

minutes

Policy Committee

MEETING HELD ON **MONDAY 3 DECEMBER 2018**

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CITY OF JOONDALUP

MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 2,
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY
3 DECEMBER 2018.

ATTENDANCE

Committee Members

Cr Nige Jones *Deputy Presiding Member*
Mayor Hon. Albert Jacob, JP *from 5.46pm*
Cr Russell Poliwka
Cr Kerry Hollywood
Cr John Chester

Officers

Mr Mike Tidy Director Corporate Services
Mr Jamie Parry Director Governance and Strategy
Mr Brad Sillence Manager Governance
Mrs Lesley Taylor Governance Officer

DECLARATION OF OPENING

The Deputy Presiding Member declared the meeting open at 5.45pm.

DECLARATIONS OF INTEREST

Nil.

APOLOGIES/LEAVE OF ABSENCE

Apology:

Cr Mike Norman.

Leave of Absence Previously Approved:

Cr Sophie Dwyer	3 December to 7 December 2018 inclusive;
Cr Christine Hamilton-Prime	20 December 2018 to 1 January 2019 inclusive;
Mayor Hon. Albert Jacob	18 January to 25 January 2019 inclusive.

Mayor Jacob entered the Room at 5.46pm.

CONFIRMATION OF MINUTES

MINUTES OF THE POLICY COMMITTEE HELD ON 1 OCTOBER 2018

MOVED Cr Chester, SECONDED Cr Hollywood that the minutes of the meeting of the Policy Committee held on 1 October 2018 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Jones, Mayor Jacob, Crs Chester, Hollywood and Poliwka.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

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

In accordance with Clause 5.2 of the City's *Meeting Procedures Local Law 2013*, this meeting was not open to the public.

Nil.

PETITIONS AND DEPUTATIONS

Nil.

REPORTS**ITEM 1 SETTING 2019 MEETING DATES - POLICY COMMITTEE**

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	103963, 02153
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 the Policy Committee to consider the proposed schedule of committee meeting dates for 2019.

EXECUTIVE SUMMARY

To assist with forward planning for all Elected Members, management and staff, a schedule of meeting dates has been prepared for the Policy Committee, ensuring synergy between meeting dates and the flow of information and decision-making.

It is therefore recommended that the Policy Committee adopts the meeting dates and times for the Policy Committee of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup.

BACKGROUND

The Policy Committee was established at the Special Council meeting held on 6 November 2017 (JSC03-11/17 refers). The role of the Policy Committee is to:

- make recommendations to Council on the development and review of the City's policies and overall policy framework
- develop and maintain a visual art collection of significance and repute that reflects the cultural aspirations of the City of Joondalup and its expressed goals and policies
- collect works of visual art of demonstrable excellence by artists of significance, consistent with the perceived developments in West Australian contemporary art
- collect and commission selectively works of art which enhance the existing Collection and which foster an understanding, enjoyment and appreciation of the visual arts among the broader community and members of the general public
- review the criteria established to determine award winners
- oversee the strategic direction of the City's Art Award events, Visual Art Collection and Visual Art Programs.

The proposed 2019 schedule of Council meeting dates is based on the format used in recent years. That is, a monthly meeting format with Strategy Sessions held on the first Tuesday of each month, Briefing Sessions held on the second Tuesday and Council meetings on the third Tuesday.

This enables committee meetings to be scheduled on the Monday, Tuesday or Wednesday of weeks one, two and three so as to minimise potential conflicts with other Council activities and provide a 'meeting-free' week in the fourth week of each month.

It is preferable to hold committee meetings in the first week of the month, thereby enabling committee recommendations to be listed in the Briefing Session agenda and subsequently the Council meeting agenda, however this may not always be possible due to other scheduled meetings.

DETAILS

The Policy Committee will oversee the development and review of the City's policies, and oversee the strategic direction of the City's Art Award events, Visual Art Collection and Visual Art Programs.

Meetings of this committee have historically aligned with the City's two premier art events, the Community Art Exhibition held in June and the Community Invitation Art Award held in October. However, this is no longer necessary as the committee assists the Chief Executive Officer with art acquisitions via a different process.

The proposed meeting day / date / times are as follows:

- Monday 25 February 2019, commencing at 5.45pm.
- Tuesday 7 May 2019, commencing at 5.45pm.
- Monday 5 August 2019, commencing at 5.45pm.

Dates for committee meetings have not been set beyond September 2019 given that the local government elections will be held on 19 October 2019. At that time all committees will disband and be re-established, if appropriate, following the holding of the elections.

