

# minutes

## Policy Committee

MEETING HELD ON **MONDAY 5 AUGUST 2019**

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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 MONDAY 5 AUGUST 2019.

#### ATTENDANCE

##### Committee Members

Cr Sophie Dwyer	<i>Presiding Member</i>	
Cr John Chester		
Cr Tom McLean, JP	<i>Deputising for Cr Hollywood</i>	
Cr Michael Norman		<i>from 5.46pm</i>
Cr Russell Poliwka		

##### Observers

Cr Christopher May		<i>from 6.00pm</i>
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##### Officers

Mr Garry Hunt	Chief Executive Officer	<i>to 6.25pm</i>
Mr Mike Tidy	Director Corporate Services	
Mr Jamie Parry	Director Governance and Strategy	
Ms Dale Page	Director Planning and Community Development	<i>to 6.23pm</i>
Mr Mike Smith	Manager Leisure and Cultural Services	<i>absent from 6.32pm to 6.34pm</i>
		<i>to 7.00pm</i>
Mr Chris Leigh	Manager Planning Services	<i>to 6.23pm</i>
Mr Brad Sillence	Manager Governance	
Ms Jen Nebel	Coordinator Cultural Services	<i>to 7.00pm</i>
Mrs Vivienne Stampalija	Governance Coordinator	
Ms Louise Dickmann	Curator	<i>to 7.00pm</i>
Mrs Wendy Cowley	Governance Officer	

#### DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.45pm.

## **DECLARATIONS OF INTEREST**

Nil.

## **APOLOGIES / LEAVE OF ABSENCE**

### **Apology:**

Cr Nige Jones.

### **Leave of Absence Previously Approved:**

Mayor Albert Jacob, JP	17 July to 12 August 2019 inclusive;
Cr Kerry Hollywood	23 July to 27 August 2019 inclusive;
Cr John Chester	25 to 31 August 2019 inclusive.

## **CONFIRMATION OF MINUTES**

### **MINUTES OF THE POLICY COMMITTEE HELD ON 7 MAY 2019**

**MOVED Cr Poliwka SECONDED Cr Chester that the minutes of the meeting of the Policy Committee held on 7 May 2019 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED (4/0)**

**In favour of the Motion:** Crs Dwyer, Chester, McLean 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.

**PETITIONS AND DEPUTATIONS**

Nil.

*Cr Norman entered the room at 5.46pm.*



## BACKGROUND

As part of the consideration on addressing issues in Housing Opportunity Areas, Council at its meeting held on 21 November 2017 resolved, in part, as follows (CJ177-11/17 refers):

“...2 Requests the preparation of a Planning Consultation Policy to provide greater certainty and transparency regarding consultation for planning proposals;...”

The requirement for consultation on planning proposals is principally governed by the *Planning and Development (Local Planning Schemes) Regulations 2015* (the LPS Regulations) and the *Residential Design Codes* (the R-Codes). The R-Codes collectively now include both Volume 1 (relating to single and grouped dwellings) and Volume 2 (relating to multiple dwellings - previously known as Design WA). These documents outline minimum, and sometimes maximum, consultation periods, and the various methods which can be used for consultation.

However, the LPS Regulations often do not specifically stipulate how a particular planning proposal must be advertised. Rather, they provide a range of methods and options that can be employed, only requiring that one (or more) of the methods be used.

For consistency, it was initially intended to align the draft LPP with the outcomes of the draft *Joondalup Place Neighbourhoods Local Planning Policy and Scheme Amendment No. 3*, considered by Council at its meetings held on 16 April and 21 May 2019 (CJ045-04/19 and CJ052-05/19 refer).

However, given Council's decision at its meeting held on 21 May 2019 (CJ052-05/19 refers) to develop a new local planning policy and scheme amendment and to separately engage and consult with the community on the draft *Joondalup Place Neighbourhoods Local Planning Policy and Scheme Amendment No. 3*, finalisation of the latter documents will take longer than originally envisaged. It is, therefore, considered appropriate to progress the draft planning consultation policy separately, and consider any necessary alignment required with a final planning framework for infill development at a later date.

## DETAILS

The aim of the draft LPP is to provide guidance on the community consultation processes for planning proposals.

The draft LPP contains the following:

- Objectives
- Provisions, including the following:
  - Criteria that will be considered when determining the extent of written consultation (such as letters to affected and nearby owners).
  - An appendix containing the duration and methods of consultation for particular types of planning proposals.
  - Ensuring the availability of appropriate supporting and technical material.
  - Consultation over the Christmas and Easter periods.
  - An 'opt-in' option, to receive further updates from the City on the proposal, for example, dates of forthcoming Council meetings and the final decision.
  - Cost associated with consultation - to be borne by the applicant in accordance with updated fees to be included in the City's *Schedule of Fees and Charges*.

