercial centre is located to the south-west of the subject sites, on the opposite side of the Warburton Avenue and Renou Street intersection.

The sites are zoned 'Urban' under the *Metropolitan Region Scheme* (MRS) and 'Residential' under the *City of Joondalup District Planning Scheme No. 2* (DPS2). Under DPS2 the land use 'Child Care Centre' is a discretionary ("D") land use in the 'Residential' zone.

The application has been assessed against the non-residential development requirements of DPS2, and the City's relevant local planning policies, including the *Child Care Centres Policy*. While the development is generally consistent with the requirements of DPS2 and the City's policies, the application is required to be determined by Council due to a proposed minimum building setback of 1.5 metres to the rear (south-eastern) lot boundary in lieu of six metres.

The application was advertised for a period of 14 days by way of letters to surrounding landowners, a sign erected on site, and notices in the local newspaper and on the City's website. A total of 13 responses were received, being 10 objections and three letters of support. In general the objections related to the potential for an adverse impact on the amenity of the adjoining residential lots as a result of noise generated by the child care centre land use, lack of car parking and the potential for increased traffic in the area.

The application was referred to the Joondalup Design Reference Panel (JDRP) on 14 April 2016. The panel had some concerns with the development, in particular the external appearance of the proposed child care centre building, the overall sense of arrival, the lack of retention of existing vegetation on site and the car park treatment. The applicant subsequently made minor modifications to the development on the basis of the feedback received.

It is considered that the location of the 'Child Care Centre' and overall design is appropriate, with the external appearance of the centre considered to be suited to the residential surroundings, addressing both Warburton Avenue and Renou Street and providing for a positive built form outcome.

The transport assessment submitted with the application has adequately demonstrated that the parking demand will be able to be accommodated on-site, and the additional traffic is able to be supported within the existing road network. In regard to noise, the development will comply with the *Environmental Protection (Noise) Regulations 1997* with adequate measures being taken to mitigate the impact on adjoining residential properties.

Despite the removal of established trees and shrubs both within the subject site and verge area, the applicant proposes to provide a significant amount of new soft landscaping across the site, which will be more suitable for small children in terms of safety. Eight new shade trees in the car park and five verge trees are also proposed which will provide adequate shade to both the car park and verge areas, with the new species to be planted being more appropriate and providing a better landscaping outcome than current species.

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

BACKGROUND

Suburb/Location	Lot 70 (2) Renou Street and Lot 71 (10) Warburton Avenue, Padbury.
Applicant	Peter Cottee Building Designs Energy Assessments.
Owner	Jonrian Pty Ltd & Gerardus and Maria van Boeyen.
Zoning	DPS Residential.
	MRS Urban.
Site area	1,514m ² (both lots 757m ²).
Structure plan	Not applicable.

The subject sites are located on the corner of Warburton Avenue and Renou Street, Padbury across the road from a small commercial centre (Attachment 1 refers).

Lot 70 (2) Renou Street is a corner property with frontages on both Warburton Avenue and Renou Street, while the adjoining Lot 71 (10) Warburton Avenue has a frontage to Warburton Avenue only. The subject site currently consists of two single storey dwellings which will be demolished to accommodate the proposed development. There are residential properties with a density code of R20 to the north east and south east.

The sites are zoned 'Urban' under the MRS and 'Residential' under DPS2. Under DPS2, the land use 'Child Care Centre' is a discretionary ("D") use within the 'Residential' zone.

Under the West Australian Road Hierarchy, Warburton Avenue is designated a local distributor road and Renou Street is designated as a local access road.

DETAILS

The proposed development is comprised of the following:

- Demolition of the two existing dwellings on Lot 70 (2) Renou Street and Lot 71 (10) Warburton Avenue, Padbury.
- Construction of a single storey building which is set back the required distance under DPS2 from all boundaries with the exception of the rear (south-eastern) boundary, which is proposed to be set back 1.5 metres in lieu of six metres (highlighted on Page 1 of Attachment 2).
- Three outdoor activity areas oriented towards Renou Street and Warburton Avenue.
- An overall centre capacity for 72 children and ten staff on site at any given time.
- The provision of 19 car parking bays to the north-east with vehicle access from Warburton Avenue. The total amount of parking meets the requirements of DPS2 and the City's *Child Care Centre Policy*.
- Bicycle parking facilities next to the car parking area.
- A total of 9.9% of the site to be developed with soft landscaping, inclusive of eight car park shade trees. This exceeds the 8% requirement under DPS2.
- The removal of existing verge trees and other landscaping elements and the installation of five new verge trees.

The development plans and landscaping concept plans are provided as Attachment 2 and Attachment 3 respectively.

The applicant has advised that the two sites are to be amalgamated into one property in the event that approval is granted for this development.

As required under the City's *Child Care Centres Policy*, the applicant has also submitted acoustic and transport assessments. These are discussed further in the Comments section of this report.

Issues and options considered

Council is required to consider whether the proposed land use and the proposed setback of 1.5 metres to the rear (south-eastern) boundary are appropriate.

Council has the discretion to:

- approve the application without conditions
- approve the application with conditions
- or
- refuse the application.

Legislation / Strategic Community Plan / policy implications

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

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 *Child Care Centres Policy.
Environmentally Sustainable Design Policy.
Height of Non-Residential Buildings Local Planning Policy.*

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

Clause 3.4 of DPS2 sets out the objectives for development within the 'Residential' zone:

3.4 The Residential Zone

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

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

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

The objectives of the Residential Zone are to:

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

Clause 4.5 of DPS2 gives Council discretion to consider the variations sought to the standards and requirements.

4.5 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS.

- 4.5.1** *Except for development in respect of which the Residential Design Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a*

development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.

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

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

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

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

Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

Clause 67 of Schedule 2 of the Regulations sets out the matters to be considered by Council when determining an application for development approval.

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) any policy of the Commission;*
- (f) any policy of the State;*
- (g) any local planning policy for the Scheme area;*
- (h) any structure plan, activity centre plan or local development plan that relates to the development;*

- (i) *any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*
- (j) *in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (k) *the built heritage conservation of any place that is of cultural significance;*
- (l) *the effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following:*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality;*
 - (iii) *social impacts of the development;*
- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of:*
 - (i) *the proposed means of access to and egress from the site; and*
 - (ii) *arrangements for the loading, unloading, maneuvering and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *the availability and adequacy for the development of the following:*
 - (i) *public transport services;*
 - (ii) *public utility services;*
 - (iii) *storage, management and collection of waste;*
 - (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
 - (v) *access by older people and people with disability;*

- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*
- (w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate.*

Council Policy - Child Care Centres Policy

The *Child Care Centres Policy* provides assessment criteria for 'Child Care Centre' developments.

The objective of the policy is:

To provide guidelines for the location, siting and design of child care centres.

The statement within the policy also sets out:

In considering applications for child care centres, Council shall take into consideration a variety of criteria that aim to ensure that such developments are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

Council Policy – Height of Non-Residential Buildings Local Planning Policy

The *Height of Non-Residential Buildings Local Planning Policy* sets provisions for the height of non-residential buildings in the City of Joondalup.

The objective of this policy is:

To ensure that the height of non-residential buildings is appropriate to the context of any development site and sympathetic to the desired character, built form and amenity of the surrounding area.

Council Policy - Environmentally Sustainable Design Policy

The *Environmentally Sustainable Design Policy* encourages the integration of environmentally sustainable design principles into the construction of all new developments.

The objective of this policy is:

To encourage the integration of environmentally sustainable design principles into the siting, design and construction of both new and redeveloped residential, commercial and mixed-use buildings (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup. Environmentally sustainable design considers the environmental impact of a building for the entire life of the asset.

The applicant has completed the Environmentally Sustainable Design checklist. A copy of the checklist is provided as Attachment 4.

Risk management considerations

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

Financial / budget implications

The applicant has paid fees of \$1,957 (excluding GST) in accordance with the City's Schedule of Fees and Charges for the assessment of the application.

Regional significance

Not applicable.

Sustainability implications

The applicant has completed the City's Environmentally Sustainable Design Checklist to the extent that it is applicable to the development. The completed checklist is provided as Attachment 4.

The development is to include the use of 'Solatube' roof lights which provide natural daylight into indoor activity areas of the child care centre. The provision of increased natural lighting within the child care centre development will not only reduce energy consumption from artificial lighting but also benefit the health and productivity of both children and employees.

There is also the provision on the north facing roof for solar panels to be installed and for a rainwater tank to be incorporated into one of the outdoor activity areas.

Consultation

The application was advertised for a period of 14 days, commencing on 14 April 2016 and concluding on 28 April 2016. Consultation was undertaken in the following manner:

- A letter outlining the nature of the proposal was sent to nine land owners and/or occupiers that are adjacent to, or in close proximity to the subject site.
- A sign was placed at the corner of Warburton Avenue and Renou Street.
- A notice was placed in the '*Joondalup Weekender*'.
- Notice placed on the City's website.

A total of 13 responses were received, being 10 objections and three responses in support of the development.

The objectors raised several concerns which are summarised below:

- Increase in traffic during peak times and the potential for traffic incidents.
- Inadequate provision of car parking on site resulting in overflow parking in the surrounding road reserve and verge areas.
- The proximity of outdoor play areas to existing residential lots and the noise generated will cause undue interruption to wellbeing and quality of life.
- The child care centre should not be located within the 'Residential' zone.

These are discussed further in the Comment section of this report.

The following comments were made in support of the development:

- There is a growing shortage of child care places in the area and as the population continues to grow the problem will only become greater.
- This will be a great facility to help address what is becoming a growing problem for young families, lack of affordable child care places.
- A new child care centre facility in the proposed location will be of tremendous assistance to families and reflects well on the strategic planning initiatives by the City of Joondalup.

A map of submitters is provided as Attachment 5.

COMMENT

The application is for a new 'Child Care Centre' development. The development meets all of the development requirements of the *Child Care Centre Policy* and DPS2 with the exception of the required building setback for non residential development to the rear (south-eastern) lot boundary.

Land use

'Child Care Centre' is a discretionary ("D") land use in the 'Residential' Zone. Under clause 3.4 of DPS2, the Residential Zone is intended primarily for residential development in an environment where high standards of amenity and safety predominate to ensure the health and welfare of the population. It also provides for certain cultural and recreational development to occur where Council considers the same to be appropriate.

In addition to the objectives of DPS2, the *Child Care Centres Policy* also sets out further requirements for the location of centres. It states that, where possible it is preferred to locate child care centres adjacent to non-residential uses such as shopping centres, medical centres/consulting rooms, school sites and community purpose buildings to minimise the impact such centres will have on the amenity of residential area. The policy also states that new child care centres should be located on local distributor roads due to the fact that child care centres are reasonably high traffic-generators and that existing vehicle access points should be utilised instead of proposing new or additional access points.

The proposed development is to be located opposite a commercial centre, with primary access to the site from Warburton Avenue, which is categorised by Main Roads Western Australia as a local distributor road. The location of the new vehicle access point is to be located within close proximity to the existing residential dwelling's vehicle access point on Warburton Avenue and the Renou Street crossover is to be removed.

It is therefore considered that the subject site is a suitable location for the new 'Child Care Centre' development. Furthermore, it is considered that the proposed development will provide an important community facility and bring additional employment opportunities to the surrounding area while ensuring high standards of amenity and safety.

Building setback to the rear (south eastern) boundary

The *Child Care Centres Policy* requires child care centre building setbacks to be in accordance with the requirements of DPS2, which specifies a rear setback of six metres for a non-residential building. The development is proposed to have a minimum building setback

of 1.5 metres to the rear (south-eastern) boundary. The policy sets out that Council may consider the exercise of discretion to vary the setback provisions under DPS2 for child care centres located in the 'Residential' zone, in order to more appropriately reflect the existing building setbacks in the immediate vicinity.

The portion of the proposed 'Child Care Centre' development which is to have a reduced building setback of 1.5 metres to the rear (south-eastern) boundary is to be occupied by the proposed laundry, bathroom and store rooms only. The area of open space between the 'Child Care Centre' development and the rear lot boundary is to be used as a drying area only. The remainder of the south eastern child care centre building line is to be setback a minimum of three metres. The area adjacent to this portion of the development is the kitchen/living area and back garden of the established residential dwelling at 4 Renou Street, Padbury.

It is noted that the single storey development would meet the setback requirements for residential development, which would require a setback of between one and 1.5 metres (as set out under the *Residential Design Codes*). As such there is considered to be no more impact on the adjoining residential property in terms of building bulk than would ordinarily occur, as-of-right, with the construction of a residential dwelling.

The siting of the building towards the south eastern boundary also assists in supporting the appropriate location of car parking, and maximises the northern aspect for activity areas, including locating larger outdoor activity areas next to the Warbuton Avenue and Renou Street boundaries.

It is therefore considered that the proposed rear setback of the building is appropriate in this instance.

Noise

Concerns were raised during public consultation regarding the potential for increased noise from the development. The acoustic assessment submitted with the application demonstrates that the development will meet the requirements of the *Environmental Protection (Noise) Regulations 1997*.

In summary the acoustic assessment identified the following:

- Noise emissions from the child care centre are expected to occur during operating hours only, mainly during outdoor play for the Kindergarten group. This means that for evenings, night time, public holidays and Sundays there is expected to be no noise emissions from the child care centre at all.
- The main non-equipment noise source at the site will be children's voices, occasional music, vehicles manoeuvring and car doors opening and closing.
- Children's voices were categorised by age groups:
 - Kindergarten three to four years old (a maximum of 49 kindergarten aged children to occupy proposed Indoor Activity Areas 3 and 4 as well as Outdoor Activity Area 3). This is the most significant noise producing group and as such the location of their designated outdoor play area is not adjacent to a residential property but the Warbuton Avenue and Renou Street boundaries.
 - Toddlers two to three years old (maximum 15 toddlers to occupy proposed Indoor Activity Area 2 and Outdoor Activity Area 2). This is considered to be a

- low noise producing group and their external play time is generally less than the kindergarten group.
- The babies zero to two years old (maximum of eight babies to occupy proposed Indoor Activity Area 1 and Outdoor Activity Area 1). This is considered to be a low noise producing group.
- The noise levels created are unlikely to cause a problem for the residential properties adjacent to outdoor play areas due to the following reasons:
 - Low noise output of the toddler and baby age groups that will utilise these areas.
 - Toddler and baby age groups engage in parallel play, rather than group play, at this stage of their social development which is a low noise activity.
 - Short duration of outdoor play times, typically 30 minutes.
 - Location of the play areas being screened by a fence from the abutting residences which acts as a noise barrier.
- The main equipment noise sources at the site are expected to include air-conditioning systems which are proposed to be located adjacent to the Renou Street boundary and not adjoining a residential dwelling.

The acoustic assessment does contain a number of recommendations to ensure the noise impact on the adjoining properties is minimised. The report recommendations are:

Operational:

- The child care centre is to be operational, excluding public holidays, between 6.30am to 6.30pm Monday to Friday and if required 6.30am to 6.30pm Saturday.
- Staff will be instructed not to arrive on site prior to 6.00am and to be off site by 7.00pm.

Children's play areas:

- The sand pit/s shall be located near the truncation in Outdoor Activity 3.
- Children are not permitted outdoors (car park excluded), prior to 7.00am.
- Practical considerations shall be given to:
 - fixed play equipment should be non-metallic. If metal fixed play equipment is used then hollow metal sections shall be filled with expanding foam or sand
 - concrete or brick paved areas, if any, should be minimised and where practicable covered with synthetic grass carpet to minimise noise of play equipment on the hard surfaces.
- Restrict the number of children in Outdoor Activity 3 to a maximum of 20 children at any one time.
- Provide a minimum solid 1.5 metre high boundary fence, either opaque or transparent, along Warburton Avenue (Outdoor Activity 3) and corner truncation and between Outdoor Activity 3 and Outdoor Activity 2. This fence has been indicated on the development plans (Attachment 2 refers).

Music:

- Keep external windows and doors closed.
- Do not play music outdoors.

Carpark:

- That the Eastern car bays 10 to 19 are used for staff parking.
- Signage is placed within the car park asking parents not to slam car doors/boots.
- Fencing to the two adjoining residences remain as indicated on the development plans (Attachment 2 refers).

Should the development be approved, several conditions of development approval have been recommended which directly reflect the above mentioned recommendations of the acoustic assessment to ensure that the impact of noise on surrounding properties is minimised.

A number of objections received questioned the proximity of Outdoor Activity Area 1 and 2 to existing residential properties, specifically major openings to habitable rooms and outdoor living areas. The applicant has indicated that these outdoor activity areas are to be occupied by low noise producing age groups (babies and toddlers) and higher noise producing aged children (kindergarten) are to occupy Outdoor Activity Area 3 facing Warburton Avenue and Renou Street which is not adjacent any residential properties.

Concerns were also raised regarding noise associated with the proposed car parking area to be located adjacent to the north-eastern and a section of the south-eastern boundary. The car parking area will be located adjacent to bedrooms and the backyard area of the established residential dwelling at 12 Warburton Avenue, while the south-eastern side of the car park and associated landscaping is to be located adjacent to the backyard area of 3A Breen Place, Padbury.

As indicated on the development plans (Attachment 2 refers), and as set out in the acoustic assessment, the bays immediately adjacent the residential properties will be restricted to staff parking which will maximise the noise attenuation provided by the dividing fences. It is noted that noise associated with vehicles parking in bays 17, 18 and 19 has the potential to reverberate off the fence on the south-eastern boundary and spill over into the adjoining north-eastern residential property. In order to ensure minimal early morning disruption to this residential property a condition of development approval is recommended should the application be approved, restricting the use of these bays to staff arriving after 7.00am only.