Issues and options considered

The Policy Committee can either:

- adopt the meeting dates as proposed in this report
or
- amend the meeting dates.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
Local Government (Administration) Regulations 1996.
City of Joondalup Meeting Procedures Local Law 2013.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Corporate capacity.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

Forward planning of committee meetings mitigates the risk for meetings to be held on an ad-hoc basis; ensuring coordination with other key meetings and corporate planning processes.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

A range of external agencies were contacted to identify 2019 meeting dates to avoid conflicting dates for elected members and staff.

COMMENT

The proposed dates have been structured to enable flow-on reporting within Council's monthly meeting cycle. In addition, the proposed meeting dates for the Policy Committee are cognisant of proposed meeting dates for a variety of other committees.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Poliwka that the Policy Committee ADOPTS the following meeting dates and times for the Policy Committee of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:

Policy Committee To be held in Conference Room 2
Monday 25 February 2019, commencing at 5.45pm.
Tuesday 7 May 2019, commencing at 5.45pm.
Monday 5 August 2019, commencing at 5.45pm.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Jones, Mayor Jacob, Crs Chester, Hollywood and Poliwka.

ITEM 2 PROPOSED ELECTIONS CARETAKER POLICY

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	107644
ATTACHMENT	Attachment 1 <i>Elections Caretaker Policy.</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to adopt an *Elections Caretaker Policy*.

EXECUTIVE SUMMARY

The local government electoral process is one of the most significant local government activities undertaken which has the potential to call into question political neutrality and perceptions of bias. It is important therefore that the City refrains from any activities which could cast doubt on its neutrality and impartiality, or making decisions that could compromise or commit an incoming Council.

Election caretaker conventions exist at both State and Federal government levels and have been introduced by a number of Western Australian local governments. The purpose of these conventions is to avoid bodies making major decisions prior to an election which would bind an incoming body (such as Parliament or Council); prevent the use of public resources in ways seen to be advantageous to, or promoting, elected members who are seeking re-election or new candidates; and to ensure the City and employees act impartially in relation to local government election process.

While there is no evidence to suggest that any such activity has occurred in City of Joondalup elections over recent times, good governance principles support the implementation of caretaker provisions that would assist to establish protocols of preventing actual and perceived advantage or disadvantage leading to local government elections.

It is therefore recommended that Council ADOPTS the Elections Caretaker Policy as detailed in Attachment 1 to this Report.

BACKGROUND

Caretaker conventions have existed at both the State and Federal level of government as:

- the dissolution of a Parliament means there is no popular Chamber to which the Executive Government can be responsible
- every State or Federal election brings with it the possibility of a change of government.

For these reasons, State and Federal governments assume a caretaker role during an election period from the time that a Parliament is dissolved to ensure that decisions are not taken which would bind an incoming government and limit its freedom of action.

Although local governments differ in that there can be no change of government, caretaker conventions may still be applied to place restrictions on the types of decisions and activities that may be undertaken by a local government in the period immediately before an election.

Restrictions on local government decisions and activities during a 'caretaker period' have the purpose of preventing actual or perceived advantage or disadvantage to a candidate that may be actually or perceived to arise from local government decisions, activities or use of public resources.

The previous Department of Local Government and Communities supported individual local governments considering implementing a caretaker period policy with respect to elections, as such a policy provides guidelines to protect the reputation of the local government's administration and its elected members. Any such policy should cover:

- decisions made by the Council
- materials published by the local government
- attendance and participation in functions and events
- use of local government resources
- access to local government information.

Several local governments have adopted election caretaker policies, including the Cities of Perth, Gosnells, Bayswater, Karratha and Vincent, Town of Cambridge and the Shires of Donnybrook-Balingup and Wyndham-East Kimberley. The Western Australian Local Government Association (WALGA) has recently created a template policy for local governments to use in creating their own caretaker conventions. As part of the Local Government Act Review process currently underway by the Department of Local Government, Sport and Cultural Industries, caretaker provisions have been highlighted as a matter for local government consideration.

DETAILS

The purpose of the *Elections Caretaker Policy* (as detailed in Attachment 1) is to:

- limit major decision-making that may bind an incoming Council
- ensure public resources and the Council decisions during this period are not seen to be advantageous to Elected Members seeking re-election
- provide guidance to ensure the continuation and transparency of ordinary business.

The period before an election may be subject to close scrutiny by the community and it suggested that Council and the City's administration acknowledge this through the implementation of a caretaker period that would commence from the close of candidate nominations. The proposed *Elections Caretaker Policy* provides guidance during this time to ensure the continuation of ordinary business for the City in a responsible and transparent manner that ensures elections are conducted in an ethical, fair and equitable manner and are publicly perceived as such.