It should be noted that, given the varying scale and context of planning proposals, there will continue to be a degree of judgement that will need to be applied to consultation processes, as it is not possible for a 'one size fits all' approach to accommodate all planning proposals. As such, arbitrary limits on the extent of consultation (for example set radius) have not been included in the draft policy. Rather, a set of criteria has been included to assist in establishing the extent of consultation, given the potential impact a particular proposal may have, being:

- the requirements of the R-Codes in relation to consultation requirements
- the scale and scope of the planning proposal
- the location and proximity to the property in question
- the potential impact of the planning proposal on local amenity, such as vehicle movements, streetscapes and landscaping, among others.

The only exception to the above is for proposed telecommunication towers, where a 400 metre radius is already specified in the City's *Telecommunications Local Planning Policy*.

#### Multiple and grouped dwellings

At its meeting held on 21 November 2017 (CJ177-11/17 refers), Council requested a review of the City's consultation procedures be undertaken and that a new consultation process be adopted to increase the amount of consultation and notification undertaken on multiple dwelling development applications lodged in the City's Housing Opportunity Areas.

Following this decision, the way consultation on multiple dwelling proposals was undertaken was amended so all new proposals (not only those in Housing Opportunity Areas) are advertised by way of a sign on the site, information on the City's website and potentially affected owners and occupiers notified in writing. This form of consultation is undertaken irrespective of whether or not the proposal complies with the deemed-to-comply requirements of the R-Codes (the R-Codes state that where a development proposal is deemed-to-comply, it will not require advertising to adjoining owners and occupiers).

The draft LPP applies the above consultation methods to grouped dwelling proposals of five dwellings or more, to align with the requirements for multiple and grouped dwelling proposals over five dwellings to be referred to the Joondalup Design Reference Panel.

#### Opt-in option for submitter updates

Currently, if a resident makes a submission on a planning proposal, it is standard practice to send updates on its progress via letter. Depending on the nature of an application, this may involve several letters being sent to all submitters to update on a planning proposal's progress.

In order to improve the relevance of this correspondence and to create greater efficiency, it is proposed to include an 'opt-in' provision within the initial correspondence sent to residents, where a submitter can provide an email address and choose whether to receive future updates. While this may be seen as a fundamental shift in the way follow-up correspondence is undertaken, it is considered it will have the following benefits:

- The process will be more efficient as only those submitters who wish to receive follow-up information will receive an email.
- The follow-up information will be delivered in a more timely manner.
- Sending information by email will reduce waste in terms of the paper, printing, handling and postage associated with hard copy letters.





**Sustainability implications**

Not applicable.

**Consultation**

The deemed provisions as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* require a new policy or major amendment to a policy to be advertised for public comment for a period of not less than 21 days. The policy is proposed to be advertised for 21 days as follows:

- a notice published in the local newspaper
- letter sent to registered resident and ratepayer groups
- a notice and documents placed on the City's website
- a notice on the City's social media platforms.

If, in the opinion of the City, the policy is inconsistent with any State planning policy, then notice of the proposed policy is to be given to the Western Australian Planning Commission. The proposed policy is not considered to be inconsistent with any State planning policy.

**COMMENT**

The draft LPP aims to provide clarity as to how planning applications are to be advertised for public comment. It is recommended that Council advertise the draft LPP for public comment for a period of 21 days.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Norman, **SECONDED** Cr McLean that Council in accordance with clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **PREPARES** and **ADVERTISES** the draft *Planning Consultation Local Planning Policy*, as shown in Attachment 1 to this Report, for a period of 21 days.

**The Motion was Put and**

**CARRIED (5/0)**

**In favour of the Motion:** Crs Dwyer, Chester, McLean, Norman and Poliwka.

*Cr May entered the room at 6.00pm.*

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1agnPOLICY190805.pdf](#)*

## ITEM 2                      REVIEW OF COMMUNITY CONSULTATION AND ENGAGEMENT POLICY

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	45153, 75521, 101515, 106742
<b>ATTACHMENT</b>	Attachment 1    Revised <i>Community Consultation Policy</i> Attachment 2 <i>Community Consultation Protocol</i> Attachment 3    Existing <i>Community Consultation and Engagement Policy</i> Attachment 4    Summary of Proposed Changes to the <i>Community Consultation and Engagement Policy</i>
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### PURPOSE

For Council to adopt the revised *Community Consultation Policy*.