In regard to noise generated by car doors from parents arriving at the centre, the vast majority of parents will arrive after 7.00am and the noise generated was considered in the acoustic report to be compliant with the allowable noise levels after this time. The recommendation for the utilisation of signs asking parents to be mindful of slamming doors is considered to be effective in terms of minimising the impact on adjoining properties.

Traffic and car parking

Concerns were raised during the consultation period regarding the proposed car park and that the 19 car parking bays will not be sufficient in terms of being able to accommodate the number of vehicles associated with peak periods. Concerns were also expressed that this will result in overflow car parking along both Renou Street and Warburton Avenue as well as within verge areas adjoining residential properties which poses a hazard to residents, pedestrians and other road users. General concerns were also raised in regard to increased traffic within the locality during peak time and potential increase in traffic incidents.

The car parking requirement for the proposed 'Child Care Centre' development is 19 bays as set out under DPS2 and the *Child Care Centres Policy*. The transport assessment submitted with the application sets out the average time for the picking up and dropping off of children is between three to six minutes, allowing for a greater turnover in parking. On this basis and

undertaking analysis of similar child care centres the maximum car parking demand is identified as being approximately 69%, or 13 on-site bays. It is therefore considered that 19 on-site bays is adequate parking on-site to accommodate the development. Should the application be approved, it is recommended that the condition of development approval requiring landscaping to the satisfaction of the City be expanded to include the requirement for landscaping to restrict the potential for vehicles to park on the verge.

The transport assessment has adequately demonstrated that the additional trips generated by the 'Child Care Centre' development would account for less than a 4% increase in the average existing daily traffic volumes on Warburton Avenue and can be comfortably accommodated within the existing capacity of the road.

As a local distributor road, Warburton Avenue has a maximum desirable traffic volume of 7,000 vehicles per day. Warburton Avenue currently has an average daily flow of 4,708 vehicles per day. The traffic assessment indicates an anticipated 271 additional trips daily.

The predicted increase in daily traffic flow west of the subject site is predicted to increase by 190 vehicles per day and east of the site by 81 vehicles per day. The maximum change in flow is expected to occur west of the site during the morning peak hour period between 8.00am and 9.00am, with an estimated additional 38 vehicles per hour.

In addition, the transport assessment identifies that there is a clear sight line distance in excess of 100 metres in both directions from the location of the proposed crossover along Warburton Avenue. As such, the proposed access location is considered to be appropriate to facilitate the safe and efficient ingress and egress movement of vehicles into the proposed car parking area.

Landscaping

The proposed amount of soft landscaping across the subject site is 9.9%, exceeding the 8% requirement under DPS2. All existing landscaping within the verge and subject sites are proposed to be removed as part of the development. The proposed landscaping concept plan is provided as Attachment 3.

All species within the site and outside of the proposed child care centre building area have been identified by the applicant as not being suitable of retention. Within outdoor activity area three, existing trees have been identified as being a 'Macadamia Tree', 'Date Palm' and 'Bottle Brush'. Both the 'Macadamia Tree' and 'Date Palm' have been indicated to be removed as they pose a potential hazard to small children. The species of 'Bottle Brush' is also not considered to have significant retention value given it does not provide a significant canopy and a more appropriate species could be planted. To retain one of the existing bottle brush trees within the car park would also result in the loss of one car bay.

To address the loss of existing vegetation on the site, new landscaping within the car park will include eight shade trees, and new trees will also be planted within the outdoor activity areas in conjunction with other soft landscaping treatments. Once established, it is considered that the new species of tree will have a higher retention value than those currently located on site and grow to have a larger canopy, providing for more shade to both the car park and outdoor activity areas.

The existing trees within the verges of Warburton Avenue and Renou Street have been identified as being 'Wattle', 'Bottle Brush', 'Bougainvillea' and an 'African Wild Plum' trees. These species are not considered appropriate for retention as they do not provide a significant canopy due to their multi-stem growth as opposed to a single stable tree trunk, or are an introduced species. Additionally, the species of tree identified within the verge area

were not originally planted by the City and are not part of a broader verge treatment on Warburton Avenue or Renou Street.

The verge trees that will be removed will be replaced with five new trees, with the new species being more suited for the area and providing a large canopy. The proposed verge landscaping plan is located within page one of Attachment 2.

Should the application be approved, a condition of development approval is recommended requiring detailed landscaping plans to be submitted to the City for approval prior to commencement of development. A further condition will also require landscaping to be installed and maintained in accordance with the approved landscaping plan.

Joondalup Design Reference Panel

The JDRP met on 14 April 2016 to discuss the proposal. The key points raised by the panel, as well as additional comments are provided below:

- The panel queried the overall siting of the development, and whether there was the opportunity for a design with an alternative ingress and egress that could potentially reduce the size of the car park, such as an ingress point from Warburton Avenue and egress point at Renou Street.

The applicant has provided the following response in regard to this:

The submission was based on the smallest footprint for a 19 bay carpark that Australian Standard 2890 would permit. In addition the number of bays proposed is as prescribed by City of Joondalup Child Care Centre Policy.

Although the design of the car park was not modified to include an alternative ingress/egress, the City is satisfied that proposed car park design and vehicle access locations are to have a minimal impact on the road network and surrounding properties. If an additional vehicle thoroughfare was to be added along the south-eastern lot boundary there would be a considerable increase in noise generated from vehicles travelling along the boundary to enter/exit the subject site at Renou Street. In addition, as Renou Street is identified as a local access road, there would be a conflict with the *Child Care Centres Policy* which states that vehicle access should only be considered from a local access road under exceptional circumstances.

- The panel commented on the entrance to the child care centre and recommended that consideration be given to the overall sense of arrival to the site.

The applicant has provided the following response in regard to this:

“The corporate colours and signage have now been established and added to the entrance to the car park and child care centre building. The use of feature contrasting rendered panels and the inclusion of complementary face brickwork at the Office and to Activity 3 wing provide additional colour and texture to the front of the building.”

Modifications made by the applicant are considered to adequately address the panel's comments.

- The panel commented on the lack of signage and recommended that proposed signage be provided within this application.

The applicant has provided the following response in regard to this:

“The corporate colours and signage have been established and incorporated into the proposed elevation and perspective drawings. As the request from the JDRP was to see how signage would present as part of the whole proposal we have delayed submitting a Sign Application as part of this submission. The appropriate application will be made upon Planning Approval for the Centre.”

The development plans and building perspectives were amended to demonstrate indicative signage (Attachments 2 and 3 refer). The indicative signage demonstrates that signage can be provided that is integrated with the building and not adversely impact on the residential character or amenity of surrounding properties. As the signage is indicative only, should the application be approved a condition of development approval is recommended requiring a separate development application for signage.

- The panel commented on the external appearance of the proposed child care centre building and recommended it be reconsidered in order to provide for greater contextual variation in terms of finishes to the external facade as well as further articulation to the roof form.

The applicant has provided the following response in regard to this:

“In response to the comments made by the JDRP, corporate colours are subtly added to the building trim and front boundary fence as part of the continuing theme. As previously mentioned, the use of feature contrasting rendered panels and the inclusion of complementary face brickwork at the Office and to Activity 3 wing have been added to the proposal in order to provide additional colour and texture to the front of the building.”

Although no modifications have been made to the proposed roof form, additional finishes have been added to the building following the JDRP meeting. The design of the proposed building is considered to be suited to the residential surroundings.

- The panel questioned the use of hotmix paving for the car park and suggested alternative materials for the car park be explored in order to further reduce the ‘heat sink’ as well as provide for better on-site draining solutions.

The applicant has provided the following response in regard to this:

“After discussions with Lovegrove Landscaping, a local company installing “green” turf car parks our concern for child safety over potentially uneven turf surfaces, particularly as the age group attending the centre are just beginning to walk, the risk of injury to young children out ways everyone’s concern for heat sink issues. Extra use of water and fertiliser to maintain a turf car park was also seen as a negative. Line marking is an unsolved concern. Alternatively, we have reduced the hard surface area by added 600mm of low-level planting to the eastern side of the car park.

Three additional smaller trees have been added to the car park, bringing the number of trees to eight and increasing the total landscape area across the site to 9.9%.”

The concerns regarding the use of 'green turf' car parking are acknowledged. Following further investigation, it is also considered that this material would not be suitable for a land use of this nature given the considerable number of daily vehicle car park movements. The additional landscaping added to the car parking area (including additional shade trees) following the application being presented to the panel is considered to assist in negating any adverse impact.

- The panel commented on the landscaping concept plan and expressed concern that only two trees are proposed to be retained. It was recommended that an arborist assessment be undertaken to identify vegetation worthy of retention. The development should be redesigned to allow for these to be retained.

The applicant has provided the following response in regard to this:

"The owners and their consultant landscaper inspected the properties and concluded that no tree/shrub were compatible for inclusion within the childcare outdoors activity area. In addition, the City has provided comment that the species of existing verge trees are not included within the approved plant material list and as such can be removed and replaced."

As set out above, the applicant has adequately addressed the panel's comments regarding the removal of established vegetation on the subject site, providing further information that the landscaping is not suitable for retention and incorporation into the car parking and outdoor activity areas. The applicant is intending to plant new trees within the outdoor activity areas which are more suitable in terms of child safety and to also replace existing verge trees with more suitable species. It is considered that the new trees will provide for more shade to both the outdoor activity areas and car park and thus adding more value to the development once established than if the existing trees were to be retained.

Conclusion

The development has been considered against the non-residential development requirements of DPS2 as well as the development criteria within the City's *Child Care Centres Policy*. Overall the proposal is considered to have been designed in such a manner as to cause minimal additional impact on adjoining and surrounding landowners, the road network, and the amenity of the locality.

The applicant has provided an acoustic assessment that indicates that the potential noise generated from the 'Child Care Centre' will not lead to a significant adverse impact on adjoining neighbours when operated in accordance with the final recommendations.

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Hamilton-Prime that Council:

- 1 APPROVES under clause 68(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* of the application for development approval, dated 8 March 2016 submitted by Peter Cottee Building Designs Energy Assessments on behalf of the owner, Jonrian Pty Ltd and Geradus and Maria van Boeyen, for a proposed child care centre development at Lot 70 (2) Renou Street and Lot 71 (10) Warburton Avenue, Padbury, subject to the following conditions:**
 - 1.1 Lot 70 (2) Renou Street and Lot 71 (10) Warburton Avenue, Padbury shall be amalgamated, prior to commencement of development of the child care centre;**
 - 1.2 all development shall be contained within the property boundaries;**
 - 1.3 the car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City;**
 - 1.4 bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of construction. Works shall be undertaken in accordance with the approved details;**
 - 1.5 a refuse management plan indicating the method of rubbish collection is to be submitted to the City prior to the commencement of development, and approved by the City prior to the development first being occupied. Refuse management shall be undertaken in accordance with the approved Refuse Management Plan;**
 - 1.6 detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:**
 - 1.6.1 provide all details relating to paving, treatment of verges and tree planting in the car park;**
 - 1.6.2 provide minimum concrete or brick paved areas within outdoor activity areas;**
 - 1.6.3 provide landscaping that discourages the parking of vehicles within the verge;**
 - 1.6.4 be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;**
 - 1.6.5 show spot levels and/or contours of the site;**
 - 1.6.6 be based on water sensitive urban design principles to the satisfaction of the City;**
 - 1.6.7 be based on Designing out Crime principles to the satisfaction of the City;**

- 1.6.8 show all irrigation design details;**
- 1.7 landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City;**
- 1.8 the car parking area shall be provided with one shade tree for every four car bays prior to the development first being occupied. The trees shall be located within tree wells protected from damage by vehicles and maintained to the satisfaction of the City;**
- 1.9 a full schedule of colours and materials for all exterior parts to the building is to be submitted and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule and shall be completed to the satisfaction of the City prior to occupation of the development;**
- 1.10 all external walls and retaining walls of the development shall be of a clean finish, and shall at all times be maintained to a high standard, including being free of vandalism, to the satisfaction of the City;**
- 1.11 any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development. Works shall be undertaken in accordance with the approved details;**
- 1.12 all stormwater shall be contained on-site and disposed of in a manner acceptable to the City;**
- 1.13 a separate application for development approval shall be lodged for any signage;**
- 1.14 the hours of operation for the centre shall be between 6.30am to 6.30pm Monday to Friday. Staff shall not arrive at the centre before 6.00am, and be off site by 7.00pm;**
- 1.15 car parking bays 10-19 shall be marked and permanently set aside for staff only, to the satisfaction of the City. Car parking bays 17, 18 and 19 shall only be used for staff arriving after 7.00am;**
- 1.16 signage shall be provided in the car park advising staff and visitors to not slam car doors and minimise noise within the car park. Details shall be provided to the City for approval prior to commencement of development. Works shall be undertaken in accordance with the approved details;**
- 1.17 solid fencing to a minimum height of 1.5 metres shall be provided along Warburton Avenue and corner truncation adjacent Outdoor Activity 3, and between Outdoor Activity Area 3 and Outdoor Activity Area 2. Fencing shall be installed prior to occupation of the Child Care Centre;**

- 1.18 **dividing fences on the north eastern and south eastern boundaries of the subject site shall all have a minimum height of 1.8 metres above finished ground level and be of solid construction, to the satisfaction of the City;**
- 1.19 **children are not permitted outdoors (excluding the car park) prior to 7.00am;**
- 1.20 **the maximum number of children in Outdoor Activity Area 3 shall not exceed 20;**
- 1.21 **sand pits in Outdoor Activity Area 3 shall be located towards the truncation of Warburton Avenue and Renou Street, to the satisfaction of the City;**
- 1.22 **no outdoor music is permitted;**
- 1.23 **fixed play equipment in the outdoor activity areas should be non-metallic. Should metal fixed play equipment be used the equipment then hollow metal sections shall be filled with expanding foam or sand;**
- 1.24 **outdoor activity for kindergarten aged children shall be restricted to Outdoor Activity Area 3.**

The Motion was Put and

CARRIED 11/0)

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

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf160614.pdf](#)

C30-06/16

**COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION -
[02154, 08122]**

MOVED Cr Hollywood, **SECONDED** Cr Gobbert that pursuant to the *Meeting Procedures Local Law 2013* – Clause 4.8 – Adoption by exception resolution, Council **ADOPTS** the following items:

CJ081-06/16, CJ086-06/16, CJ087-06/16, CJ089-06/16, CJ092-06/16, CJ093-06/16 and CJ096-06/16.

The Motion was Put and

CARRIED (11/0)

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

REPORTS – POLICY COMMITTEE – 7 JUNE 2016

Disclosure of Financial Interest

Name/Position	Cr Mike Norman.
Item No./Subject	CJ098-06/16 – Draft <i>Telecommunications Infrastructure Local Planning Policy</i> – Consideration following Advertising.
Nature of interest	Financial Interest.
Extent of Interest	Cr Norman holds shares in Telstra above the threshold.

Cr Norman left the Chamber at 9.14pm.

CJ098-06/16 DRAFT TELECOMMUNICATIONS INFRASTRUCTURE LOCAL PLANNING POLICY - CONSIDERATION FOLLOWING ADVERTISING

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	101289, 101515
ATTACHMENT	Attachment 1 Current City of Joondalup <i>Installation of Telecommunications Facilities Policy</i> Attachment 2 <i>State Planning Policy 5.2: Telecommunications Infrastructure</i> Attachment 3 Draft <i>Telecommunications Infrastructure Local Planning Policy</i> (tracked changes) Attachment 4 Advertised draft <i>Telecommunications Infrastructure Local Planning Policy</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider the draft *Telecommunications Infrastructure Local Planning Policy* following advertising and to decide whether or not to adopt the policy as final. This policy represents the realignment of the City's current policy entitled *Installation of Telecommunications Facilities Policy* with *State Planning Policy 5.2 Telecommunications Infrastructure Policy*.

EXECUTIVE SUMMARY

At its meeting held on 15 December 2015 (CJ227-12/15 refers), Council considered a report outlining proposed amendments to the City's *Installation of Telecommunications Facilities*

Policy and resolved to adopt the draft *Telecommunications Infrastructure Local Planning Policy* for public advertising.

The draft policy was advertised for 21 days closing on 24 March 2016. No submissions were received. As no further modifications to the draft policy are proposed, it is recommended that Council adopts the draft *Telecommunications Infrastructure Local Planning Policy* as final.

BACKGROUND

The City's *Installation of Telecommunication Facilities Policy* (Attachment 1 refers) has been in operation since December 2002 when it replaced a moratorium on the installation of telecommunications facilities throughout the City of Joondalup. Since then, the policy has been reviewed once, being August 2012.

Following a review and public comment period in October 2014, the Western Australian Planning Commission (WAPC) released the final version of *State Planning Policy 5.2 Telecommunications Infrastructure* (SPP 5.2) in August 2015 (Attachment 2 refers). The City's submission to the WAPC on its draft policy SPP 5.2 was endorsed by Council at its meeting held on 9 December 2014 (CJ229-12/14 refers). In addition to Council's endorsement of the City's submission to the WAPC it noted that in the event that revised SPP 5.2 was finalised, the City would be required to review its *Installation of Telecommunications Facilities Policy* to ensure consistency with the final version of SPP 5.2.