The policy addresses the following matters:

- Decisions that are made by Council and the circumstances where a major decision may be undertaken.
- The role of the Chief Executive Officer during the caretaker period.
- Information and material published by the City, including on-line formats and social media.
- Attendance and participation in functions and events.
- Use of the City's resources.
- Access to information held by the City.

In the main the policy restricts the type of major policy decisions that can be made by Council during an election caretaker period. For the purposes of the policy a "major policy decision" means any decision:

- (a) relating to the employment, remuneration or termination of the Chief Executive Officer or any other designated senior employee, other than a decision to appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of their Contract of Employment), pending the Election Day result
- (b) relating to the City entering into a sponsorship arrangement with a total City contribution that would constitute Significant Expenditure, unless Council has resolved "in principle" support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget
- (c) relating to the City entering into a commercial enterprise as defined by section 3.59 of the *Local Government Act 1995*
- (d) that would commit the City to Significant Expenditure or actions that, in the Chief Executive Officer's opinion, are significant to the City's operations, strategic objectives and / or will have significant impact on the community
- (e) to prepare a report, initiated by an Elected Member or Council on a matter that, in the Chief Executive Officer's opinion, may be perceived as or is actually an election campaign issue
- (f) initiated through a Notice of Motion by an Elected Member, where the effect of that motion will change the status quo or, in the Chief Executive Officer's opinion, may be relevant to the circumstances described in sub-clauses (a) to (e) above
- (g) that adopts a new policy, service or service level or significantly amends an existing policy, service or service level, unless the decision is necessary to comply with legislation
- (h) that initiates or adopts a new *Local Planning Scheme*, amendment to a *Local Planning Scheme* or Planning Policy, unless in the Chief Executive Officer's opinion, is required for the orderly and proper land use planning within the district, but does not include any decision necessary in response to an emergency, either declared by the State or Federal Government or by the City in accordance with section 6.8(1)(c) of the *Local Government Act 1995*.

Notwithstanding there may be bona fide circumstances that require Council to make or announce a major policy decision during the caretaker period because, in the Chief Executive Officer's opinion, delaying the decision or announcement to occur after the caretaker period has reasonable potential to:

- (a) incur or increase legal, financial and/or reputational risk
or
- (b) cause detriment to the strategic objectives of the City.

In such situations the Chief Executive Officer will allow such matters to progress to Council, or other forums for a formal decision to be made or other form of action or advice.

Issues and options considered

Council can either:

- adopt the policy as presented
- adopt the policy as presented with further amendments
or
- not adopt the policy.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
Local Government (Elections) Regulations 1998.
Local Government (Rules of Conduct) Regulations 2007.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Effective representation.

Strategic initiative

Attract a diverse elected body that represents, promotes and reflects the composition of the community.

Policy

Code of Conduct for Employees, Elected Members and Committee Members (Code of Conduct).

Risk management considerations

There is no statutory requirement for a caretaker period to be implemented prior to elections, however such a policy would meet the intent of the *Local Government Act 1995* that seeks to ensure that local governments are efficient and effective and accountable to their communities.

The City's brand and image may be damaged if decisions are made that are not reflective of the community's desires during a caretaker period, or where there is a misuse of City resources for political gain.

Financial/budget implications

There are no financial implications associated with this report.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The primary purpose of any caretaker period is to avoid governments making major decisions that would bind an incoming government, prevent the use of public resources in ways that are seen as advantageous to, or promoting, the sitting government members who are seeking re-election, or new candidates, and ensuring government officials act impartially in relation to candidates.

It is considered that the implementation of the *Elections Caretaker Policy* will not only meet the above objectives but also provide for better decision-making and greater accountability, both of which are prescribed by section 1.3(2) of the *Local Government Act 1995* as significant intentions of the Act.

As part of the review of the *Local Government Act 1995* the Minister for Local Government has recently announced amendments will be made to the Act to introduce a mandatory code of conduct for elected members and the code will be extended to apply to all candidates in local government elections. This action may also assist with creating an impartial and unbiased election process for local governments. As part of the Local Government Act Review process currently underway by the Department of Local Government, Sport and Cultural Industries, caretaker provisions have been highlighted as a matter for local government consideration.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Poliwka, SECONDED Cr Chester that Council ADOPTS the *Elections Caretaker Policy* as detailed in Attachment 1 to this Report.

The Motion was Put and

CARRIED (4/1)

In favour of the Motion: Mayor Jacob, Crs Chester, Hollywood and Poliwka.

Against the Motion: Cr Jones.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1agnPOLICY181203.pdf](#)

ITEM 3 FREEMAN OF THE CITY OF JOONDALUP

WARD	All	
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy	
FILE NUMBER	89597, 101515	
ATTACHMENT	Attachment 1	Revised <i>Freeman of the City of Joondalup Policy</i>
	Attachment 2	Current <i>Freeman of the City of Joondalup Policy</i>
AUTHORITY / DISCRETION	Legislative – includes the adoption of local laws, planning schemes and policies.	