### EXECUTIVE SUMMARY

At its meeting held on 19 October 2010 (CJ174-10/10 refers), Council adopted the *Community Consultation and Engagement Policy* after revoking the *Public Participation Policy*. At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council reviewed the policy as part of a bulk Policy Manual review and has remained unchanged since that time.

The review was conducted to ensure that the policy:

- reflects contemporary consultation methodology
- promotes practices that are consistent and of high quality
- reflects current City processes.

The review also sought to update operational procedures and ensure alignment with the draft *Planning Consultation Local Planning Policy*.

Key changes proposed include the following:

- References to “engagement” have been removed and “community consultation” has been defined as “*any activity which seeks feedback from community members to inform decision-making*”.

- The requirements for a minimum 21-day duration for consultation activities and a prohibition on consultation activities during the summer Council break have been removed and replaced with a more holistic statement:

*“The City will ensure that the timing and duration of consultation activities has due regard for conflicting priorities such as public holidays, school holidays, Council elections and/or other consultation activities.”*

- Detailed operational references have been removed from the policy.

The proposed changes reflect the contemporary way in which the City consults with the community, including greater use of face-to-face interactions, as well as online and digital platforms, and less dependency on formal written submissions.

*It is therefore recommended that Council:*

- 1 *ADOPTS the revised Community Consultation Policy provided as Attachment 1 to this Report;*
- 2 *NOTES the Community Consultation Protocol provided as Attachment 2 to this Report.*

## **BACKGROUND**

### ***Community Consultation and Engagement Policy***

The City has had a policy relating to community consultation since the transfer of the policy manual from the former City of Wanneroo. The *Public Participation Policy* was endorsed at the Meeting of Joint Commissioners in June 1999 (CJ213-06/99 refers) and was reviewed with minor amendments at the Council meeting held on 19 September 2006 (CJ156-09/06 refers). At its meeting held on 19 October 2010 (CJ174-10/10 refers), Council revoked the *Public Participation Policy* and adopted the *Community Consultation and Engagement Policy*. This policy was then reviewed by Council as part of a bulk Policy Manual Review at its meeting held on 15 May 2012 (CJ093-05/12 refers) and has remained unchanged since that time. The existing policy is provided as Attachment 3 to this Report.

### ***Community Consultation Protocol***

The City has an internal *Community Consultation Protocol* which guides the implementation of the *Community Consultation and Engagement Policy*. This is provided for reference as Attachment 2 to this Report.

### ***Planning Consultation Local Planning Policy***

Further to the City's existing *Community Consultation and Engagement Policy* and *Community Consultation Protocol*, Council requested the preparation of a *Planning Consultation Policy* at its meeting held on 21 November 2017 (CJ177-11/17 refers). This policy will address community consultation on planning proposals specifically.

## DETAILS

City of Joondalup policies are generally reviewed at least every five years to ensure ongoing applicability and relevance. As such, it was considered timely to review the *Community Consultation and Engagement Policy* to ensure it:

- reflects contemporary consultation methodology
- promotes practices that are consistent and of high quality
- reflects current City processes.

The review also sought to update operational procedures and ensure alignment with the draft *Planning Consultation Local Planning Policy*.

### Review outcomes

In reviewing the *Community Consultation and Engagement Policy*, the following issues were identified:

- The terms “consultation” and “engagement” are not clearly defined and may be causing confusion.
- The focus of the policy is centred around written submissions (for example questionnaires) and does not adequately address more contemporary consultation methodology (for example meetings, focus groups, interviews, forums, workshops, online methods and the like).
- A number of sections of the policy are very detailed and operational and do not allow enough flexibility to address the range of matters the City now consults the community on.
- The policy includes a section related to “community education” and “active citizenship” which is not considered appropriate for a policy on community consultation.

### Proposed changes

To address the above identified issues, a number of changes are proposed to the *Community Consultation and Engagement Policy*. These proposed changes are described in detail in Attachment 4 to this Report and key changes are summarised below:

- References to “engagement” have been removed and “community consultation” has been defined as “*any activity which seeks feedback from community members to inform decision-making*”. Specified in this way, the revised policy does not cover general communication (for example notifications, community education, advertising, “informing”, and the like), or unsolicited feedback (for example general emails, letters, social media posts, phone calls and the like). This will provide greater clarity to City staff, Elected Members and the community on what the City’s intentions are regarding community consultation. The title of the policy has also been adjusted to reflect this.
- The requirements for a minimum 21-day duration for consultation activities and a prohibition on consultation activities during the summer Council break have been removed and replaced with a more holistic statement:

*“The City will ensure that the timing and duration of consultation activities has due regard for conflicting priorities such as public holidays, school holidays, Council elections and/or other consultation activities.”*

This will provide flexibility for non-written feedback (for example meetings, focus groups, interviews, forums, workshops, online methods and the like) and ensure that these are adequately covered by the policy.