The review of the City's policy entitled *Telecommunications Facilities Policy* was considered by Council on 15 December 2015 (CJ227-12/15 refers) where it was resolved to proceed with advertising the draft policy, including the proposed renaming of the policy to '*Telecommunications Infrastructure Local Planning Policy*' (Attachments 3 and 4 refer).

This report represents the culmination of the process of reviewing the City's policy, including public consultation, so that it is aligned with SPP 5.2.

DETAILS

In order to comply with the final version of SPP 5.2 (Attachment 2 refers), the City's current *Installation of Telecommunications Facilities Policy* has been reviewed and amendments proposed (Attachment 3 refers). Various formatting and wording improvements have been proposed, including a proposed name change to *Telecommunications Infrastructure Local Planning Policy*. This is consistent with the title of SPP 5.2 and the land use 'Telecommunications Infrastructure' which is set out in the *Planning and Development (Local Planning Scheme) Regulations 2015*. The main changes proposed to the policy are outlined below.

Health and safety impacts

As with the draft version, the final version of SPP 5.2 specifically does not address health and safety matters relating to Electromagnetic Emissions (EME), which are not considered to be a relevant planning consideration. As a result, reference to the general concern regarding the potential health effects of telecommunications facilities is proposed to be removed from the policy. In its place a statement has been included in the draft policy noting that submissions based on health or safety grounds are unable to be considered in assessing a proposal for telecommunications infrastructure.

Buffer zones and excluded areas

SPP 5.2 requires that telecommunication infrastructure should be considered on a case by case basis and makes it clear that blanket restricted areas should not be applied through local planning policy. As a result, reference to not supporting the installation of telecommunication facilities unnecessarily close to schools, childcare establishments, hospitals and general residential areas is proposed to be removed from the policy.

Advertising period for telecommunication infrastructure applications

Unlike the draft version, the final version of SPP 5.2 does not include a restriction preventing consultation with landowners outside the limit imposed on the advertising to only those within a 200 metre radius of the site; however, a maximum consultation period of 21 days has now been included. As such, the advertising period specified by the City's policy has been reduced from 30 days to 21 days. It is proposed to retain the City's current policy position of consulting with residents within a 400 metre radius from the proposed telecommunications infrastructure.

Exemptions

In addition to the existing exemptions under the *Telecommunication Act 1997*, SPP 5.2 recommends that local governments consider exempting telecommunications infrastructure from the requirement for development approval where:

- the infrastructure has a maximum height of 30 metres above finished ground level
- the proposal complies with the policy measures outlined in SPP 5.2.

However, the City considers it appropriate that all proposals for telecommunications infrastructure undergo assessment in regard to the potential visual impact they may have and, therefore, the City does not intend to make this use a land use that is exempt from the need for development approval at this time.

Visual impact

The principal area of planning assessment of telecommunication infrastructure relates to potential visual impacts. Issues relating to potential visual impacts are valid planning considerations and continue to be incorporated in the City's draft policy. SPP 5.2 states that the visual impact of development proposals should be made on a case by case basis. This, together with not permitting buffer zones and/or setback distances provides limited ability to provide specific guidance within the City's policy on visual impact issues.

It is proposed that the City's policy will continue to require due regard be given to topography of the site and surrounding area, the size, height and type of the proposed facility, the location and density of surrounding vegetation, and the general visibility of the proposal from surrounding development.

Issues and options considered

Council has the option to:

- proceed with the amended policy, as advertised (Attachment 3 refers)
- proceed with the amended policy, with modification
or
- not proceed with the draft amended policy.

Legislation / Strategic Community Plan / policy implications

Legislation	<i>Telecommunications Act 1997. Telecommunications (Low-impact Facilities) Determination Act 1997. Planning and Development Act 2005. City of Joondalup District Planning Scheme No. 2. Planning and Development (Local Planning Scheme) Regulations 2015.</i>
--------------------	--

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.
Key theme	Economic Prosperity, Vibrancy and Growth.
Objective	Business capacity.
Strategic initiative	Actively seek opportunities for improving local communication network infrastructure.
Policy	<i>Installation of Telecommunications Facilities Policy.</i>

Risk management considerations

Given that the provisions of SPP 5.2 will prevail over non-aligned local planning policies, there is an onus on the City to ensure that its policy functions within the policy framework and intent of SPP 5.2. In instances where the policies are not aligned there is the risk that the State Administrative Tribunal (SAT) will not uphold decisions of Council based on the local planning policy in circumstances where the proposal would otherwise comply with SPP 5.2.

Financial / budget implications

The costs associated with advertising the policy was \$703.04, with the notice of any final adoption estimated to be approximately \$750.

Current financial year impact

Account no.	3277
Budget Item	Advertising – Public/Statutory.
Budget amount	\$ 15,000
Amount spent to date	\$ 9,781
Proposed cost	\$ 750
Balance	\$ 4,469

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

One of the key strategic initiatives of the City's *Strategic Community Plan 2012 – 2022* is to actively seek opportunities for improving local communication network infrastructure. SPP 5.2 seeks to facilitate more cost-effective and timely planning, assessment and determination of proposals for telecommunications infrastructure across Western Australia. The challenge, however, is to balance this objective with the visual impact of telecommunication infrastructure on the public realm, adjoining landowners, surrounding residents and the community in general.

Consultation

The draft policy was advertised for public comment in the prescribed manner for a period of 21 days, closing on 24 March 2016, by way of:

- a notice published in the *Joondalup Weekender*
- a notice and documents being placed on the City's website.

No submissions were received.

COMMENT

The City's review of its current *Telecommunications Facilities Policy*, in line with SPP 5.2, was completed during the latter part of 2015 and the new amended draft policy document adopted by Council for the purposes of public consultation in December 2015. The public consultation process attracted no submissions.

Following public consultation and the absence of any submissions in response thereto it is not considered necessary to make any further modifications to the draft policy that was considered by Council on 15 December 2015. It is therefore recommended that the City's draft *Telecommunications Infrastructure Local Planning Policy*, as presented in December 2015 (CJ227-12/15 refers), be adopted as final.

As the draft document represents a review of the existing policy on telecommunications facilities there is no requirement that the current document entitled '*Installation of Telecommunications Facilities*' Policy be revoked.

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 7 June 2016.

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

MOVED Cr Gobbert, **SECONDED** Cr Hollywood that Council in accordance with subclause 5(1) and 4(3)(b)(i) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **PROCEEDS** with the *Telecommunications Infrastructure Local Planning Policy*, without modification, as included in Attachment 4 to Report CJ098-06/16.

The Motion was Put and

CARRIED (10/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Poliwka and Taylor.

Cr Norman entered the Chamber at 9.15pm.

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16brf160614.pdf](#)

CJ099-06/16 WASTE MANAGEMENT POLICY – REVOCATION

WARD:	All
RESPONSIBLE DIRECTOR:	Mr Jamie Parry Governance and Strategy
FILE NUMBER:	16285, 101515
ATTACHMENTS:	Attachment 1 Waste Management Policy
AUTHORITY / DISCRETION	Legislative – includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to revoke the City's current *Waste Management Policy*.

EXECUTIVE SUMMARY

At its meeting held on 22 June 1999 (CJ213-06/99 refers), Council adopted the City's *Waste Management Policy*, which highlighted the City's commitment to developing a comprehensive waste management strategy and providing an overview of current local waste disposal services. There have been only minor amendments made to the policy since its introduction in 1999.

As part of the ongoing review of the City's Policy Manual, the *Waste Management Policy* has been identified for revocation due to its operational content and inconsistency with the *Waste Management Plan 2016-2021* adopted by Council at its meeting held on 16 February 2016 (CJ024-02/16 refers). Information contained within the current policy pertaining to service levels is also considered more appropriate for access by the community on the City's website, rather than through a policy instrument.

It is therefore recommended that Council agrees to revoke the Waste Management Policy, as shown in Attachment 1 of Report CJ099-06/16.

BACKGROUND

Following the split between the Cities of Wanneroo and Joondalup, the City adopted a *Waste Management Policy* at its meeting held on 22 June 1999 (CJ213-06/99 refers), which replaced the former City of Wanneroo's policies on waste management. In June 2000 (CJ148-06/00 refers), the *Waste Management Policy* was amended to reflect Council's role in setting service levels for waste collections and to update the process for retrieving lost green waste disposal vouchers.

In October 2003 (CJ253-11/03 refers), the policy was amended again to remove references to the promotion and marketing of compost bins and worm farms, due to its operational nature.

The policy has remained unchanged since 2003.

DETAILS

Since the *Waste Management Policy's* last review date in 2003, the Western Australian State Government introduced the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act), requiring all local governments to develop *Strategic Waste Minimisation Plans*.

The City's newly adopted *Waste Management Plan 2016-2021* (CJ024-02/16 refers), fulfils the requirements of the WARR Act by providing strategic direction for the City to meet State Government imposed targets for waste reduction and diversion from landfill. The development and review of this plan is now imbedded within City processes and as such, a policy statement to commit the City to its development is not required.

Furthermore, the operational content contained within the *Waste Management Policy* is currently available on the City's website with more up-to-date information on waste disposal services and education programs available to the community.

Due to the out-dated information contained within the policy, its operational content and inconsistency with the City's current *Waste Management Plan 2016-2021*, it is recommended that the *Waste Management Policy* is revoked by Council.

Issues and options considered

Council has the option to:

- revoke the *Waste Management Policy* (Option 1), as shown in Attachment 1
- modify the *Waste Management Policy* (Option 2)
or
- retain the *Waste Management Policy* in its current format (Option 3).

It is recommended that Option 1 be adopted.

Legislation / Strategic Community Plan / policy implications

Legislation	<i>Waste Avoidance and Resource Recovery 2007.</i>
Strategic Community Plan	
Key theme	The Natural Environment.
Objective	Environmental resilience.
Strategic Initiative	Demonstrate current best practice in environmental management for local water, waste, biodiversity and energy resources.
Policy	<i>Waste Management Policy.</i>

Risk Management considerations

In order to remain transparent and to facilitate appropriate decision-making processes, it is imperative that policies reflect the current positions of Council and work practices at the City. If not effectively maintained, there are risks associated with potentially misleading the community through publicly available, unreviewed policies.

Financial/Budget Implications

Not applicable.

Regional Significance

Waste management services are delivered on a regional basis through the City's involvement in the Mindarie Regional Council. Revoking the City's *Waste Management Policy* will have no impact on this regional partnership, due to its operational content.

Sustainability implications

The City is committed to the sustainable provision of waste management services through its *Waste Management Plan 2016-2021*.

Consultation

Not applicable.

COMMENT

While there may be some benefits to retaining the current *Waste Management Policy* to demonstrate the City's ongoing commitment to the provision of waste disposal services; the City's website and *Waste Management Plan 2016-2021* are considered better mechanisms for achieving this.

The *Policy Manual* is an unlikely resource from which the community would seek out information on service levels. The City's website already outlines how waste is collected regularly from households, specifies the correct way to dispose of waste properly, as well as educating and informing the community of ways to better manage the disposal of waste. The community is more likely to utilise the City's website and hardcopy information brochures as references for information than a City policy.

It is also standard practice for the City to revoke out-dated policies following the adoption of new strategic documents as these plans now provide strategic direction for the City, rather than a 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 7 June 2016.

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

MOVED Cr Gobbert, SECONDED Cr Fishwick that Council REVOKES the *Waste Management Policy*, as shown in Attachment 1 to Report CJ099-06/16.

The Motion was Put and

CARRIED (11/0)

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

Appendix 17 refers

To access this attachment on electronic document, click here: [Attach17brf160614.pdf](#)

CJ100-06/16 VISUAL ARTS COMMISSIONING PROGRAM EVALUATION

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	103931, 101515
ATTACHMENT	Attachment 1 Images of commissioned artworks Attachment 2 Illustration of recommended option for residency / commission cycle
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 an evaluation of the Visual Art Commissioning Program and options for the program from 2017 onwards.

EXECUTIVE SUMMARY

The Visual Art Commissioning Program provides the City with a unique opportunity to commission and acquire artworks at the discretion of the City from high profile Western Australian, national and international artists.

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 develop an artwork documenting and capturing the iconic landmarks and people who represent the City of Joondalup to be acquired for the City's Art collection. The value of this commission is \$15,000 per annum.

In 2012, the inaugural commission was awarded to Western Australian artist Tony Windberg who created a mixed-media artwork entitled *Meeting Points*. The second commission in 2013 was awarded to Western Australian artist Lindsay Harris who created a painting entitled, *Woolagut Koorling, Yey Kwodjungut Koorling (Long ago behind going, Today in front going)*.

At its meeting held on 19 February 2013 (CJ021-02/13 refers), Council endorsed changes to the Visual Arts Commissioning Program and approved the option to invite an international or national artist to undertake the commission through an artist residency over a two year period to the value of \$30,000.

At its meeting held on 16 October 2014 (Item 2 refers), the former Art Collection and Advisory Committee (ACAC) selected artist, Brandon Ballengée from New York, United States of America. Ballengée undertook a six week artist residency from September

to October 2015. Ballengée has prepared an artwork commission set for installation in late October 2016 entitled *Emperor Gum Moth*. The proposed artwork is a 2.6 metres high public artwork sculpture.

It is recommended the Visual Art Commissioning Program continues by alternating between an annual artwork commission from a high profile Western Australian artist in one year and an artist residency comprised of two parts, a residency and commission, taking place over the following two years and that Council agrees to list \$15,000 per annum going forward to fund the program.

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.

Visual Art Commissioning projects

The inaugural commission in 2011 was awarded to Western Australian artist Tony Windberg who created a mixed-media artwork entitled *Meeting Points*. As part of the commission the artist explored the City of Joondalup's natural and urban environment with a focus on Lake Joondalup and areas of remnant bushland. Windberg used separate panels, alternate approaches and multiple materials (both organic and synthetic) to depict iconic landmarks within the City of Joondalup.

The second commission was awarded to Western Australian artist Lindsay Harris who created a large painting entitled, *Woolagut Koorling, Yey Kwodjungut Koorling (Long ago behind going, Today in front going)*. Harris's artwork represents Lake Joondalup and the ancient walking tracks of the Noongar people who have lived, breathed and walked through this region over millennia. This is interwoven with the roads and passageways of modern Joondalup, such as the railway line.

Images of the commissioned artworks are provided. (Attachment 1 refers).

Artist Residency - 2015-16

At its meeting held on 19 February 2013 (CJ021-02/13 refers), Council endorsed 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 arts residency to encourage a greater level of engagement by the artist with the place, people, culture and history of Joondalup.

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

- “1 *ENDORSES the completion of the artwork commission over a two year period 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 *that the arts residency detailed in Part 2 above be completed by 2014-15.”*

In October 2014, Council agreed to engage Brandon Ballengée as the inaugural artist to undertake a residency program at the City of Joondalup. Ballengée is a visual artist, biologist and environmental activist. 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.

The artist residency was divided in two parts, the residency, which took place over six weeks between September and October 2015 and the commission, which results from this residency, scheduled for completion in October 2016.

Both the processes described have produced quality outputs. Commissioning an artist to create an original work is quicker and less costly than a residency, however, the process is less connected to community. Inviting an artist to participate in a residency offers greater engagement with the community but takes longer to effect and is more costly.

As a result of the Visual Arts Commission program completing a cycle of commissioning and a residency, a report was presented to the Policy Committee evaluating the program.

At its meeting held on 3 March 2016 the Policy Committee resolved as follows:

"1 That the report on the Visual Art Commissioning Program Evaluation be REFERRED BACK to the Chief Executive Officer to determine additional costs and resource capacity to deliver a two year rolling implementation of the Artist in Residency and Visual Arts Commissioning Program."

DETAILS

Issues and options considered

Through information provided in this report, Council is asked to consider the Visual Arts Commissioning Program, and to assess the recommended option for the program following the 2015-16 artist residency and commission.

The timeframes of a Visual Arts commission and residency are explained below.

The Visual Arts Commissioning Program

Commissioning involves the contracting of an artist to create an original artwork for a particular purpose.

The direct commissioning of artists is intended to ensure that high quality works featuring local themes, which are at the discretion of the City, are represented in the City's Art Collection. Commissioning allows the City to determine the overall content or theme of the artworks and allows the City to capture a site, person or theme of particular significance, which over time will provide an historical perspective of the City.

The Visual Art Commissioning program also provides the City with an opportunity to commission and acquire artworks at the City's discretion from high profile Western Australian artists through the annual artwork commission and from national or international artists through an artist residency.

A visual art commission project follows the City's Visual Art Commissioning process and involves two major stages: Research, proposal and approval components to select the artist; concept development, approval and fabrication components by the selected artist to produce

the commissioned work. The minimum time required for optimum outcomes vary with the artist (and medium) selected but as a rule of thumb the process can be comfortably achieved within an 18 to 24 month cycle and with the first project stage taking place concurrently with other aspects of the visual arts program.

Artist residency

An artist residency is an opportunity for an invited artist to spend time in a new location to research, reflect, produce artwork and engage with the local community allowing the community to view their local area through the objective perspective of a visiting professional artist.

An artist residency project consists of three major stages, these are:

Stage One *Planning Stage:* Research of artists, proposing of artists, seeking approval from the Policy Committee to select the final artist.

Stage Two *Residency Stage:* Contracting the artist (including establishing availability), planning a public program, hosting the artist for the residency period of between four and six weeks.

Stage Three *Commission Stage:* Using research from the residency period, the artist develops and proposes a concept for an artwork, and once approved creates the artwork and delivers it to the City.