PURPOSE

For Council to review the *Freeman of the City of Joondalup Policy* and adopt the revised *Policy* as part of the Policy Manual review process.

EXECUTIVE SUMMARY

The *Freeman of the City of Joondalup Policy* was adopted by Council at its meeting held on 21 November 2006 (CJ210-11/06 refers) to honour individuals who, through their personal endeavours and commitment, have made an outstanding contribution to the community.

Identified as part of the City's on-going Policy Manual Review process, the *Freeman of the City of Joondalup Policy* (the *Policy*) was benchmarked against other WA local governments to determine whether the policy remained relevant and appropriate. The review process indicated that the policy requires only minor amendments, namely:

- amend Objective, Statement and Award Criteria sections to clarify the requirement for outstanding contributions to the local and broader community, rather than to 'Australia' and 'Humanity'
- minor wording changes to improve readability.

The proposed minor amendments are not anticipated to impact the intent or application of the policy.

It is therefore recommended that Council ADOPTS the revised Freeman of the City of Joondalup Policy as detailed in Attachment 1 to this Report.

BACKGROUND

At its meeting held on 21 November 2006 (CJ210-11/06 refers), Council adopted the *Freeman of the City of Joondalup Policy* to enable the City to honour individuals who, through their personal endeavours and commitment, have made an outstanding contribution to the community, Australia and humanity.

At a Special Council Meeting held on 10 December 2007 (JSC03-12/07 refers), Council resolved to bestow the honorary award of Freeman of the City of Joondalup on:

- Margaret Jane Cockman OAM CSTJ
- William (Bill) Harold Marwick OAM
- Nicolas (Nick) Trandos OAM JP.

The City has not bestowed any further honorary awards since 2007.

At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council reviewed “The *Freeman of the City of Joondalup Policy*” with minor amendments as part of the 2012 Policy Manual Review. The policy has remained unchanged since this last review.

DETAILS

The City’s policies are regularly reviewed to ensure their continued relevance and applicability. The *Freeman of the City of Joondalup Policy* was identified as part of the 2018 Policy Manual Review.

Local Government Comparison

An analysis of other local government policies relating to ‘Honorary Freeman’ was undertaken to inform the review of the *Freeman of the City Policy*. Of the 29 metropolitan local governments benchmarked, 15 have a policy relating to ‘Honorary Freeman’. It should be noted that four of the local governments that do not have an existing policy have still awarded individuals the title of ‘Honorary Freeman’. A selection of these policies is summarised in the table below:

Name of Local Government	Existing Policy	Title of Freeman awarded
Town of Claremont	No	Yes
Town of Cottesloe	No	Yes
Town of East Fremantle	No	Yes
City of Nedlands	No	Yes
City of Bayswater	Yes	Yes
City of Cockburn	Yes	Yes
City of Gosnells	Yes	Yes
City of South Perth	Yes	Yes
City of Subiaco	Yes	Yes
City of Stirling	Yes	Yes
City of Swan	Yes	Yes
City of Wanneroo	Yes	Yes

Analysis shows that these policies are largely consistent with the *Freeman of the City of Joondalup Policy*, with all including key information regarding criteria for nominations, processes for decision-making and entitlements for award recipients. This research has informed the review of the City’s *Freeman of the City of Joondalup Policy* and indicates that the policy remains relevant and presents an appropriate position on awarding the title of ‘Honorary Freeman’.

Proposed Amendments

With no major changes identified within the policy review, the following minor amendments are recommended to the *Freeman of the City of Joondalup Policy*, as shown in Attachment 1 to this report:

- Amend Objective, Statement and Award Criteria sections to clarify the requirement for outstanding contributions to the local and broader community, rather than to ‘Australia’ and ‘Humanity’
- Minor wording changes to improve readability and ensure formatting consistency across all City policies.

Issues and options considered

Council has the option to either:

- adopt the revised *Freeman of the City of Joondalup Policy* as shown in Attachment 1 to this Report
- suggest further modifications to the *Freeman of the City of Joondalup Policy* or
- retain the *Freeman of the City of Joondalup Policy* in its current format, as shown in Attachment 2 of this Report.

The recommended option is to adopt the revised *Freeman of the City of Joondalup Policy*.

Legislation / Strategic Community Plan / policy implications**Legislation**

Local Government Act 1995.

Strategic Community Plan**Key theme**

Community Wellbeing.

Objective

Community Spirit.

Strategic initiative

To have proud and active residents who participate in local activities and services for the betterment of the community.