- Detailed, operational references have been removed from the policy. This will ensure the City's position and internal procedures are up-to-date and align to current City practices. This will also ensure that the City's approach to community consultation is undertaken in a consistent and high quality manner.

In addition to these key changes, minor updates have been made to wording and administrative processes to ensure the policy provides a clear and unambiguous statement to the community.

### Local government benchmarking

Benchmarking of other local government consultation policies was undertaken to inform the review of the City's *Community Consultation and Engagement Policy*. Of the 28 local governments in the Perth metropolitan area, 16 have a policy relating to community consultation and 12 have no related policy. A selection of these policies is summarised in the table below.

This benchmarking demonstrates that there is a broad and varied interpretation of what community consultation is and how it should be conducted across local governments. The majority of existing local government policies have varied levels of procedural and operational detail, and many reference external frameworks and standards (including from the International Association for Public Participation Australia and AccountAbility). Further, most are limited in scope primarily to written forms of feedback, and do not reflect or incorporate contemporary consultation methodology. With this in mind, appropriate content from these policies has been considered and incorporated into the revised City of Joondalup *Community Consultation Policy*.

Local government:	Related policy:	Policy details:
City of Canning	No	-
City of Cockburn	Yes	<p><i>Community Engagement Policy:</i></p> <ul style="list-style-type: none"> <li>• States an overall commitment to community engagement.</li> <li>• Restates the Core Values of the International Association for Public Participation Australia.</li> <li>• References a <i>Community Engagement Framework</i> (internal document).</li> </ul>
City of Mandurah	No	-
City of Melville	Yes	<p><i>Stakeholder Engagement Policy:</i></p> <ul style="list-style-type: none"> <li>• States an overall commitment to stakeholder engagement.</li> <li>• Restates Core Values of the International Association for Public Participation Australia.</li> <li>• Restates the Principles of the <i>AccountAbility AA1000 Stakeholder Engagement Standard</i>.</li> </ul>

<b>Local government:</b>	<b>Related policy:</b>	<b>Policy details:</b>
City of Perth	Yes	<i>Community Participation Policy:</i> <ul style="list-style-type: none"> <li>States that the City will hold community forums, establish special interest/advisory groups and compile a database of community members.</li> </ul>
City of Stirling	No	-
City of Vincent	Yes	<i>Community Consultation Policy:</i> <ul style="list-style-type: none"> <li>States an overall commitment to community consultation.</li> <li>Lists specific circumstances when the City will and will not consult with the community.</li> <li>States detailed principles of community consultation.</li> <li>Lists detailed operational processes.</li> </ul>
City of Wanneroo	Yes	<i>Community Engagement Policy:</i> <ul style="list-style-type: none"> <li>States an overall commitment to community engagement.</li> <li>States principles of community engagement.</li> <li>Lists detailed operational processes and internal roles and responsibilities.</li> </ul>

### Issues and options considered

Council has the option to either:

- adopt the revised *Community Consultation Policy*
- suggest further modifications to the revised *Community Consultation Policy*  
or
- retain the existing *Community Consultation and Engagement Policy*.

The recommended option is to ADOPT the revised *Community Consultation Policy*.

### Legislation / Strategic Community Plan / Policy implications

#### Legislation

*Dog Act 1976.*

*Land Administration Act 1997.*

*Local Government Act 1995.*

*Planning and Development (Local Planning Schemes) Regulations 2015.*

*Integrated Planning and Reporting Framework and Guidelines.*

#### Strategic Community Plan

#### Key theme

Governance and Leadership.

<b>Objective</b>	Active democracy.  To have a community that actively engages with the City to achieve consensus and legitimacy in decision-making.
<b>Strategic initiative</b>	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.
<b>Policy</b>	<i>Community Engagement and Consultation Policy.</i>

### **Risk management considerations**

The *Community Consultation and Engagement Policy* has been reviewed to reflect a broader position on the City's commitment to consulting with the community. If the revised policy is not adopted, there is a risk that the City will be limited to a narrow selection of consultation methodologies, which may not be appropriate for the community, the target audience or the matter in question. This, in turn, could result in community consultation that is delivered poorly, damaging community perceptions of the City and leading to outcomes and results that are not useful or meaningful.