The minimum time required for optimum outcomes vary with the artist (and medium) selected but as a rule of thumb the process can be comfortably achieved within a thirty month cycle and with the first project stage taking place concurrently with other aspects of the visual arts program.

A number of options were considered for managing the Visual Arts Commissioning Program from 2017 onwards.

Option 1: Maintain the current cycle

The current pattern involves the following events over a four year cycle with three artwork commissions resulting:

- Visual Art Commission (Year 1 – Research for artist undertaken previous year).
- Visual Art Commission (Year 2 – Research undertaken for forthcoming artist residency).
- National/International Artist Residency (Year 3).
- National/International Artist Residency Commission (Year 4 – Research undertaken following commissioning).

Option 2: Alternate an artist residency and a visual art commission

This pattern involves the following events over a three year cycle with two artwork commissions resulting:

- Visual Art Commission (Year 1 – Research undertaken previous year; research undertaken for forthcoming artist residency).
- National/International Artist Residency (Year 2).

- National/International Artist Residency Commission (Year 3 – Research for forthcoming artist for visual art commissioning).

This option would amend the Visual Art Commissioning Program to alternate between a visual art commission in one year, an artist residency the following year, and a commissioned work that comes from the residency in the year after that, within an allocated budget of \$15,000 each year. (Attachment 2 refers).

Option 3: Commission a work each year with the artist residency and commission happening in the same year

This pattern involves the following events over a two year cycle with two artwork commissions resulting:

- Visual Art Commission (Year 1 – Research undertaken for forthcoming artist residency).
- National/International Artist Residency Commission (Year 2 – Research for forthcoming artist for visual art commissioning).

Option 4: Commission a work each year, with a visual art commission and the residency component occurring same year

- Visual Art Commission (Year 1 – Research undertaken previous year – research undertaken for following visual art commission and proposed artist residency).
- Visual Art Commission and Artist Residency (Year 2).
- Artist Residency and Visual Art Commissioning (Year 3 – Research undertaken for following visual art commission).

This pattern invites a commissioning of art every year over a three year cycle.

Current Visual Arts Program and resources

The City's Visual Arts team comprises one full-time employee, being a Visual Arts Officer (38 hours per week full time), one Curator (23 hours per week part time) and one Administration Officer (16 hours per week part time). With these allocated resources, the team delivers the following programs over a 12 month period:

- Commission and installation of works for the City's two Inside-Out Billboards.
- Coordination and curation of the City's two art awards, the Community Invitation Art Award and Community Art Exhibition.
- Commission and installation of three murals, one of which involves extensive engagement with the participating school as part of the Schools Connections Program.
- Curate and manage the City's Art Collection, including triennial evaluations, annual acquisitions, annual repairs and maintenance and updating the City's online catalogue.
- Provide professional advice for the programming of the City's annual NAIDOC celebrations, including curating an Aboriginal art exhibition.
- Commission and manage Public Art projects including those associated with the commissioning of new city facilities within the Per Cent for Art Scheme (Bramston Park Sporting and Community Facility, for example).
- Manage the City's current Visual Arts Commissioning Program, including the Artist in Residence Program.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Cultural development.

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

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Since the commencement of the program the following budget allowances have been made:

- 2014-15 - Artist Residency \$30,000 (continuing into 2015-16)
- 2013-14 - \$15,000 Artwork commission
- 2012-13 - \$15,000 Artwork commission.

Regional significance

The City's art collection, including its public art, archives and memorabilia, plays an important part in shaping and developing a sense of community. The on-going provision of an accessible and high calibre art collection is integral to the cultural development and vibrancy of the City of Joondalup region and to best practice standards for the development of the visual arts in local government.

Sustainability implications

Art strengthens the public realm (environment) by creating points of interest, animating spaces and providing beauty, character and colour to places. Art provides a catalyst for public discussion about current social, economic and environmental issues. Art is a driver for cultural tourism.

Consultation

Not applicable.

COMMENT

The decision of the Policy Committee on 3 March 2016, was to determine additional costs and resource capacity to deliver a two year rolling program, specifically in line with an artwork being commissioned each financial year (Option 3 or 4).

The City's current human resources will not facilitate the ability to achieve a rolling program within such a tight timeframe. The ability to achieve this does not revolve solely around resource (human or financial) but often mitigating factors that may complicate/delay the timeframe, such as:

- the recommendation on a preferred artist or the artist's concept to the CEO and/or the Council may not be endorsed
- there may be complications in contract negotiations, booking flights, accommodation, visas and the like
- the type of medium the selected artist works or may choose to work in may delay the finalisation of the commissioning, for example, the time taken to deliver an oil based landscape painting, versus a large scale steel fabricated public artwork cannot be achieved within the same time period
- the allocation of funds for the commissioning of the art may not be sufficient, therefore, consideration would need to be made on allocating additional funds to finalise the commission
- the selected artist may not be available with the timeframe set by the Council.

The Visual Art Commissioning Program is part of the City's Visual Arts Program and provides a unique opportunity to specifically commission and acquire artworks at the discretion of the City from high profile Western Australian, national and international artists through an artist residency.

The City currently has detailed process maps that relate to levels of sign-off and consultation on projects to maximise quality outcomes and ensure that members of the Policy Committee are properly and regularly consulted during the process of artist selection, concept response, final concept. In and of themselves these processes require time in both preparation and consideration that would mitigate against telescoping the process as outlined in Option 3.

It is recommended the Visual Art Commissioning Program continues by alternating between an annual artwork commission from a high profile Western Australian artist in one year and an Artist Residency comprised of two parts, a residency and commission, taking place over the following two years, as per Option 2 detailed within this report.

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 7 June 2016.

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

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the evaluation information provided for the Visual Art Commissioning program;
- 2 APPROVES alternating between an annual artwork commission from a high profile Western Australian artist in one year and an artist residency comprised of two parts, a Residency and Commission, taking place over the following two years, as per Option 2 detailed within Report CJ100-06/16;
- 3 AGREES to list \$15,000 each year going forward to fund the program.

MOVED Cr Gobbert, SECONDED Cr McLean that Council:

- 1 **NOTES the evaluation information provided for the Visual Art Commissioning program;**
- 2 **APPROVES alternating between an annual artwork commission from a high profile Western Australian artist in one year and an artist residency comprised of two parts, a Residency and Commission, taking place over the following two years, as per Option 2 detailed within Report CJ100-06/16;**
- 3 **AGREES to list \$15,000 each year going forward to fund the program;**
- 4 **REQUESTS a report be provided to the Policy Committee evaluating the Visual Arts Commissioning Program following its first full cycle, comprising an art commission, an artist residency and an artist residency commission.**

The Motion was Put and

CARRIED (11/0)

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

Appendix 18 refers

To access this attachment on electronic document, click here: [Attach18brf160614.pdf](#)

CJ101-06/16 REVIEW OF MEMORIALS IN PUBLIC RESERVES POLICY

WARD	All
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	103963, 100385, 101515
ATTACHMENTS	Attachment 1 Revised <i>Memorials in Public Reserves Policy</i> Attachment 2 Supported applications
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 review the City's *Memorials in Public Reserves Policy*.

EXECUTIVE SUMMARY

The *Memorials in Public Reserves Policy* provides guidance on the circumstances in which the City will support and manage the installation of memorials in public reserves.

Since its introduction, the City has received over 30 applications to install permanent memorials within public locations throughout the City of Joondalup in memory of persons who have passed and made a significant contribution to the community during their lifetime. The current policy requires a decision of Council to support "significant person" applications, with four requests supported to date.

In August 2015, the City received an application to consider the installation of a permanent memorial plaque within a City-owned hut on Iluka Beach in memory of a young local person who had passed away in the vicinity. The application was not supported on the basis that it did not meet the intentions of the current policy, which requires persons to have made a significant contribution to the local Joondalup community. A 947-signature petition was subsequently presented to Council at its meeting held on 15 September 2015 (C56-09/15 refers) by the applicants (family and community supporters), requesting re-consideration of the application.

Council considered a report in response to the petition at its meeting held on 23 November 2015 (CJ200-11/15 refers), where support was provided for the temporary installation of a memorial plaque for a period up to 12 months and a request was made for the Policy Committee to conduct a review of the current *Memorials in Public Reserves Policy*.

The Policy Committee deferred consideration of the matter at its meeting held on 23 November 2015 and this report is now being presented to facilitate a review of the *Memorials in Public Reserves Policy*.

BACKGROUND

Policy Background

At its meeting held on 15 December 2009 (CJ284-12/09 refers), Council adopted the City's first *Memorials in Public Reserves Policy*. The policy was developed in response to a growing number of requests from the community to install memorials within City-owned public open spaces. Its context was shaped, in particular, by several high-profile incidences within the community at the time, where young residents had passed away in City parks and memorials were being requested and/or placed in public spaces by members of the community.

Following research into approaches adopted by other State Government agencies and local governments, a new policy was drafted to provide guidance on the circumstances in which the installation of memorials in public reserves would be supported and managed by the City in the future.

It focussed on two categories namely: "significant person memorials" and "temporary memorials". The first category supported the management and installation of permanent memorials to celebrate and commemorate the achievements and significant contributions of persons to the local Joondalup community. The second category provided opportunities for the families of persons who had passed away in tragic circumstances, to remember their loved ones and support a process of grieving through the placement of temporary memorial items in approved public spaces.

Each category is supported by an application process, which requires families of the deceased to contact the City and provide detailed information on the requested memorial format, proposed location and, if relevant, contributions of the deceased person to the local Joondalup community (only for "significant person memorials"). The City maintains this information in a database to manage the timeframes and contact/memorial details associated with the placement and maintenance of approved items.

In addition to these processes, all "significant person memorial" applications also require Council support. Since the policy's introduction in 2009, four applications for this memorial category have obtained Council support, with over 30 applications received to date.

Petition History

On 26 August 2015, the City received an application requesting the installation of a permanent memorial plaque to be placed in a City-owned hut located on Iluka Beach, in memory of a young local person who had passed away in the vicinity. Based on the information provided in the application, the City was unable to support the request, as it insufficiently described the level and significance of contribution the person had made to the local Joondalup community.

In response to the declined application, a 947-signature petition was subsequently submitted to Council at its meeting held on 15 September 2015 (C56-09/15 refers), seeking support for the permanent installation of a memorial at the requested location.

A report was presented to Council at its meeting held on 23 November 2015 (CJ200-11/15 refers) where the petitioners' request was considered. Following significant discussion, Council resolved that it:

- “1 *SUPPORTS the installation of a temporary memorial plaque for a period up to 12 months at Iluka Beach;*
- 2 *REQUIRES that the temporary memorial be installed and maintained in accordance with the Conditions of the Memorials in Public Reserves Policy;*
- 3 *REQUESTS the Policy Committee to conduct a review of the Memorials in Public Reserves Policy.”*

Feedback from the Policy Committee was sought in November 2015, however, the matter was deferred for consideration in more detail at a future meeting. This report provides a detailed overview of relevant issues to facilitate a review of the *Memorials in Public Reserves Policy*.

DETAILS

Since 2009, the *Memorials in Public Reserves Policy* has provided useful guidance for the City and community in the support and management of memorials in public areas. In doing so, it has attempted to strike an appropriate balance between compassionately supporting local residents when they are experiencing and processing grief; and acknowledging community expectations in the maintenance of public open space amenity and safety.

While the policy has provided greater consistency in the City's approach to managing memorials, recently declined applications have highlighted some issues with regard to the following:

- *Language used in the current policy (such as describing a memorial category as “significant persons” instead of highlighting the differences between a temporary and permanent memorial).*

Such language may create perceptions that persons must be considered “significant” in order to be eligible for the installation of permanent memorials, when the actual intention of the policy is to acknowledge contributions made to the local community and not the status of an individual. This may be resolved by exchanging references to “significant persons” throughout the policy with the term “permanent memorials”.

- *The lack of transparent criteria used to assess the level of contributions made by persons to the local community when applying for the installation of a permanent memorial.*

While a variety of factors are considered in the assessment process, it is acknowledged they are not clearly articulated within the policy, which can give rise to ambiguity. At present, the City considers factors such as:

- length of time contributed to a cause/s or service/s within the local community
- the level of impact their contributions have had on the local community and the subsequent legacy and sustained outcomes their efforts have achieved
- the capacity in which the contributions were made, namely, whether they are a volunteer or in a paid position. If in a paid capacity, it is considered whether the person went over and above what a person would normally achieve in such a position in leading and advocating for the community

- a connection or association to a particular location in which the memorial is being requested for installation
- the level of support received from the family and other organisations and persons within the local community to substantiate the information contained within the application.

By amending the policy to consider factors such as those highlighted above, families would be provided with a greater understanding of the requirements needed to submit a successful application and potentially avoid disappointment during an already difficult time.

- *The need for more information for family members to consider when compiling their applications.*

While amendments to the policy will improve the process for potential applicants, further supporting information and tools may also provide greater clarity and assistance such as:

- an on-line Frequently Asked Questions page that outlines the necessary processes for submitting an application
- on-line application forms, including a checklist of items and acknowledgement of the conditions contained in the *Memorials in Public Reserves Policy*
- example case studies of applications for permanent memorials that have been supported by Council, to assist in the compilation of a new application.

These supporting documents may help to manage expectations and avoid potential disappointment if an application is declined.

- *The length of time a temporary memorial may be placed on site / time in which a permanent memorial may be applied for.*

The current length of time temporary memorials are permitted to remain in place (six months following City approval) may not provide sufficient opportunity for families to commemorate the one year anniversary of their loved one's passing while their memorial is in-situ. As such, an extension of time for temporary memorials up to 12 months may be considered appropriate.

This seeks to provide a compassionate approach in acknowledging and facilitating the grieving process for families, without creating an expectation that memorials will be permanently installed. However, once a temporary memorial is removed, families will have an opportunity to apply for a permanent memorial, should their application meet the requirements of the policy.

To further distinguish between the temporary and permanent memorials it is also suggested that a 12 month waiting period apply before an application for a permanent memorial may be submitted. This is to ensure that an appropriate historical perspective may be developed, as well as the compilation of supporting documentation for any application.

- *A lack of opportunity for Council to consider all applications for permanent memorials.*

At present, the ad-hoc nature in which applications for permanent memorials are received by the City does not enable a structured and efficient way for Council to consider the merits of each individual application. As such, the City currently assesses all applications and only progresses those to Council that are deemed to meet the intentions and requirements of the policy.

To improve this process, there may be merit in compiling all applications periodically for consideration by Elected Members. This would enable an easier comparison of applications to be made and to avoid situations where applications declined by the City are progressed to Council outside of the existing process and are declined again, which can cause further trauma and distress for families. Presenting all applications to Elected Members in the first instance may provide a more final decision for families to accept the outcome of the application process.

Issues and options considered

While the issues relating directly to the content of the *Memorials in Public Reserves Policy* are outlined above, further matters for consideration in managing memorials in public areas also include the following:

- The potential for memorials to attract unsociable behaviour, depending on their location and the circumstances under which a person passed away.
- The potential for permanent memorials to act as a shrine for families, rather than to commemorate the achievements and contributions of a person to their local community.
- The potential loss of amenity in popular public locations throughout the City from the installation of permanent memorials, where deceased persons have had a personal connection or association. Some members of the community view these spaces as public areas and not the property of families, of which a permanent memorial may imply.

To assist in the review process, it is requested that consideration be given to the issues raised in this report on:

- suggested improvements to the current *Memorials in Public Reserves Policy* and City processes, as outlined in the details section of this report
- additional criteria that should be considered in the assessment of applications for permanent memorials
- any additional process improvements, not currently highlighted in the report.

Options

With regard to the *Memorials in Public Reserves Policy*, Council can choose to either:

- support the proposed amendments to the *Memorials in Public Reserves Policy*, as outlined in Attachment 1
or
- request alternative amendments to the *Memorials in Public Reserves Policy*.

Legislation / Strategic Community Plan / policy implications

Legislation	Not applicable.
Strategic Community Plan	
Key theme	Community Wellbeing.
Objective	Community spirit.
Strategic initiative	Not applicable.
Policy	<i>Memorials in Public Reserves Policy.</i>

Risk management considerations

While the *Memorials in Public Reserves Policy* has provided useful guidance to the City in the management and requests for public memorials, it is important that the content of the policy and its associated processes are transparent and appropriately reflect the policy's stated intentions. Without amendment, there is a risk that the current policy may continue to provide ambiguous information to the community with regard to the application process requirements.

As such, it is important that consideration be given as to the intentions of the *Memorials in Public Reserves Policy* by reviewing its current content.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

In addition to the potential amendments to the *Memorials in Public Reserves Policy*, there are a number of intended supplementary changes to the application process. These process changes seek to both inform the community through improved and clear information, as well as streamlining the application process to make it easier for both the applicant and the City to consider and process memorial requests.

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 7 June 2016.

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

That Council:

- 1 *NOTES the issues raised in this Report to inform the review of the Memorials in Public Reserves Policy;*
- 2 *SUPPORTS the proposed amendments to the Memorials in Public Reserves Policy as detailed in Attachment 1 to this Report.*

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

That Council:

- 1 *NOTES the issues raised in this Report to inform the review of the Memorials in Public Reserves Policy;*
- 2 *SUPPORTS the proposed amendments to the Memorials in Public Reserves Policy as detailed in Attachment 1 to this Report, subject to the retention of clause 2.2.5(a);*
- 3 *ADVERTISES the policy for public comment including seeking direct feedback from the applicants previously engaged with by the City.*

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the issues raised in Report CJ101-06/16 to inform the review of the Memorials in Public Reserves Policy;
- 2 SUPPORTS the proposed amendments to the Memorials in Public Reserves Policy as detailed in Attachment 1 to Report CJ101-06/16, subject to the retention of clause 2.2.5(a);
- 3 ADVERTISES the policy for public comment including seeking direct feedback from the applicants previously engaged with by the City.