Policy

Freeman of the City of Joondalup Policy.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The *Freeman of the City of Joondalup Policy* continues to provide clear direction on the City's position to recognise individuals who make an outstanding contribution to the local and broader community. The proposed minor amendments further clarify that this recognition is based on contribution to the City of Joondalup community specifically.

The current policy states that the Freeman of the City of Joondalup is an award to honour the 'outstanding contribution to the community, Australia and humanity.' While the City is well-placed to identify an individual's contribution to the local and broader community, their contribution to Australia and Humanity is more difficult to quantify and assess. As such, it is considered appropriate that the revised *Freeman of the City of Joondalup Policy* be adopted by Council.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Poliwka that Council ADOPTS the revised *Freeman of the City of Joondalup Policy* as detailed in Attachment 1 to this Report.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Jones, Mayor Jacob, Crs Chester, Hollywood and Poliwka.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2agnPOLICY181203.pdf](#)

ITEM 4 'ART IN THE PARK' EVENT

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	103931, 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 consider a request for the City to introduce a new 'Art in the Park' event.

EXECUTIVE SUMMARY

The City delivers five programs that facilitate opportunities for artists to sell their work including the Community Art Exhibition, Community Invitation Art Award, Spring Markets, Twilight Markets and the Joondalup Festival.

The City supports local arts associations through the provision of community funding. The Culture and Arts Development Fund is available to local community groups to apply for small grants to assist with initiatives such as 'Art in the Park' and no community visual arts associations have applied for funding against this concept. The audit results from the current 'Connecting Creatives' survey may prove this concept is supported and this data will be reviewed by Cultural Services in 2019.

In addition, the City provides financial support for the lease of the Joondalup Art Gallery located on Central Walk which provides the Joondalup Community Arts Association with a venue for local artists to exhibit and sell work.

In total the City supports arts and cultural development and local artists to sell and exhibit work at an operational cost of \$333,000 per annum. It is recommended the City does not progress the 'Art in the Park' concept because there are existing opportunities for local artists to sell work at City events or apply for funding to support such community-driven initiatives.

BACKGROUND

At the meeting of the Policy Committee held on 11 June 2018, a request for a report relating to 'Art in the Park' that would be an event that would allow artists to exhibit their work in a suitable outdoor space.

It is understood that the premise behind an 'Art in the Park' event is for artists to attract a large audience to exhibit their work outdoors in a park or reserve with artisan displays and retail booths.

This type of opportunity may attract artists who work across a variety of mediums including but not limited to paintings, sculpture, ceramics, jewellery, fibre, glass, woodwork, photography, folk art, drawing, fashion and textiles.

The purpose of this type of alfresco event is to:

- assist in the creation of a vibrant City that attracts residents as well as visitors
- continue to build an awareness and appreciation of the arts and culture amongst residents
- provide opportunity for artists to generate income through selling their works.

DETAILS

In Western Australia there are a range of comparative event models for 'Art in the Park' ranging from large-scale tourist events through to smaller grass roots community driven projects. Some of these ventures include partnerships or investment from local or state government.

'Art in the Park' models delivered by external or community providers:

Event	Location
Sculpture by the Sea	Cottesloe Beach, Cottesloe
Made on The Left Christmas Markets	Princess May Park, Adelaide Street, Fremantle
Perth Hills Artisan Markets	Mundaring Christian College, Parkerville
Markets By The Sea	Whitfords Nodes Park, Hillarys
Beaufort Street Art Market	Barlee Street Carpark, Mount Lawley
Creative Community Markets	St Mary's Anglican Church Hall, Kelmscott
Kalamunda Artisan Market	Central Mall and Town Square, Kalamunda
Mount Hawthorn Artisan Festival	Laneways, Mount Hawthorn
Mosman Craft Markets	McCabe Street, Mosman Park

'Art in the Park' models delivered by local or state government partnerships:

Event	Location
Perth Makers Market	Heathcote Cultural Precinct, Applecross
Fremantle Bazaar	Fremantle Arts Centre, Fremantle
Art in the Park	Gosnells Town Centre, Gosnells
Old Perth Road Markets	Old Perth Road and Guildford Road, Bassendean
Manjar Markets	Mandurah Terrace, Mandurah

The City has an already expansive annual arts and events program that affords artists selling opportunities for artworks. Such programs include the following:

- 1 Arts and Events program (Markets and Art Exhibitions) \$233,000.
- 2 Community Funding Program (Culture and Arts Development Fund) \$25,000.
- 3 Provision of the Joondalup Art Gallery (partnership with the Joondalup Community Arts Association) \$75,000.

In total the City spends \$333,000 on these activities.

In addition to the City coordinated events, there are a number of external groups/associations that also provide artists further selling opportunities.