MOVED Cr Gobbert, SECONDED Cr Dwyer that Council:

- 1 NOTES the issues raised in Report CJ101-06/16 to inform the review of the Memorials in Public Reserves Policy;**
- 2 SUPPORTS the proposed amendments to the Memorials in Public Reserves Policy as detailed in Attachment 1 of Report CJ101-06/16, subject to:**
 - 2.1 The retention of clause 2.2.5(a);**
 - 2.2 Amending clause 2.2.1(a) to read as follows:**

“Family members may apply to the City for the installation of a temporary memorial for a deceased person who has resided in the City of Joondalup.

Family member means a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, cousin, spouse, defacto partner or child of the deceased person”;
- 3 ADVERTISES the policy for public comment including seeking direct feedback from the applicants previously engaged with by the City.**

The Motion was Put and

CARRIED (11/0)

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

Appendix 19 refers

To access this attachment on electronic document, click here: [Attach19brf160614.pdf](#)

REPORTS – FINANCE COMMITTEE – 8 JUNE 2016

CJ102-06/16 STATUS REPORT ON CITY FREEHOLD PROPERTIES PROPOSED FOR DISPOSAL AND A PROPOSED CROWN LAND ACQUISITION

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	63627, 101515
ATTACHMENTS	Attachment 1 Lot 200 (24), Lot 201 (22) Lot 202 (20) Kanangra Crescent, Greenwood Attachment 2 Lot 23 (77) Gibson Avenue, Padbury Attachment 3 Lot 803 (15) Burlos Court, Joondalup Attachment 4 Lot 1001 (14) Camberwarra Drive, Craigie Attachment 5 Lots 900 (57) Marri Road, Duncraig Attachment 6 Lot 12223 (12) Blackwattle Parade, Padbury
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 progress towards the disposal of a number of City owned freehold land sites and the proposed acquisition of a Crown land community purpose reserve.

EXECUTIVE SUMMARY

The City's freehold land disposal project initially included 14 sites with two sites being withdrawn from consideration and seven sites having sold (Table 1 below refers). A private treaty negotiation is pending the result of the proposed purchasers' development application on one of the sites. Of the four sites remaining, at its meeting held on 19 April 2016 (CJ062-04/16 refers), Council supported the Chief Executive Officer to conduct a public tender process for their disposal.

The contract and tender documentation is being prepared for three of the four properties, as Lot 900 (57) Marri Road, Duncraig (formerly Lots 642 and 643) will not be available for disposal until early 2017.

Concerning the three remaining properties, it is proposed that the disposal of Lot 803 (15) Burlos Court, Joondalup will go to tender in August 2016 and Lot 1001 (14) Camberwarra Drive, Craigie in October 2016. The three lots in Kanangra Crescent, Greenwood which have received the Western Australian Planning Commission's (WAPC)

conditional approval to be amalgamated may also be considered for disposal in October 2016 providing the amalgamation process is finalised and the Minister for Planning's approval regarding Amendment No. 78 is also received.

In respect of the City's proposed acquisition of the State Government owned Lot 12223 (12) Blackwattle Parade, Padbury, the Minister for Land's has approved the City's purchase of this site at 5% of its unimproved value.

Table 2 of this report provides a summarised account of the progress towards the disposal of the remaining freehold sites and the acquisition of Lot 12223 (12) Blackwattle Parade, Padbury.

It is therefore recommended that Council:

- 1 *NOTES the status report on the progress of the City's proposed disposal of five freehold land sites;*
- 2 *NOTES that the Chief Executive Officer will report back to Council on the results of each public tender to enable Council to decide which offers are the most acceptable;*
- 3 *NOTES that Council has previously authorised the Chief Executive Officer to secure the City's acquisition of Lot 12223 (12) Blackwattle Parade, Padbury at the purchase price of \$88,000 exclusive of GST;*
- 4 *REQUESTS that on the purchase of Lot 12223 (12) Blackwattle Parade, Padbury, a report is submitted to Council seeking consideration of the initiation of an amendment to District Planning Scheme No. 2 to rezone the site to a commercial related zoning;*
- 5 *NOTES a further status report on the progress of the City's proposed disposal of freehold land and proposed acquisition of a Crown land site will be submitted to the Finance Committee meeting to be held on 10 August 2016.*

BACKGROUND

The City's freehold land disposal project initially included 14 sites. Lot 181 (4) Rowan Place, Mullaloo (CJ096-05/12 refers) and Lot 971 (52) Creaney Drive, Kingsley (CJ103-06/14 refers) were withdrawn from sale. Table 1 indicates the seven sites that have sold to date.

Except for the site that was sold to Masonic Care WA in Kingsley, Council approved the sale of these properties for the development of 'Aged or Dependent Persons' Dwellings' – or unit developments for people over 55 years of age.

Table 1 (GST exclusive)

Property	Date Sold	Sale Price
Lot 200 (18) Quilter Drive, Duncraig.	March 2013	\$1,350,000
Lot 766 (167) Dampier Avenue, Kallaroo.	March 2013	\$1,055,000
Lot 147 (25) Millport Drive, Warwick.	March 2013	\$1,340,000
Lot 613 (11) Pacific Way, Beldon.	March 2013	\$ 700,000
Lot 671 (178) Camberwarra Drive, Craigie.	March 2013	\$ 828,000

Property	Date Sold	Sale Price
Part Lot 549 (11) Moolanda Boulevard, Kingsley.	August 2015	\$1,050,000
Lot 745 (103) Caridean Street, Heathridge.	December 2015	\$ 874,000

DETAILS

Table 2

	Property Address	Land Disposals – Current Status
1	<p>Lot 200 (24), Lot 201 (22) and 202 (20) Kanangra Crescent, Greenwood.</p> <p>Land Area: 3005m².</p> <p>Attachment 1 refers.</p> <p>*Approximate land area, once the three lots are amalgamated.</p>	<p>At its meeting held on 31 March 2015 (CJ046-03/15 refers), Council supported the amalgamation of Lot 200 (24), Lot 201 (22) and 202 (20) Kanangra Crescent, Greenwood. The WAPC has conditionally approved the amalgamation and clearance of the conditions is being progressed.</p> <p>Amendment No. 78 to <i>District Planning Scheme No. 2</i> (DPS2) to recode the amalgamated land from R20 to R40 and to restrict the use to 'Aged or Dependent Persons' Dwellings has progressed to the documents being forwarded to the WAPC on 9 March 2016. The WAPC's recent advice is that a report on the amendment has been submitted to the Minister for Planning and a decision is awaited.</p> <p>At its meeting held on 19 April 2016 (CJ062-04/16 refers), Council authorised the Chief Executive Officer to conduct public tenders on four properties, including the three lots in Kanangra Crescent, Greenwood once the lots are amalgamated and Amendment No. 78 is approved by the Minister.</p> <p>Contract of sale documents and Request for Tender documents will be prepared for this property to potentially go out to tender in October 2016.</p>
2	<p>Lot 23 (77) Gibson Avenue, Padbury.</p> <p>Land Area: 5,159m².</p> <p>Attachment 2 refers.</p>	<p>A public tender process was conducted concerning this site with the tenders received being rejected by Council. This resulted in Council, at its meeting held on 18 November 2015 (CJ223-11/14 refers), providing its support to the sale of the site by public auction, or private treaty.</p> <p>The Stephens Group provided an acceptable offer for Lot 23 (77) Gibson Avenue, Padbury which was submitted to Council at its meeting held on 15 September 2015 (CJ163-09/15 refers). Council authorised the Chief Executive Officer to execute the Option to Purchase associated with the contract for a sum of \$2,146,500 inclusive of GST.</p> <p>A condition in the Option to Purchase is that the City agrees to allow a period of up to 150 days for The Stephens Group to undertake its due diligence and site</p>

	Property Address	Land Disposals – Current Status
		<p>evaluations, which included the lodgement of a development application.</p> <p>The City has received two requests for extensions of time to the Option Period from The Stephens Group. These requests are due to a substantial redesign of the proposed development to take account of planning concerns raised, one of which was the retention of a large tuart tree on the site. The City agreed to the request, taking the Option Period end date to 19 July 2016.</p> <p>At the time of writing the report, amended plans related to the development application had not been received.</p>
3	<p>Lot 803 (15) Burlos Court, Joondalup.</p> <p>Land Area: 4,410m².</p> <p>Attachment 3 refers.</p>	<p>Council provided its authorisation to conduct a public tender on this site at its meeting held on 19 April 2016 (CJ062-04/16 refers). It is proposed that contract of sale and Request for Tender documents will be prepared for the tender process to commence during August 2016.</p> <p>The site is zoned Residential with a restricted use to 'Aged or Dependent Persons' Dwellings and it has a density code of R60.</p>
4	<p>Lot 1001 (14) Camberwarra Drive, Craigie.</p> <p>Land Area: 2,055m².</p> <p>Attachment 4 refers.</p>	<p>Council provided its authorisation to conduct a public tender on this site at its meeting held on 19 April 2016 (CJ062-04/16 refers).</p> <p>It is proposed that the contract of sale and Request for Tender documents will be prepared for the tender process to commence during October 2016.</p> <p>The site is zoned Residential with a restricted use to 'Aged or Dependent Persons' Dwellings and has a density code of R40.</p>
5	<p>Lot 900 (57) Marri Road, Duncraig.</p> <p>Land Area: 1,366m² when amalgamated.</p> <p>Attachment 5 refers.</p>	<p>Former Lots 642 and 643 (57 and 59) Marri Road, Duncraig have been successfully amalgamated and the site is described as Lot 900 (57) Marri Road, Duncraig; a new Certificate of Title has been received.</p> <p>Amendment No. 82 which restricts the use of the site's 'Residential' zone to 'Aged or Dependent Persons' Dwellings' and amended the code from R20 to R40 is with the WAPC awaiting the Minister's decision. The amendment documents being with the WAPC since 17 March 2016.</p> <p>At its meeting held on held on 19 April 2016 (CJ062-04/16 refers) Council noted its previous authorisation to dispose of this site. Disposal has been contingent on the vacation of the two tenants operating from the facility on Lot 900 - the Department of</p>

	Property Address	Land Disposals – Current Status
		<p>Education's Duncraig Pre-Primary service (DoE) and the Department of Health's Duncraig Child Health Centre (CHC) service.</p> <p>It is proposed that the Duncraig CHC service will be relocated to the Carine CHC at Lot 159 (487L) Beach Road, Duncraig once the Beach Road facility has been refurbished at the City's cost. Refurbishment will commence early October 2016 with the Carine CHC service being temporarily relocated to an alternative City facility during this upgrade. Once the works have been completed, both the Carine and Duncraig CHC services will be incorporated in this facility.</p> <p>Council has authorised the disposal of this property by public tender and this is likely to take place early in 2017.</p> <p>A Council request is that on disposal of this site, the purchaser is encouraged to retain existing significant trees as part of the development.</p>
1	<p>Lot 12223 (12) Blackwattle Parade, Padbury.</p> <p>Land Area: 3,332m2.</p> <p>Attachment 6 refers.</p>	<p>Acquisition – Current Status</p> <p>At its meeting held on 24 June 2014 (CJ104-06/14 refers), Council accepted in-principle the Department of Land's (DoL) concessional purchase price of \$88,000 (exclusive of GST) subject to the outcome of a 30-day public advertising period. The DoL advised the City on 13 May 2016 that the Minister for Lands had approved this acquisition and a contract of sale would be forwarded to the City in due course.</p> <p>During this acquisition process, the DoL advised that the Department of Planning's (DoP) support was required and the DoP's conditional support was provided. One of the DoP's conditions is that the future sale proceeds from this site are spent on community projects in line with the definition of "Community Purposes" under DPS2.</p> <p>The City's community consultation regarding this matter not only dealt with the proposed acquisition of the site but the consideration of three capital improvement projects for the area. One of these options was Council's preferred project of the installation of traffic lights at the intersection of Walter Padbury Boulevard and Hepburn Avenue, Padbury.</p> <p>Advice from the DoP is that projects connected with parking, traffic and pedestrian issues were not considered to fall within the definition of Community Purposes" under DPS2. Additionally, Main Roads WA does not support the installation of traffic lights at the above location and its support is required.</p>

	Property Address	Land Disposals – Current Status
		<p>Council considered the outcome of the community consultation at its meeting held on 19 May 2015 (CJ082-05/15 refers). The community supported the acquisition and the three community projects, including Council's preferred project of the installation of traffic lights.</p> <p>In accordance with Council's resolution at its meeting held on 24 June 2014 (CJ104-06/14 refers), the City will now seek clarification from the Minister for Planning and the Minister for Lands regarding the conditions provided to the City on how the proceeds on the proposed disposal of the site should be utilised.</p> <p>At its meeting held on 19 May 2015 (CJ082-05/15 refers), Council requested that an advocacy plan be developed to gain support from the relevant State Government departments to enable the future sale proceeds for this site be utilised on Council and the community's preferred project which is to install traffic lights at the intersection of Walter Padbury Boulevard and Hepburn Avenue, Padbury.</p> <p>On receipt and execution of the contract of sale by the City, Council can be requested to consider a rezoning amendment.</p>

Issues and options considered

As detailed in Table 2.

Multiple Dwellings

It is noted that currently where land is coded R40 or higher, there is the potential for multiple dwellings to be developed in accordance with the provisions of the *Residential Design Codes* (R-Codes). A multiple dwelling is basically defined as one dwelling vertically placed above another dwelling. It is not possible to determine the potential number of multiple dwellings that could be achieved on sites coded R40 or higher.

Legislation/Strategic Community Plan/Policy Implications

Legislation

Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property.

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Quality built outcomes.

Strategic initiative	Buildings and landscaping is suitable for the immediate environment and reflect community values.
Key theme	Financial Sustainability.
Objective	Financial diversity.
Strategic initiative	Identify opportunities for new income streams that are financially sound and equitable.
Policy	<ul style="list-style-type: none"> • <i>Asset Management Policy.</i> • <i>Sustainability Policy.</i>

Risk management considerations

Disposal of property needs to comply with the requirements of sections 3.58 and 3.59 of the *Local Government Act 1995*, which are designed to ensure openness and accountability in the disposal process.

It is possible that the reserve price as per the market valuations obtained may not be realised and the City needs to determine reserve prices below which it will not sell.

The recommendations for disposal are based on a combination of the best financial return, planning outcomes and community benefit.

The proposed changes to the land use for some of the lots being considered for disposal may result in resident dissatisfaction.

Based on the conditions and comments provided by State Government departments to date with regard to the City's acquisition of Lot 12223 (12) Blackwattle Parade, Padbury, this proposal may not proceed in accordance with Council's and the community's preference.

Financial / budget implications

Council has agreed that the proceeds from the sale of freehold land are to be transferred to the Joondalup Performing Arts and Cultural Facility Reserve Fund.

Proceeds achieved from the future sale of Lot 12223 (12) Blackwattle Parade, Padbury are required to be spent on capital/community projects in line with the definition of "Community Purposes" under DPS2.

The associated main expenditure costs related to the City's disposal of freehold land are legal and settlement fees, advertising costs, valuation costs, land surveying and costs related to subdivision/amalgamations.

Regional significance

Not applicable.

Sustainability implications

The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose addressing a community need.

Concerning the freehold land disposal project to date, Council has supported the restricted use of aged or dependent persons' dwellings providing alternative housing choices for the City's ageing population. The sale proceeds from the eventual disposal of Lot 12223 (12) Blackwattle Parade, Padbury will be used for community projects.

Consultation

Regarding consultation, public auction, public tender and private treaty methods have been used with regard to the City's land disposal project. Advertising is a requirement with all three methods unless, in respect of private treaty, the disposal is exempt under Regulation 30 of the *Local Government (Functions and General) Regulations 1996*.

The statutory public advertising period of 42 days for amendments to DPS2 is generally when the community was first able to make a submission on proposed land disposals.

The City has the option to consult with residents using the process outlined in its *Community Consultation and Engagement Protocol* which was used for the consultation on the proposed acquisition of Lot 12223 (12) Blackwattle Parade, Padbury.

COMMENT

Public tenders will be called for the disposal of Lot 803 (15) Burlos Court, Joondalup during August 2016 with Lot 1001 (14) Camberwarra Drive, Craigie planned to go to tender during October 2016. Should the amalgamation and amendment processes be finalised for the three sites in Kanangra Crescent, Greenwood, by October 2016, this site can also go out to tender.

The Minister for Lands has approved the City's acquisition of Lot 12223 (12) Blackwattle Parade, Padbury at the concessional rate of \$88,000 exclusive of GST. Once the site is in the City's ownership, a report can be prepared for Council to consider the site being rezoned to a commercial type zone. In order to adhere with previous Council resolutions, actions related to communicating with State Government Departments on how the City can utilise the sales proceeds will also commence.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Finance Committee at its meeting held on 8 June 2016.

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

MOVED Cr McLean, SECONDED Mayor Pickard that Council:

- 1 **NOTES** the status report on the progress of the City's proposed disposal of five freehold land sites;
- 2 **NOTES** that the Chief Executive Officer will report back to Council on the results of each public tender to enable Council to decide which offers are the most acceptable;
- 3 **NOTES** that Council has previously authorised the Chief Executive Officer to secure the City's acquisition of Lot 12223 (12) Blackwattle Parade, Padbury at the purchase price of \$88,000 exclusive of GST;
- 4 **REQUESTS** that on the purchase of Lot 12223 (12) Blackwattle Parade, Padbury, a report is submitted to Council seeking consideration of the initiation of an amendment to *District Planning Scheme No. 2* to rezone the site to a commercial related zoning;
- 5 **NOTES** a further status report on the progress of the City's proposed disposal of freehold land and proposed acquisition of a Crown land site will be submitted to the Finance Committee meeting to be held on 10 August 2016.

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

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

Appendix 20 refers

To access this attachment on electronic document, click here: [Attach20brf160614.pdf](#)

(operating surplus ratio and asset sustainability ratio), there is a positive trend. The ratios are explored in great detail within the plan at Attachment 2. Summary comments to note include the following:

- Rates increases at no more than 5%. This is achieved in 20 of the 20 years.
- Balanced cash budget is a ratio that must be achieved every year, and the recommended option achieves that.
- Operating surplus ratio is the most important indicator out of all the ratios, as it has a mix of all the other ratios combined (liquidity, asset management, operating performance). The City currently has an operating surplus ratio that is negative however there are projected to be steady improvements. The target is to have a five year average between 2% and 8% which is projected to be achieved in 12 of the 20 years. The starting point of the projections of 2015-16 is negative 4.6% and it becomes difficult for the City to improve this in the next few years due to the new investment and the additional operating expenses required to operate new facilities. For example the Joondalup Performing Arts and Cultural Facility will depress the operating surplus ratio by 2.8% each year due to the operating subsidy required, interest expense on borrowings and the depreciation. The projections from 2023-24 onwards are all within the target or exceed it.
- Asset sustainability ratio - measures the rate at which the City spends capital expenditure on replacement versus depreciation. The target is to be between 90% and 110%, the long-term average should be 100%. This ratio fails the target in the first 10 years which suggests that there is insufficient expenditure on replacement of existing assets and too much on new assets. The City's assets and infrastructure are relatively young and at this stage in their life cycle it is reasonable for the asset sustainability ratio to be depressed. The City will need to increase expenditure on renewals in later years as the City becomes older; this has been factored into the capital forecast. This ratio will be subject to on-going review with updates to the asset management plans and the ratio calculated separately for each asset class.
- Debt service coverage ratio compares the amount of operating cash flow available versus loan repayments. Ideally there should be surplus from operating cash flow of five times or more of loan repayments. It is intended that the ratio does not fall below the range of three to five, and the target is to avoid this occurring for five years in a row. This ratio is achieved in all 20 years, however there are four years where the ratio falls below the desired threshold of five. This is a short-term impact caused by the borrowings of major investment including the Joondalup Performing Arts and Cultural Facility and Edgewater Quarry.

In the early years of the plan cash reserves are depleted, reducing from \$66 million at June 2015 to \$19 million by June 2018. The \$19 million relates mostly to tied reserves, with \$4 million left in the Strategic Asset Management Reserve by June 2018 and zero by June 2022. The early years of the plan (and in particular 2017-18 and 2018-19) are projected to have a high level of new investment and consequently use up most of the Strategic Asset Management Reserve and then cause higher external borrowings than the City has normally used. Indeed, between the years 2015-16 to 2018-19 the City projects borrowings of \$55 million, \$47 million of which relates to the Joondalup Performing Arts and Cultural Facility.

The plan has the same assumptions as the adopted plan for the Joondalup Performing Arts and Cultural Facility whereby the Tamala Park proceeds are used to support the construction and then used after construction to assist with the loan repayments. The Tamala Park proceeds would be sufficient to pay for \$47 million of the \$67 million of borrowings (approximately 10 years worth of the borrowings), but the remaining \$20 million (the last five years) are assumed to be met from municipal funds.

There are \$101 million borrowings projected within the 20 years of the plan; however these are spread across multiple years and begin to be repaid immediately. The maximum balance owing is estimated to be \$83 million at June 2023, although this reduces quickly to \$54 million by June 2025. The borrowings of \$101 million may appear to be high, but in terms of the bold projects taken on and the ring-fencing of specific land proceeds (Tamala Park and Edgewater Quarry) to help fund major projects, the use of borrowings in the draft 20 Year SFP is within acceptable tolerances of the debt service coverage ratio.

The draft 20 Year SFP 2015-16 to 2034-35 (Attachment 2 refers) shows tracked changes from the previously adopted plan, however it should be noted that all charts and tables, other than those proposed to be deleted, have also been updated.

It is therefore recommended that Council:

- 1 *ADOPTS Option 4 of the draft 20 Year Strategic Financial Plan 2015-16 to 2034-35 as at Attachment 4 to Report CJ103-06/16;*
- 2 *ADOPTS the Guiding Principles 2016 as included in Appendix 1 of Attachment 4 to Report CJ103-06/16;*
- 3 *REVOKES the Borrowing Strategy that was adopted by Council at its meeting held on 20 July 2010 (CJ123-07/10 refers).*

BACKGROUND

The new plan included in this document covers the years 2015-16 to 2034-35 and is referred to as the draft 20 Year SFP. The previous plan will also be referred to throughout this document. The previous plan covers the years 2014-15 to 2033-34 and was adopted by Council at its meeting held on 15 December 2015 (CJ223-12/15 refers).

A new 20 Year SFP covering the years 2015-16 to 2034-35 has been prepared (Attachment 2 refers) and is referred to as the draft 20 Year SFP.

DETAILS

Disclaimer

Readers of the 20 Year Strategic Financial Plan should note that the document is used predominantly as a planning tool. As such it is based on many assumptions and includes several projects and proposals that in some cases:

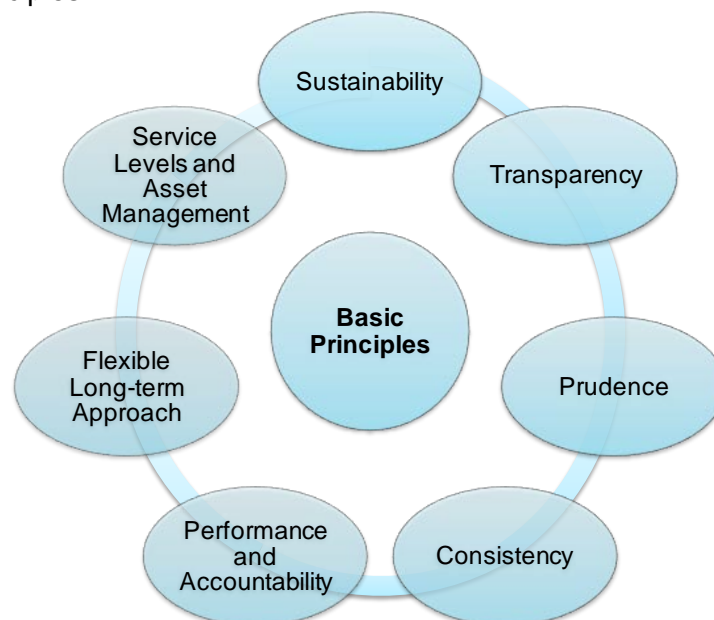
- *have been approved by Council and are in progress*
- *have been considered by Council, but are yet to receive final approval*
- *have only been considered by Elected Members at a strategy level*
- *have only been considered by Officers*

- *are operational in nature and based on the continued provision of services and maintenance of City assets and infrastructure in accordance with management and other plans.*

Any of the assumptions and any of the projects or proposals not already approved could prove to be inaccurate both as to likely requirement, timing and financial estimates or may not come to pass at all. They have, however, been included based on the best available information and knowledge to hand at this time in relation to likely requirement, timing and financial estimates. Adoption of the 20 Year Strategic Financial Plan by Council does not constitute a commitment or agreement to any of the projects or proposals that have not already been approved or the financial estimates and projections.

Drivers and Philosophies

The 20 Year SFP has been developed using a set of Guiding Principles. These are reviewed annually and were last adopted by Council at its meeting held on 15 December 2015 (CJ223-12/15 refers). There are seven basic principles which form the foundation of the overall Guiding Principles:



Guiding Principles 2016

The City reviews and updates the Guiding Principles on an annual basis. There are five changes proposed, none of which are significant. The changes proposed are intended to provide greater clarification and also take account of observations prevalent during recent adopted plans. The proposed Guiding Principles 2016 are shown with tracked changes at Appendix 1 of Attachment 2.

Table 1 – Proposed Changes to Guiding Principles

No	Page	Change	Details
1	1	Header	<ul style="list-style-type: none"> o 2016 referred to instead of 2015.
2	2	<u>Targets/Ratios</u> First Bullet Number of ratios used	<ul style="list-style-type: none"> o Minor clarification that the number of ratios within the statutory accounts are seven, not eight as previously stated. o Reference to the ratios being “DLG” ratios is replaced with reference to the ratios being required as part of the annual statutory accounts. o Balanced Cash Budget is one of the five key ratios used in the SFP and has now been listed with the other four ratios for completeness, so that all five key ratios used in the SFP are listed together.
3	3	<u>Funding/Treasury</u> First Bullet Debt Service Coverage Ratio	<p>The primary indicator to be used by the City for evaluating borrowings is the debt service coverage ratio which is therefore given clearer emphasis in this section. This is consistent with West Australian Treasury Corporation (WATC) and the statutory ratios. The changes to this section are:</p> <ul style="list-style-type: none"> o Reference should now be made to the City’s Adopted Strategic Positioning Statement on Sustainable Borrowing. The Borrowing Strategy should be revoked because: <ul style="list-style-type: none"> - Positioning Statement on Sustainable Borrowings was adopted by Council. This provides an overall position on borrowings and refers to the Guiding Principles (not the Borrowing Strategy). - Guiding Principles are sufficient to oversee the key parameters of borrowings. - Borrowing Strategy is inconsistent with the Guiding Principles. o Targets for the debt service coverage ratio are also slightly amended. The previous minimum threshold that was established was two. However the minimum ratio that the West Australian Treasury Corporation would consider appropriate for the City is three and this is now recommended as the minimum. o The final part of this section that is proposed to be removed relates to the term (number of years) that borrowings should be arranged for. The previous statement in the Guiding Principles that loans for buildings should be no more than 50% of the life of a building derived from the Borrowings Strategy which is now proposed to be revoked and was well intended; however buildings can have a life of up to 100 years so the previous statement could imply that the maximum borrowing term is 50 years. Borrowings would be assessed on an individual basis and it is likely that shorter terms (less than 20 years) would be sought

No	Page	Change	Details
			because the shorter the term the less interest is paid.
4	4	<u>New Expenditure</u> Fourth Bullet Asset Sustainability Ratio	<ul style="list-style-type: none"> ○ The asset sustainability ratio is a key ratio for the City. ○ However it is unrealistic to assume that the ratio must be achieved in every year. If the age of assets is young then it is reasonable for renewals to be lower than depreciation. ○ In the long-run the City should achieve a ratio of between 90% to 110%. ○ The clarification added merely supports the comments that have already been prevalent in recent adopted plans.
5	4	<u>Process</u> Fourth Bullet Finance Committee	<ul style="list-style-type: none"> ○ Reference changed from Strategic Financial Management Committee to the Finance Committee in accordance with the changes to the recent governance of the plan.

Key Ratios

There are five key ratios that the 20 Year SFP aims to achieve. These are referred to throughout the report. The five key ratios are listed in the table below. Ideally the City should achieve at least 90 of the key ratios, because there are three ratios (balanced cash budget, rates per cent, increase and debt service coverage ratio) where the City should be achieving the ratio in every year, while the other two ratios (operating surplus ratio and asset sustainability ratio) should be achieved in most years.

Table 2 – Key Ratios

Ref	Key Ratios	Details
1	Rates Per Cent Increase	<ul style="list-style-type: none"> ○ Rates per cent increases capped at no more than 5% of the overall rates revenue.
2	Balanced Cash Budget	<ul style="list-style-type: none"> ○ Balanced cash budget (net municipal funds) for each year of the plan is a key requirement. ○ Flexible use of reserves and disposal proceeds can be used to help shortfalls in municipal funds, although these have to be paid back to the required reserve at some point in future.
3	Operating Surplus Ratio	<ul style="list-style-type: none"> ○ Ratio compares the amount of operating surplus versus own source revenue. ○ Ratio is the most important indicator of long term financial sustainability because it takes account of all key financial aspects of the City: <ul style="list-style-type: none"> - Community (rates, fees and charges) - Asset management (depreciation) - Operating expenses - Liquidity (interest payments) ○ A desired ratio for operating surplus is between 2% and 8%, as a five year average.

Ref	Key Ratios	Details
		<ul style="list-style-type: none"> ○ The ratio is currently negative for the City. ○ As this ratio is the most important indicator and it is currently negative the next section provides more details of this.
4	Asset Sustainability Ratio	<ul style="list-style-type: none"> ○ Evaluates asset management. ○ Asset sustainability compares the amount of expenditure on capital replacements versus depreciation. ○ The ratio is an indicator of whether the City is spending adequate amounts on its replacement program in comparison to the consumption (depreciation) of its assets. ○ The target for asset sustainability ratio, as per the Department Local Government and Communities (DLGC) guidelines, is between 90% and 110%. The City has slightly varied the targets to achieve 90% and 110% based on a five year average, rather than each individual year.
5	Debt Service Coverage Ratio	<ul style="list-style-type: none"> ○ This is the key ratio to evaluate treasury management. ○ Used by WATC to evaluate requests for loans. ○ The ratio is the calculation of how much operating surpluses (before interest and depreciation) covers the amount of loan repayments (principal and interest) each year. ○ The target for debt service coverage ratio is that the ratio does not fall less than five. That is that the City should have surpluses that are at least five times greater than the loan repayments. ○ Where there are higher levels of borrowings it may be acceptable to go below five but no less than three, which is regarded by the West Australian Treasury Corporation as the minimum. However the ratio should not fall below five for five years in a row. ○ The City has also determined that some years legitimately fail the minimum of three, if the City were repaying a lot of debt based on one-off proceeds. ○ Ratio for 2015-16 is high as there are \$23.8 million of operating surpluses (before interest and depreciation) which is 9.6 times as the loan repayments of \$2.5 million.

Ratios are not merely figures that are calculated for the purpose of complying with a reporting requirement. The ratios provide an assessment of the current and future financial sustainability of the City.

Operating Surplus Ratio 2015-16

The projected ratio for 2015-16 is negative (4.6%) and is calculated as follows:

Plus operating income	\$143.2 million	Rates, fees, operating grants, interest.
Less operating expenses	\$149.6 million	Employee costs, materials and depreciation.
Equal operating deficit	(\$6.4 million)	Operating income less expenses.
Divided by own source income	\$140.8 million	Income excluding grants and contributions.
Equal operating surplus ratio	(4.6%)	Operating deficit divided by own source income.

The ratio indicates that the City does not have a balanced operating budget although it does have a balanced cash budget. The key differences between having a balanced cash budget and the operating surplus ratio are:

- Operating surplus ratio does not take account of all cash items (such as capital expenditure and capital grants), many of which can be one-off.
- Operating surplus ratio includes non-cash items such as depreciation. Depreciation is a large expense for the City and it is therefore important for the operating surplus ratio to include it.
- The operating surplus ratio provides a better measure of recurring performance, and although the ratio includes non-cash items (depreciation) the ratio provides a more complete picture of income versus expenditure because it is important for the City to have sufficient income to meet all expenses, including depreciation.

A negative ratio in the long-term is not sustainable because there would come a point when there would be insufficient cash available to meet service levels. The ratio has been depressed for a number of years, as the City has grown and taken on new services and infrastructure there have been increased operating expenses and depreciation which has not been fully matched in income.

The key issue for the City is to ensure that there is a long-term plan to improve the ratio which this plan addresses. Additionally, the City should consider the long-term implications when updating the annual budget and mid-year budget review.

How the 20 Year Strategic Financial Plan is produced

There are five sets of assumptions used to build up the 20 Year SFP, as summarised below. These assumptions are explained in more detail in Section 6 of the plan itself (Attachment 2 refers).

1 External Environment

- Demographics.
- Economic indicators.
- Housing Strategy.
- Business Growth.

2 Operating Income and Expenses

- Baseline analysis. Draft Budget 2016-17 is used as the baseline.
- Escalation factors (such as per cent increases) are then applied to each individual service item.

- Volume changes based on approved projects and planned projects. Where information is available from a feasibility study (for example, Joondalup Performing Arts and Cultural Facility) or a decision by Council, then this information is used.

3 Capital Expenditure

- Draft *Five Year Capital Works Program 2016-17 to 2020-21* is embedded into the draft 20 Year SFP.
- Forecast for each of the programs from 2021-22 to 2034-35 have been made.
- Other 'business as usual' capital programs (Information technology, fleet, and parking) have been forecast.
- Major Projects – based on feasibility studies or Council papers.
- Escalation factors (such as per cent increases) are then applied to each individual project.

4 Capital Disposals

- Sale of land such as Tamala Park.

5 Funding

Each program or project has been separately assessed, to identify whether the project is funded by either:

- municipal funds
- specific reserves
- strategic asset management reserve
- disposal proceeds (for example Grove Child Care / Dorchester Hall)
- borrowings.

The most important set of inputs to the plan are the second group – operating income and expenses. These assumptions are recurring, and have a bigger on-going impact than one-off capital expenditure. For example a lower rate increase in one year will affect each year of the plan thereafter.