1 Arts and Events program (Markets and Exhibitions)

The City's annual arts and events contains five programs that facilitate opportunities for artists to sell their work at the events listed below.

Event	Location	Month/ Recurrence	Provision	Participant fee	Cost to the City
Community Art Exhibition	Lakeside Joondalup Shopping City	June x 1	Amateur or hobbyist artists to exhibit and sell their work. Limit of one piece of work.	\$27	\$57,000
Community Invitation Art Award	Lakeside Joondalup Shopping City	October x 1	Professional artists exhibit and sell their work by invitation. Limit of three pieces of work.	\$0	\$69,000
Spring Markets	Central Walk (outdoors)	September-October x 4	Stallholders sell quality, unique merchandise. No limitations.	\$49-\$60 entry fee per market	\$87,000
Twilight Markets	Central Walk (outdoors)	December x 4	Stallholders sell quality, unique pre-Christmas gifts. No limitations.	\$49-\$60 entry fee per market	
Joondalup Festival (market place)	Central Walk (outdoors)	March x 1	Stallholders sell quality, unique merchandise during the Joondalup Festival weekend. No limitations.	\$147-\$294 entry fee per market	\$20,000 (allocated in the Joondalup Festival budget)

2 Community Funding Program (Culture and Arts Development Fund)

Additional to the arts and events program the City delivers the Community Funding Program (Culture and Arts Development) that is available to community groups and not-for-profit visual arts associations operating within the City. A total pool of \$25,000 is divided across two funding rounds (March and October) in a financial year.

Visual arts associations eligible for Community Funding include (but are not exclusive to):

- Joondalup Community Arts Association
- Wanneroo Joondalup Art Society
- North Coast Art Club
- Pastel Society of WA
- Northern Exposure Photography Group.

The funds priorities are to support events, projects or programs that:

- encourage new partnerships and collaborations with other cultural and arts groups or individuals
- provide access to arts and cultural activity within the City to groups not previously engaged
- demonstrate sustainable and/or long-term artistic and cultural benefit for the City
- support community involvement in the City's existing cultural program.

The key objectives of the fund are as follows:

- To increase the number and variety of arts and cultural activities available within the City of Joondalup.
- To positively contribute to the well-being of the artistic and cultural nature of the community.
- To support the development of arts and cultural groups within the City of Joondalup.
- To enhance the cultural fabric of the City of Joondalup.

Under these key objectives the proposed 'Art in the Park' event would qualify for funding should a local community group apply to deliver this event.

3 Provision of Joondalup Art Gallery (partnership with the Joondalup Community Arts Association)

The Joondalup Community Arts Association (JCAA) is a local visual arts association, formed in October 2003 with a seven-member volunteer board. In 2004, the JCAA with support from the City, opened the blend(er) Gallery (re-named Joondalup Art Gallery in July 2014) at 4/48 Central Walk. The gallery's role is to exhibit artwork, conduct workshops, provide a focal point for the enhancement of the local visual arts scene and provide a cultural focus for the City Centre. The City leases the space from a private owner at an annual cost of \$75,000 and the gallery is sub-leased to the JCAA. There is a Memorandum of Understanding that outlines the partnership between the City of Joondalup and the JCAA.

The Joondalup Art Gallery's objectives include presenting museum and commercial exhibitions, promoting selling opportunities for local artists and provision of a workshop space for learning and skill-based development for the local arts community. The City currently provides important support to the JCAA through the provision of a lease and the "Art in the Park" concept could be explored as a program for the Joondalup Art Gallery to deliver as a community-led initiative.

The objectives of the Joondalup Community Arts Association (JCAA) are as follows:

- Provide arts leadership, advocacy and support for individuals and organisations.
- Remain a viable creative centre that contributes to a vibrant and enriched cultural experience within the Joondalup Community and outlying areas.
- Nurture involvement and participation from all sectors of the community and provide a focus for arts and cultural development.
- Engage participants, spectators and creators in transformative arts experiences.
- Stimulate increased creativity, imagination, skills and knowledge.
- Strive for national and international recognition of best practice community arts and excellence in the visual arts.

The deliverables of the Joondalup Community Arts Association (JCAA) are as follows:

- Provide exhibition space for solo, group and collaborative exhibitions to different sectors of our community to include CoJ, JCAA members, professional artists, community artists, schools and other interested parties within the community (JCAA will schedule minimum 40 weeks of exhibits per year.)
- Develop partnerships and collaborations with other organisations that will broaden networking and lead to increased activity and interest in the JCAA and JAG.
- Source outside funding such as grants and sponsorships to sustain viability and diversity of exhibitions. Additional income is generated through membership fees, gallery and workshop hire costs, concessions on sales and donations.
- Encourage ongoing activities in the workshop space to include painting, drawing, children's classes and workshops, demonstrations and discussion on different topics and areas of interest.