Key Assumptions

The update of the plan is at a time of growing economic uncertainty in Western Australia, Australia and globally. The most recent quarterly CPI results showed deflation for the quarter, which was one of the main reasons why the Reserve Bank lowered the cash rate to 1.75%, the lowest figure on record. Meanwhile the Wages CPI has steadily reduced and workplace agreements are being agreed of less than 2%.

Some of the key assumptions in the plan are:

- 2.5% rate increase for 2016-17 instead of 4% (4% was included in the previous plan). The lower rate increase has an impact in 2016-17 of approximately \$1.5 million, but over a 20 year period reduces cash by \$60 million.
- 2% Increase in employment costs for 2016-17, 2017-18 and 2018-19 instead of 3% (3% was included in the previous plan). The lower increases have a benefit in the plan of \$62 million additional cash.

The City has reviewed the projections for capital renewals. The previous plan targeted a 90% achievement of the asset sustainability ratio from 2023-24. The 90% means that for each \$10 of depreciation there should be \$9 of capital renewals. To achieve this ratio additional funds have been set aside into a separate capital line referred to as “backlog unspecified”. As the ratio in the early years of the plan is much lower than 90% (average of 70% in the first five years), it is now assumed that the asset sustainability ratio would have to be higher than 100% in the later years of the plan to ensure that service levels of assets could be maintained. A target of 105% for the asset sustainability ratio is now targeted, which results in \$104 million of expenditure set aside into the “backlog renewals”, as opposed to the \$40 million that was set aside in the previous plan.

As mentioned earlier the most important set of assumptions in the plan are the on-going operating activities. The plan continues to assume that increases in income (predominantly rates) will be higher each year than the increase in expenses as the plan assumes an average 4.4% rate increase whereas employment expenses and materials contracts have an average increase of approximately 3%. This gap of 1.4% results in the income growing by 1.4% more than the expenses and is the primary reason for the improved projections of operating surpluses. There is a high risk with these assumptions though that will be subject to comment later in the report, because if the City decides not to have rate increases in line with the plan, then the operating position may not improve.

Attachments

There are three attachments:

- Attachments 1.1 to 1.8 are the detailed schedules. Each of these attachments is explained in the table below. This relates to Option 1 (details of other options are provided later in the report).
- Attachment 2 is the draft plan itself. The contents of this are explained in a separate table.
- Attachment 3 is a Gantt Chart of major projects.

Table 3 – Attachments 1.1 to 1.8 – Detailed Schedules

No	Report	Purpose
1.1	Key Ratios Summary	<ul style="list-style-type: none"> ○ Summary of the Key Ratios achieved versus previous plan. ○ Other key indicators are also summarised. ○ Graphs of key indicators.
1.2	20 Year Financial Projections	<ul style="list-style-type: none"> ○ Operating statement, capital expenditure, funding.
1.3	Assumptions	<ul style="list-style-type: none"> ○ Escalation assumptions applied for operating income and operating expenditure. ○ Also includes other key assumptions, such as costs of borrowing.
1.4	Major Project Assumptions	<ul style="list-style-type: none"> ○ List of major projects. ○ Comparison of updated capital cost versus previous plan, and comparison of timescales for completion.
1.5	Capital Expenditure by Year – excluding escalation	<ul style="list-style-type: none"> ○ Summary of all capital requirements, both for existing programs and new projects. ○ Projects that are highlighted in yellow are in Attachment 1.7.

No	Report	Purpose
1.6	Capital Expenditure by Year – including escalation	<ul style="list-style-type: none"> ○ Summary of all capital requirements, both for existing programs and new projects. ○ Projects that are highlighted in yellow are in Attachment 1.7.
1.7	Capital Projects Funding	<ul style="list-style-type: none"> ○ Funding summary to explain how each of the large / significant projects are funded. ○ This only includes those projects that are not funded solely by municipal.
1.8	Reserves	<ul style="list-style-type: none"> ○ Projected reserve balances and movements.

The table below provides a summary view of the content of the plan (Attachment 2 refers):

Table 4 – Explanation of the draft 20 Year SFP

Summary	Reference	Pages	Details
Introduction	Sections 1 to 3	3 to 9	Introductory sections, explaining the purpose of the draft 20 Year SFP, executive summary and description of the City of Joondalup.
Strategy	Sections 4 to 5	10 to 12	These two sections explain the strategy used to prepare the projections. Includes: <ul style="list-style-type: none"> • Summary of the guiding principles. • <i>Asset Management Policy</i> and <i>Five Year Capital Works Program</i>.
Assumptions	Section 6	13 to 22	This section provides details of the five sets of assumptions used to build up the projections: <ul style="list-style-type: none"> • External environment. • Operating income and expenses. • Capital Expenditure. • Capital Proceeds. • Funding.
Impacts Key Ratios and Funding	Sections 7 to 9	23 to 40	These three sections explain the ratio projections and the supporting schedules.
Risk and Sensitivity	Sections 10 to 11	41 to 46	Analysis of risk and scenario analysis.
Guiding Principles	Appendix 1	47 to 49	20 Year SFP – Proposed Guiding Principles 2016.
Capital Projects	Appendix 2	50 to 51	List of capital programs/projects, and associated operating impacts.

Summary	Reference	Pages	Details
Financial Statements	Appendix 3 and Financial Statements FS1 to FS4	52 to 61	<p>The supporting Financial Statements to the draft 20 Year SFP.</p> <p>The Financial Statements are:</p> <ul style="list-style-type: none"> As per the DLGC LTFP Framework and Guidelines (note Statement of Financial Position and Equity Statement have been combined as a single statement). Similar statements required for the Budget and Annual Financial Statements, but in an abridged format. Each followed by a table that explains each line.
Supporting Schedules	Supporting Schedules SS1 to SS5	62 to 69	Five supporting schedules provide additional detail on calculations and projections.

Issues and options considered

Reserves & Borrowing

In the early years of the plan cash reserves are depleted, reducing from \$66 million at June 2015 to \$19 million by June 2018. The \$19 million relates mostly to tied reserves, with \$4 million left in the Strategic Asset Management Reserve by June 2018 and zero by June 2022. The early years of the plan (and in particular 2017-18 and 2018-19) are projected to have a high level of new investment and consequently use up the Strategic Asset Management Reserve and then cause higher external borrowings than the City has normally used. Indeed, between the years 2015-16 to 2018-19 the City projects borrowings of \$55 million, \$47 million of which relates to the Joondalup Performing Arts and Cultural Facility.

The plan has the same assumptions as the previous plan for the Joondalup Performing Arts and Cultural Facility whereby the Tamala Park proceeds are used to partially fund the construction and then proceeds received after construction are used to repay borrowings. The Tamala Park proceeds would be able to repay \$47 million of the \$67 million of borrowings (approximately 10 years worth of the borrowings), but the remaining \$20 million (the last five years) are assumed to be met from municipal funds.

There are \$101 million borrowings projected within the 20 years of the plan, however these are spread across multiple years and begin to be repaid immediately. The maximum balance owing is estimated to be \$83 million at June 2023, although this reduces quickly to \$54 million by June 2025. The borrowings of \$101 million may appear to be high, but in terms of the bold projects taken on and the ring-fencing of specific land proceeds (Tamala Park and Edgewater Quarry) to help fund major projects, the use of borrowings in the draft 20 Year SFP is within acceptable tolerances of the debt service coverage ratio.

Options

At the time of presenting the 20 Year SFP for adoption, there are likely to be projects and plans being reviewed that have different assumptions to those included in the 20 Year SFP. The 20 Year SFP is updated annually, and therefore revised assumptions can be included in future updates of the 20 Year SFP.

There are four options presented for consideration by the committee:

- Option 1 - as presented in Attachment 1.
- Option 2 - City Centre Street Lighting funded with Borrowings instead of Reserves. This has been evaluated due to discussions at Budget Workshops with Elected Members.
- Option 3 – Joondalup Performing Arts and Cultural Facility Excluded. This is evaluated because it is the single largest project.
- Option 4 – Changes to three major projects as discussed at Finance Committee at its meeting held on 4 April 2016.
 - Edgewater Quarry Masterplan. Scope amended in line with March 2016 Strategy Session. This would reduce the capital expenditure from \$22 million to \$13 million (although land proceeds would also reduce). Note that the \$13 million estimate would be subject to further detailed review in line with the revised scope of the masterplan.
 - Whitfords Library and Senior Citizen Centre. Refurbishment assumed instead of redevelopment. This would potentially reduce the capital costs from \$12 million to \$3 million. However it must be emphasised that the \$3 million is based on a high level estimate and would require further scoping in future updates of the plan.
 - Heathridge Masterplan. \$1 million has been included in previously adopted plans and is included in Options 1, 2 and 3. The \$1 million estimate is a high level estimate for refurbishment of leisure centres every five years. The Heathridge site will be subject to the masterplan process which has yet to provide details of options or costings. Rather than continue to leave the \$1 million in the plan, this option would replace it with \$300,000 which relates only to the costs of preparing the masterplan.

The outcomes of the options are summarised in the table below:

Table 5 – Option Results

		Adopted	Base	Project Options			
		Dec-15	Option 1	Option 2	Option 3	Option 4	
			As per Attachment 1	City Centre Street Lighting	JPACF Excluded	Major Project Changes	
1	Overall Key Ratios	How many achieved (max 100)	83	85	85	87	85
2	Financial Health Indicator: Yr 1 to 6	Score out of 100 (70 is Sound, 80 is good)	66	68	67	73	68
3	Proposed Borrowings	20 Year Total (\$m)	\$89.9	\$100.5	\$102.3	\$49.4	\$84.4
4	Treasury Borrowings Criteria	No of Years where borrowings fails Test	0	2	2	0	0
5	Cash Held less Borrowings Owing	at end of 2034-35 \$ms	\$428.6	\$231.1	\$232.1	\$488.4	\$256.8
6	Rates % Increase:	Average Increase Years 1 to 5	4.4%	4.1%	4.1%	4.1%	4.1%
7	Operating Surplus Ratio:	What Year does SFP first achieve target ?	2021-22	2023-24	2023-24	2021-22	2023-24
8	Operating Surplus Ratio:	Average Years 1 to 10	2.7%	0.3%	0.3%	2.8%	0.4%

Key issues of concern are highlighted in yellow. Further comments are as follows:

- Overall key ratios – the exclusion of the Joondalup Performing Arts and Cultural Facility would improve the achievement of the key ratios by two. As explained in the same analysis last year, the removal of the Joondalup Performing Arts and Cultural Facility does have significant impacts on the plan, but would not be able to achieve ratios in the early years of the plan.
- Financial health indicator (Years 1 to 6) is projected to be less than sound for Options 1, 2 and 4. This indicator will be subject to further commentary later on.
- Borrowings – Option 2 results in similar borrowings overall to Option 1, albeit the timings would be different.
- Treasury borrowings criteria – fails in two of the years for Option 1 and Option 2. This is not a major concern as it relates to the exceptions as described earlier in the amended guiding principles.
- Cash held less borrowings – Option 3 would have much more cash available than the other options. Options 1, 2 and 4 all have a lot less cash than the previous plan.
- Operating surplus ratio – Option 3 is the only option that would be within tolerance in the same year as the previous plan. All other options would worsen the projection of the operating surplus ratio by two years.

The options are:

- adopt the draft 20 Year SFP, without any further changes (Option 1)
- adopt the draft 20 Year SFP with changes as per Options 2, 3 or 4, or any other changes requested
or
- do not adopt the draft 20 Year SFP at this stage, pending further changes.

Option 1 that the draft 20 Year SFP be adopted with its current assumptions is recommended.

Legislation / Strategic Community Plan / policy implications

Legislation Section 5.56(i) of the *Local Government Act 1995* provides that:

“A local government is to plan for the future of the district.”

Strategic Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative

- Manage liabilities and assets through a planned, long-term approach.
- Balance service levels for assets against long-term funding capacity.

Policy *20 Year Strategic Financial Plan – Guiding Principles.*

Risk management considerations

The plan is based on many assumptions. There is a risk that those assumptions could be wrong or may not come to pass, however, it is a planning tool and the City is not committed to anything in the plan by virtue of endorsing it. Periodic review and update of the plan will ensure that it remains a relevant and useful document to manage the City's financial affairs into the future.

Rates Increases Lower in Future Years than Planned

As outlined earlier in the report the rate increase of 2.5% in 2016-17, rather than 4%, has a long term impact on the plan with an overall impact of \$60 million and contributes to the operating surplus ratio being not within tolerance until 2023-24. The rates increases that are assumed in the plan for the following four years are much higher than the 2016-17 increase. If the City decides to have lower increases in one or more of those years, this would have further long-term impacts on the plan.

The table below considers other scenarios of rates increases and their impact on net cash. If the rate increases were 1% less than the current projections the overall reduction in cash at the end of 20 years would be \$150.4 million. If the rate increases were 2% less there would be \$297.4 million less cash. The number of key ratios achieved would also reduce significantly in both scenarios.

Table 6 – Rates Increases Risk

Scenario	Rates Increases %				Impact on Cash \$m			Key Ratios Achieved
	2017-18	2018-19	2019-20	2020-21	1 Year Impact (2017-18)	4 Year Impact (2020-21)	20 Year Impact (2034-35)	
Proposed Plan	4.0%	5.0%	5.0%	5.0%				85
1% less of an increase	3.0%	4.0%	4.0%	4.0%	-\$1.0	-\$11.2	-\$150.4	77
2% less of an increase	2.0%	3.0%	3.0%	3.0%	-\$2.0	-\$22.2	-\$297.2	69

Tamala Park Proceeds

One of the key assumptions in the plan is the projected proceeds from Tamala Park. By the end of 2015-16 the City is projected to have \$9 million in the Tamala Park Reserve, with a further \$58 million in proceeds to be received from 2016-17 to 2028-29. All of these proceeds are assumed to be used for the Joondalup Performing Arts and Cultural Facility, although there would still be \$20 million shortfall in the repayment of borrowings that would have to be made up by general municipal funds.

As there are tougher economic conditions it is worth considering the impacts on the funding for the Joondalup Performing Arts and Cultural Facility and in overall cash if the Tamala Park proceeds were significantly lower than projected, either through reduced land values or non-development of the site. Below are some scenarios of lower proceeds and potential impacts:

- 25% less sales proceeds would result in \$16.5 million less income and therefore \$16.5 million less towards the construction and repayments of Joondalup Performing Arts and Cultural Facility. This would result in higher borrowings and a total impact of \$23.5 million including interest. The total shortfall to the overall establishment costs of the Joondalup Performing Arts and Cultural Facility paid by municipal funds would be \$43.5 million.

- 50% less sales proceeds would result in \$33 million less income and increased borrowings cost of \$47 million (including interest). The shortfall paid by municipal funds would be \$67 million.

Capacity of Delivering Major Projects

Within some years of the plan (notably 2017-18 and 2019-20), there are multiple planned projects. The responsibility for delivering these projects is split between different directorates as indicated in Section C of Attachment 1.4 and this indicates that there is a reasonable level of split of responsibility between different teams and confidence that the projects can be implemented as per the schedule. A Gantt chart has also been prepared to indicate how the major projects are spread over the years of the draft 20 Year SFP and is shown at Attachment 3.

The City reviews the scheduling and implementation of major projects on an annual basis, as part of the review of *Five Year Capital Works Program* and *20 Year Strategic Financial Plan*, and will continue to evaluate capacity as part of the annual reviews.

Financial / budget implications

The draft 20 Year SFP represents projections and estimates, based on many assumptions and is a primary planning tool for the development of future budgets. Adoption of the draft 20 Year SFP, however, does not constitute a commitment or agreement by the City to the projects and proposals it contains or the financial estimates and projections included in the draft 20 Year SFP.

The plan has been prepared and reviewed during the Annual Budget process, which will enable the plan to be used as an enabler to the Annual Budget for the following year.

Regional significance

Not applicable.

Sustainability implications

The draft 20 Year SFP represents the primary and key strategic financial planning document for the City and has a direct bearing on planning for the financial sustainability of the City.

Consultation:

The draft 20 Year SFP has been prepared after extensive consultation with City Business Units, the Executive Leadership Team and Elected Members.

COMMENT

The draft 20 Year SFP 2015-16 to 2034-35 (Attachment 2 refers), sets out a significant program of works and projects for the City of Joondalup over the next 20 years. These are in keeping with and represent the *Joondalup 2022* vision for the City: “*A global City: bold, creative and prosperous*”.







Although the program is ambitious, it is achievable with financial discipline and the draft 20 Year SFP maps out how this can be done.

The draft *20 Year Strategic Financial Plan 2015-16 to 2034-35* replaces the previous plan adopted in 2015.

Ratios

The table below summarises the key ratios.