'Art in the Park' models

For consideration on how other local governments successfully support such initiatives, two delivery models of 'Art in the Park' concepts are explored below at the City of Melville and the City of Gosnells.

Perth Makers Market, Heathcote (City of Melville)

The City of Melville hosts six events per year at the Heathcote Cultural Precinct. The City works in an in-kind partnership with an external commercial contractor by allowing access to a venue/outdoor site and office space for a reduced fee and other support such as marketing, parking, toilets facilities and dedicated staff member support. The external contractor is responsible for procuring artists as stallholders. The operator charges each stallholder a fee and coordinates the event with the intention of profiting from the outcome. Called 'Perth Makers Market', there are requirements that the stalls feature locally-made quality art and craft products.

Now in its third year, Perth Makers Market is attracting 80-150 stallholders and regular crowds of hundreds of visitors, with the external contractor making an ongoing profit. The City has made a long-term commitment to continuing its subsidy of the event. The external contractor is expanding this business model into other venues.

Expenses	Exclusive of GST
Salaries and wages (staffing) – event held six times per year	\$10,000
In-kind subsidy	
Office Space	\$1,000
Carpark maintenance	\$15,000
Cleaning	\$7,000
TOTAL	\$33,000

Art in the Park, Gosnells (City of Gosnells)

In October 2018, the City of Gosnells ran 'Art in the Park' as a new initiative. The City invited art associations to participate and provided all infrastructure, marketing and associated costs. Local art groups included painters, wood turners, potters and crafts such as crochet, macramé and knitting. Participants were encouraged to sell their wares and demonstrate their skills to the community.

A City officer dedicated to the event was a liaison for the arts associations. There were eleven stalls hosted in the intimate, shaded courtyard site and attracted a small crowd. The annual event was not designed to be self-sustaining.

Expenses	Exclusive of GST
Advertising	\$3,000
External Contractors	\$1,500
Photography/Videography/Social Media	\$2,100
In-kind subsidy	
Salaries and wages (staffing)	\$3,400
TOTAL	\$10,000

For comparative purposes of a one-off event facilitated by the City of Joondalup (including the hire of marquees), the costing below is from one of the City's Twilight and Spring Markets.

Expenses	Exclusive of GST
Advertising	\$3,000
Hire of equipment	\$7,000
External Contractors	\$1,500
Photography/Videography/Social Media	\$1,000
In-kind subsidy	
Salaries and wages (staffing) – one event	\$1,500
TOTAL	\$14,000

Issues and options considered

There are three issues in relation to the delivery of the 'Art in the Park' concept:

Issue 1

The success of the Heathcote 'Art in the Park' model is in part due to its recurring nature during the months of warmer weather as an ongoing event. Patrons know that the art-driven events are well organised, advertised and seek them out. Hosting this concept as a one-off event would not have the ongoing credibility or reliability with the public. However, there are challenges with external event contractors wishing to utilise City reserves for recurring events that include planning approvals and concerns about the impact on bushland and grassed areas.

Were the City interested in endorsing the Heathcote 'Art in the Park' model a clear long-term commitment by Council (such as a five year Memorandum of Understanding) would be required to ensure a suitable contractor is found and thus allow the shaping of the fees and charges subsidy in the budget pack. It would also allow for long term planning and be a more appealing commercial proposal for an external contractor.

Issue 2

Staffing of both comparative models involves a considerable contribution from City staff from different business units including marketing, parks, rangers, asset management and cultural services.

Issue 3

There is no budget for this event.

In response to the identified issues, there are five options in relation to the delivery of the 'Art in the Park' concept.

Option 1 - External Contractor

The City seek an external contractor and a suitable site to develop the 'Art in the Park' concept as a commercial proposition and provide a new budget in 2019-20 to establish a new event called 'Art in the Park' at an operational cost of \$10,000.

Option 2 - Community-based Group Initiative

The City encourages local community arts associations to apply for Community Funding (Culture and Arts Development) to run the 'Art in the Park' concept event as a grass roots community initiative. This option would be funded through community funding as a small grant to local community groups at a grant cost of \$1,000-\$5,000.

Option 3 - City run event

The City establishes an 'Art in the Park' concept as a grass roots approach similar to the City of Gosnells model that includes the provision for marquee hire and provides a new budget in 2019-20. It would be managed and coordinated by existing City resources and indicative operational costs would be based on the comparative delivery model of the City of Joondalup's Twilight and Spring Markets of \$14,000 for one market.

Option 4 - Continue current service levels with no 'Art in the Park'

The City continue with current service provision of the Community Art Exhibition, Community Invitation Art Award, Spring Markets, Twilight Markets and the Joondalup Festival and investigate new ways to encourage local artists to participate in these events.

Option 5 – Reduce current programming

The City could introduce an 'Art in the Park' event by reducing its current program. To do this a more detailed review would need to be undertaken.

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.
- Actively engage event promoters to host iconic, cultural and sporting events within the City.
- Promote local opportunities for arts development.

Policy *Visual Arts Policy.*

Risk management considerations

Failure of the event poses a reputational risk.

20 Year Strategic Financial Plan impact

The City has a sizeable operating deficit (\$6.1 million projected for 2018-19) but is forecasting to improve operating results in the next few years and steadily move to surplus. However, the improvement is predicated on some critical assumptions which may or may not come to pass. If there are any new projects which increase the operating expenditure, without reducing existing operating expenditure, this hinders the City's ability to address the operating deficit.

The City already spends \$333,000 per year on various activities which provide opportunities for artists, and this expenditure is a part of the City's operating deficit. If the City were to increase the expenditure of these activities by introducing an Art in the Park project, without reducing existing expenditure, it could increase the expenditure by up to \$10,000, so the total expenditure of all these activities would be \$343,000 per year. If an Art in the Park activity proceeded as an annual event it would be worthwhile only doing so within existing expenditure.

All amounts quoted in this report are exclusive of GST.

Sustainability implications

Economic

It may be considered an economic risk, should the event fail with low attendance or poor uptake from local artists for participation. The City has a 'Connecting Creatives' survey in process which may provide clearer feedback as to the need for this event. Any damage to City infrastructure and reserves may be an economic risk.

Environmental

The City would need to put regulatory approvals in place to ensure the event adheres to City standards such as Risk Management Plan, Occupational Health and Safety Standards, preservation and booking of reserves.

Social

By delivering an 'Art in the Park' event there may be significant social and economic benefits to the community's participation in the arts through the following social outcomes:

- An increase in the number and variety of arts and cultural activities available within the City.
- To positively contribute to the well-being of the artistic and cultural nature of the community.
- To support the development of arts and cultural groups and individual artists within the City and provide a self-sustaining model for artists to make an income through recurring markets.
- Increase visitation and engagement with local business and practicing artists.

COMMENT

The 'Art in the Park' model can be presented in numerous formats. There are examples that have failed or are not self-sustaining. The most successful commercial model is operated as a recurring (rather than a one-off annual) event.

The City of Joondalup has ample parks and reserves which may support a one-off event however adopting a recurring model in one specific park presents logistical challenges and requires a clear long-term commitment and regulatory approvals to ensure ease of trade.

The City funds the lease of the Joondalup Art Gallery to the Joondalup Community Art Association for this group to offer artists opportunity to sell art in a gallery setting. During the recent Kaleidoscope Festival, the Joondalup Community Art Association volunteers extended their opening hours and reported approximately seven hundred visitors each day and made eleven sales over the three-day period. For this reason, local artists are encouraged to apply for marketplace stalls and participate in the existing annual City events.

The City of Joondalup supports local arts associations through the provision of the Culture and Arts Development Fund. None of the visual arts associations have applied for funding against the 'Art in the Park' concept. The audit results from the current 'Connecting Creatives' survey may prove this concept is supported and this will be reviewed by Cultural Services in 2019.

In addition, the City provides financial support for the lease of the Joondalup Art Gallery located on Central Walk which provides the Joondalup Community Arts Association with a venue for local artists to exhibit and sell work. It is recommended the City does not progress the 'Art in the Park' concept because there are existing opportunities for local artists to sell work at City events or apply for funding to support such community-driven initiatives.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 DOES NOT PROGRESS the 'Art in the Park' concept as a new event because there are opportunities for local artists to sell work at existing City events;
- 2 REQUESTS the Chief Executive Officer to encourage local artists and arts associations to consider applying for Community Funding to realise an 'Art in the Park' event.

MOVED Mayor Jacob, SECONDED Cr Poliwka that Council:

- 1 DOES NOT PROGRESS the 'Art in the Park' concept as a new event because there are opportunities for local artists to sell work at existing City events;**
- 2 REQUESTS the Chief Executive Officer to encourage local artists, arts associations and other local associations more generally to consider applying for Community Funding to realise an 'Art in the Park' event.**

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Jones, Mayor Jacob, Crs Chester, Hollywood and Poliwka.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.15pm; the following Committee Members being present at that time:

Cr Nige Jones
Mayor Hon. Albert Jacob, JP
Cr John Chester
Cr Kerry Hollywood
Cr Russell Poliwka