Table 7 – Ratios

KEY RATIO as per the City's Guiding Principles		Target Range		Updated SFP		Adopted (Dec'15)		
		Low	High	Number of Years within Tolerance	Number of Years Outside Tolerance	Number of Years Within Tolerance	vs. Current Proposal	
1	Rate % Increase	0.0%	5.0%	20	0	20	0	
2	Balanced Cash Budget	\$0	\$0	20	0	20	0	
3	Operating Surplus Ratio %	2.0%	8.0%	12	8	13	-1	
4	Asset Sustainability Ratio %	90.0%	110.0%	13	7	10	3	
5	Debt Service Coverage Ratio	< 5	>5	20	0	20	0	
Total				85	15	83	2	

Of the five key ratios identified within the *Guiding Principles*, 85 out of 100 are achieved, although there is only 35 out of 50 achieved in the first 10 years. Although the projected achievement of 85 ratios out of 100 is two higher than the adopted plan, it is far from ideal because the City should achieve at least 90 of the key ratios. Indeed the operating surplus ratio, which is the most important ratio, is below the threshold for the first eight years and only comes within tolerance from 2023-24. For those ratios that are not achieved (operating surplus ratio and asset sustainability ratio), there is a positive trend. The ratios are explored in great detail within the plan at Attachment 2; some summary comments to note include the following:

- Rates increases at no more than 5%. This is achieved in 20 of the 20 years.
- Balanced cash budget is a ratio that must be achieved every year, and the recommended option achieves that.
- Operating surplus ratio is the most important indicator out of all the ratios, as it has a mix of all the other ratios combined (liquidity, asset management, operating performance). The City currently has an operating surplus ratio that is negative however there are projected to be steady improvements. The target is to have a five year average between 2% and 8% which is projected to be achieved in 12 of the 20 years. The starting point of the projections of 2015-16 is negative 4.6% and it becomes difficult for the City to improve this in the next few years due to the new investment and the additional operating expenses required to operate new facilities. For example the Joondalup Performing Arts and Cultural Facility will depress the operating surplus ratio by 2.8% each year due to the operating subsidy required, interest expense on borrowings and the depreciation. The projections from 2023-24 onwards are all within the target or exceed it.
- Asset sustainability ratio - measures the rate at which the City spends capital expenditure on replacement versus depreciation. The target is to be between 90% and 110%, the long-term average should be 100%. This ratio fails the target in the first 10 years which suggests that there is insufficient expenditure on replacement

of existing assets and too much on new assets. The City's assets and infrastructure are relatively young and at this stage in their life cycle it is reasonable for the asset sustainability ratio to be depressed. The City will need to increase expenditure on renewals in later years as the City becomes older; this has been factored into the capital forecast. This ratio will be subject to on-going review with updates to the asset management plans and the ratio calculated separately for each asset class.

- Debt service coverage ratio compares the amount of operating cash flow available versus loan repayments. Ideally there should be surplus from operating cash flow of five times or more of loan repayments. It is intended that the ratio does not fall below the range of three to five, and the target is to avoid this occurring for five years in a row. This ratio is achieved in all 20 years, however there are four years where the ratio falls below the desired threshold of five, this is a short term impact caused by the borrowings of major investment including the Joondalup Performing Arts and Cultural Facility and Edgewater Quarry.

Financial Health Indicator

The Department of Local Government and Communities has recently launched a new website ('My Council') which provides various information for all Councils in Western Australia. The website includes various information that is extracted from annual accounts and other publicly available reports. The data is summarised into a standard platform which then allows users to view Council data consistently for all Councils and to compare Councils to each other. Additionally the website also includes a financial health indicator for each Council. This indicator has been prepared in a similar way to the financial sustainability score that was published in 2014 as part of the Metropolitan Local Government Review.

The financial health indicator is marked out of a maximum of 100 with a score of 70 or more designated as sound. The scores for the City's financial health indicator are summarised below:

2011-12	2012-13	2013-14	2014-15
51	61	60	74

As the score for 2014-15 was over 70 this is described as sound, although the preceding three years were not sound.

The calculation of the financial health indicator is based on the seven statutory ratios. Each of the ratios has a minimum target, a benchmark score and a strong benchmark. The seven ratios are then subject to weightings shown on Table 8 below:

Table 8 – Weightings used for Financial Health Indicator

Operating Surplus Ratio %	21.4%
Own Source Revenue Coverage %	11.8%
Debt Service Coverage Ratio	19.3%
Current Ratio	24.3%
Asset Consumption Ratio %	7.9%
Asset Renewal Funding Ratio %	6.5%
Asset Sustainability Ratio %	8.7%

One of the main reasons for the City receiving a higher score in 2014-15 than in previous years is due to the operating surplus ratio. The ratio in 2014-15 was distorted as it was artificially higher due to the receipt of grants which were intended for 2015-16. If it were not for that distortion the City would have scored less than 70. A projection of the financial health indicator for the next 10 years, as shown below, has been prepared using the data from the draft 20 Year SFP.

Table 9 –Financial Health Indicator Projections

<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>
62	67	65	64	62	86	86	88	84	80
Not Sound	Not Sound	Not Sound	Not Sound	Not Sound	Good	Good	Good	Good	Good

The projection indicates that from 2015-16 to 2019-20 the score may be classed as not sound. The primary reasons for this are the operating surplus ratio and the asset sustainability ratio. As both of these ratios improve from 2020-21 the score then improves significantly and is classed as good.

There are no specific recommendations regarding the financial health indicator, other than awareness in that the City is likely to receive a lower score in 2015-16 when the website is next updated. It should also be noted that the City has significant concerns on the weightings applied to each ratio, the current ratio is allocated the highest weighting with 24.3% yet the City would regard this as the least important ratio and not even worthy of including in the overall scoring.

Independent Review of Financial Models

The City has recently completed an independent review of financial models, including the model used to prepare the previous plan. The review is subject to a separate report. The review did not identify any concerns that the model for the 20 Year SFP was flawed or compromised such that it cannot be relied upon. The model is robust and functioning appropriately as designed with significant levels of compliance against the FAST Standard and best practice assessment.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Finance Committee at its meeting held on 8 June 2016.

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

That Council:

- 1 *ADOPTS the draft 20 Year Strategic Financial Plan for the period 2015-16 to 2034-35 as at Attachment 2 to this Report;*
- 2 *ADOPTS the Guiding Principles 2015 as included at Appendix 1 of Attachment 2 to this Report;*

- 3 *REVOKES the Borrowing Strategy that was adopted by Council at its meeting held on 20 July 2010 (CJ123-07/10 refers).*

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

That Council:

- 1 *ADOPTS Option 4 of the draft 20 Year Strategic Financial Plan for the period 2015-16 to 2034-35 as at Attachment 4 to this Report;*
- 2 *ADOPTS the Guiding Principles 2016 as included at Appendix 1 of Attachment 4 to this Report;*
- 3 *REVOKES the Borrowing Strategy that was adopted by Council at its meeting held on 20 July 2010 (CJ123-07/10 refers).*

MOVED Cr McLean, SECONDED Mayor Pickard that Council:

- 1 **ADOPTS Option 4 of the draft 20 Year Strategic Financial Plan for the period 2015-16 to 2034-35 as at Attachment 4 to Report CJ103-06/16;**
- 2 **ADOPTS the Guiding Principles 2016 as included at Appendix 1 of Attachment 4 to Report CJ103-06/16;**
- 3 **REVOKES the Borrowing Strategy that was adopted by Council at its meeting held on 20 July 2010 (CJ123-07/10 refers).**

The Motion was Put and

CARRIED (11/0)

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

Appendix 21 refers

To access this attachment on electronic document, click here: [Attach21brf160614.pdf](#)

REPORT – SPECIAL AUDIT COMMITTEE – 14 JUNE 2016

CJ104-06/16 QUOTATION 010/16 – PROVISION OF EXTERNAL AUDIT SERVICES

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	105737, 101515
ATTACHMENTS	Attachment 1 Summary of Quotation Submissions Attachment 2 Ministerial Circular No. 03-2016
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 submissions received for the provision of external audit services to the City.

EXECUTIVE SUMMARY

The City has had a single contract for the provision of external audit services with Grant Thornton Audit Pty Ltd which has expired.

The State Government some time ago announced that it proposed to make the Auditor General responsible for local government audits. The Minister for Local Government has now advised (Ministerial Circular No. 03-2016 – Attachment 2 refers) that it is intended to amend the *Local Government Act 1995* to provide for the Auditor General to take over responsibility for local government audits from 1 July 2017. The Minister has advised that local governments entering into or renewing audit contracts should not do so beyond the audit of the 2016-17 year.

Quotations were issued on 23 March 2016 to the Western Australian Local Government Association (WALGA) audit services preferred supply panel for the provision of external audit services for a period up to three years. Quotations closed on 11 April 2016. A submission was received from each of the following:

- Moore Stephens Perth.
- Grant Thornton Audit Pty Ltd.
- Macri Partners.
- PKF Audit (WA) Pty Ltd.
- Butler Settineri (Audit) Pty Ltd.

The submission from Moore Stephens represents best value to the City. Moore Stephens Perth demonstrated a thorough understanding of the requirements. The company is a well established auditing firm with significant industry experience and proven capability to conduct the City's audit. It has provided similar services to the Cities of Fremantle, Kwinana, Subiaco and Albany and the Towns of Cottesloe and Claremont, as well as a large number of regional local governments.

It is therefore recommended that Council:

- 1 *ACCEPTS the quotation submitted by Moore Stephens Perth for the provision of external audit services as specified in quotation 010/16 for a period of two years with an option for a further one year, for the fixed lump sum of \$55,500 (GST exclusive) and schedule of rates for meeting attendance, grant acquittals and any additional services;*
- 2 *BY AN ABSOLUTE MAJORITY APPOINTS Moore Stephens Perth to be its auditor for a period of two years, to cover the audit of the 2015-16 and 2016-17 financial years, with an option for a further one year period.*

BACKGROUND

Under section 7.2 of the *Local Government Act 1995*, the accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by the local government.

The City has had a single contract for the provision of external audit services with Grant Thornton Audit Pty Ltd which has expired.

WALGA has established a preferred supplier panel for internal and external audit services (Contract C026_14). Each supplier to the panel has been prequalified by WALGA to approved terms and conditions for the delivery of specialist local government audit services.

Quotation assessment is based on the best value for money concept. Best value is determined after considering whole of life costs, fitness for purpose, respondents' experience and performance history, productive use of City resources and other environmental or local economic factors.

DETAILS

The quotation for the provision of external audit services was issued through the WALGA audit services preferred supplier panel on 23 March 2016. The quotation period was for two weeks and quotations closed on 11 April 2016.

Submissions

A submission was received from each of the following:

- Moore Stephens Perth.
- Grant Thornton Audit Pty Ltd.
- Macri Partners.
- PKF Audit (WA) Pty Ltd.
- Butler Settineri (Audit) Pty Ltd.

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

Evaluation Panel

The evaluation panel comprised two members:

- One with tender and contract preparation skills.
- One 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 received were assessed as fully compliant.

Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Audit methodology	50%
2	Capacity	30%
3	Demonstrated experience in providing similar services	20%

Butler Settineri (Audit) Pty Ltd scored 49% and was ranked fifth in the qualitative assessment. The proposed audit plan and methodology demonstrated an understanding of the requirements. The timing of both audit visits does not fit with the City's program. A team of four was nominated for the City's requirements. No information was supplied for supporting staff. Butler Settineri demonstrated experience providing audit services to local governments. It listed 15 current clients. All local governments are small regional shires except for the Shire of Peppermint Grove. Its staff have prior work experience auditing large metropolitan local governments.

PKF Audit (WA) Pty Ltd scored 50% and ranked fourth in the qualitative assessment. It has a considerable number of staff across Australia, however it was not stated how many are located in Perth and dedicated to audit services. A team of three was nominated for the City's requirements. The total number of supporting staff was not supplied. The proposed audit plan and methodology demonstrated a good understanding of the requirements. The timing of the interim audit needs to be re-considered as it does not meet the City's requirements. PKF Audit did not provide sufficient information demonstrating its experience. The response stated that the firm has prior experience providing assurance and advisory services to local government agencies, State owned corporations and large companies; however no specific information on these clients was supplied. Its staff have had prior experience in auditing the Cities of South Perth and Kalgoorlie-Boulder and the Shires of Serpentine-Jarrahdale and Coolgardie.

Macri Partners scored 56.5% and was ranked third in the qualitative assessment. The firm has an audit team of nine staff. Given the number of current contracts with other large local governments, the capacity of the small team does not appear sufficient. Macri Partners demonstrated considerable experience performing similar audit services for local governments.

Current clients include the following:

- City of Armadale.
- City of Cockburn.
- City of Gosnells.
- City of Nedlands.
- City of Vincent.
- City of South Perth.
- City of Swan.
- Eastern Metropolitan Regional Council.
- Western Metropolitan Regional Council.
- Mindarie Regional Council.
- Six other local governments.

The proposed audit plan and methodology demonstrated a good understanding of the requirements.

Grant Thornton Audit Pty Ltd scored 67% and was ranked second in the qualitative assessment. The proposed audit plan and methodology demonstrated a thorough understanding of the requirements and meets all requirements for statutory auditing and reporting; however it did not provide an estimate of the number of hours allocated to each audit. It proposed an appropriately experienced and resourced team to perform the audit services. It has extensive experience in auditing services to local and state governments across Australia. Western Australian clients include the Cities of Perth, Wanneroo, Rockingham, Canning, Belmont, Kwinana and Melville and it is the City's incumbent external auditor.

Moore Stephens Perth scored 72% and was ranked first in the qualitative assessment. It demonstrated substantial experience in auditing local governments in Western Australia. Current clients include the Cities of Fremantle, Kwinana, Subiaco and Albany and the Towns of Cottesloe and Claremont as well as a large number of regional local governments. Its personnel are suitably experienced and the firm has sufficient resources to undertake the City's contract. The proposed audit plan and methodology demonstrated a thorough understanding of the requirements and meets all requirements for statutory auditing and reporting.

Price Assessment

The panel carried out a comparison of the lump sum prices and rates offered by each respondent in order to assess value for money to the City.

The assessment of audit cost included the auditor's attendance at two Audit Committee meetings annually. The auditors are also required to carry out grant acquittals each year; however the rates for this service are dependent on the size and complexity of the acquittal. Rates for this service are on application from some of the respondents, therefore it was not included in the contract cost assessment.

Respondent	Year 1	Year 2	Estimated Meeting Fees	Total
PKF Audit (WA) Pty Ltd	\$24,000	\$24,750	Included in audit fee.	\$48,750
Moore Stephens Perth	\$27,500	\$28,000	\$1,200	\$56,700
Macri Partners	\$28,000	\$29,000	\$645	\$57,645
Butler Settineri (Audit) Pty Ltd	\$28,500	\$28,875	\$840	\$58,215
Grant Thornton Audit Pty Ltd	\$32,000	\$32,650	Included in audit fee.	\$64,650

During 2014-15, the City incurred \$34,500 for the provision of external audit services and the expenditure is estimated at \$86,300 over a three year period if the extension option is exercised.

Evaluation Summary

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

Respondent	Price Ranking	Total Estimated Contract Price	Qualitative Ranking	Weighted Percentage Score
Moore Stephens Perth	2	\$56,700	1	72%
Grant Thornton Audit Pty Ltd	5	\$64,650	2	67%
Macri Partners	3	\$57,645	3	56.5%
PKF Audit (WA) Pty Ltd	1	\$48,750	4	50%
Butler Settineri (Audit) Pty Ltd	4	\$58,215	5	49%

Based on the evaluation result the panel concluded that the quotation from Moore Stephens Perth provides best value to the City and is therefore recommended.

Issues and options considered

The accounts and annual financial report for each financial year are required to be audited by an independent auditor appointed by the City in accordance with section 7.3 of the *Local Government Act 1995*.

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

A tender is not required to be publicly invited in accordance with Part 4, Division 2 clause 11(2)(b) of the *Local Government (Functions and General) Regulations 1996*, where the supply of the goods or services is to be obtained through the Council purchasing service of WALGA.

The appointment of an auditor cannot be delegated to the Chief Executive Officer in accordance with section 5.43(c) of the *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

Should the contract not proceed, the risk to the City will be high as the City would not meet its statutory obligations.

It is considered that the contract will represent a low risk to the City as the recommended respondent is a well-established audit firm with significant industry experience and the capacity to provide the services to the City.

Financial / budget implications

Account no.	322 A3202 3261 0000
Budget Item	Audit Services.
Budget amount	\$ 45,000
Amount spent to date	\$ 5,000
Proposed cost	\$ 27,500
Balance	\$ 12,500

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The evaluation panel carried out the evaluation of the submissions in accordance with the City's evaluation process and concluded that the offer submitted by Moore Stephens Perth represents best value to the City.

VOTING REQUIREMENTS

Absolute Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Audit Committee at its special meeting held on 14 June 2016.

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

MOVED Cr Hamilton-Prime, SECONDED Cr McLean that Council:

- 1 ACCEPTS the quotation submitted by Moore Stephens Perth for the provision of external audit services as specified in quotation 010/16 for a period of two years with an option for a further one year, for the fixed lump sum of \$55,500 (GST exclusive) and schedule of rates for meeting attendance, grant acquittals and any additional services;**
- 2 BY AN ABSOLUTE MAJORITY APPOINTS Moore Stephens Perth to be its auditor for a period of two years, to cover the audit of the 2015-16 and 2016-17 financial years, with an option for a further one year period.**

The Motion was Put and

CARRIED (11/0)

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

Appendix 22 refers

To access this attachment on electronic document, click here: [Attach22agn160628.pdf](#)

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 9.23pm the following Elected Members being present at that time:

MAYOR TROY PICKARD
CR KERRY HOLLYWOOD
CR TOM MCLEAN, JP
CR PHILIPPA TAYLOR
CR LIAM GOBBERT
CR RUSSELL POLIWKA
CR CHRISTINE HAMILTON-PRIME
CR MIKE NORMAN
CR JOHN CHESTER
CR RUSS FISHWICK, JP
CR SOPHIE DWYER