### **Financial / budget implications**

Financial implications associated with community consultation activities are considered during the annual budget planning process.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

The City undertakes community consultation on a variety of matters throughout the year and via a range of different methodologies. Feedback gained through these processes indicates that there is significant community interest in, and desire for more flexible and more meaningful consultation opportunities. The City's Strategic Community Reference Group has also strongly reaffirmed this through its meeting held in March 2017 meeting on Community Engagement and Communication Practices, and its meeting held in November 2018 meeting on Youth Engagement.

### **COMMENT**

In recent years, community expectations around local government consultation practices have shifted significantly. Members of the community have an increased interest in the issues that affect them and an increased desire to be involved in the decision-making process. Further, the ways in which the community wish to engage with local government continue to evolve, and many community members no longer want to be limited to formal, written submissions.



It is therefore crucial that the City has an appropriate policy in place that enshrines the principles of community consultation in a clear and transparent manner. It is also essential that the City responds to the community's desire for more contemporary consultation methodology and greater flexibility in the way feedback is collected.

The revised *Community Consultation Policy* and internal *Community Consultation Protocol* have been developed to reflect best practice and ensure internal processes deliver consistent, effective and professional community consultation across the City of Joondalup.

## **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Poliwka that Council:**

- 1 ADOPTS the revised *Community Consultation Policy* provided as Attachment 1 to this Report;**
- 2 NOTES the *Community Consultation Protocol* provided as Attachment 2 to this Report.**

**The Motion was Put and**

**CARRIED (5/0)**

**In favour of the Motion:** Crs Dwyer, Chester, McLean, Norman and Poliwka.

*The Director Planning and Community Development and Manager Planning Services left the room at 6.23pm.*

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2agnPOLICY190805.pdf](#)*

### ITEM 3                      RECORDS MANAGEMENT POLICY REVIEW

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER</b>	26542, 101515	
<b>ATTACHMENT</b>	Attachment 1	Revised <i>Records Management Policy</i>
	Attachment 2	Current <i>Records Management Policy</i>
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.	

#### PURPOSE

For Council to adopt the revised *Records Management Policy* following an update to the WA State Records Office Digitization Specification guideline document.

#### EXECUTIVE SUMMARY

In May 2018, the WA State Records Office announced that the *Digitization Specification Guideline* document had been updated in relation to specifications for reproductions of receipts/proof of purchase records. The *Digitization Specification Guideline* document must be utilised by all local government authorities that implement the *General Disposal Authority for Source Records*; the official and continuing authority that allows for the legal destruction of source records that have been successfully reproduced (digitised).

As a result, the City's *Records Management Policy* will require minor amendments, namely:

- expand definition of a corporate record to outline that it may include hard copy documents, online transactions or digital records
- include *Electronic Transactions Act 2011* to list legislation that the City will act in accordance with in relation to general recordkeeping
- include reference to *General Disposal Authority for Source Records* which the City will act in accordance with in relation to Destruction
- include *City of Joondalup Record Keeping Plan* as 'Related Documentation'.

*It is therefore recommended that Council ADOPTS the revised Records Management Policy shown at Attachment 1 to this Report.*

#### BACKGROUND

At its meeting held on 9 March 2004 (CJ040-03/04 refers), the Joint Commissioners adopted the *Recordkeeping Responsibilities Policy* as part of the *Recordkeeping Plan* required by the *State Records Act 2000*. The policy was then reviewed as part of the Policy Manual Review in 2005 with minor amendments and a change of title. The *Records Management Policy* was adopted by Council at its meeting held on 11 October 2005 (CJ206-10/05 refers).

In 2012, the *Records Management Policy* was again reviewed for relevance and to update the policy format into a new template. Minor reviews were also conducted to update reference documentation and create consistency with other City policies. At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council subsequently adopted the revised *Records Management Policy*.

The policy was reviewed with minor amendments as part of the Policy Manual Review in 2017 and has remained unchanged since then.

## DETAILS

Since the *Records Management Policy* was last reviewed in 2017, there have been some changes to the legislative requirements of local governments in relation to the management of corporate records.

In May 2018, the WA State Records Office announced that the *Digitization Specification Guideline* document had been updated in relation to specifications for reproductions of receipts/proof of purchase records. The *Digitization Specification Guideline* document must be utilised by all local government authorities that implement the *General Disposal Authority for Source Records*; the official and continuing authority that allows for the legal destruction of source records that have been successfully reproduced (digitised).

### Proposed Amendments

Following an update to the WA State Records Office *Digitization Specification Guideline* document, the City's *Records Management Policy* requires minor amendments to ensure these changes are reflected. These include the following:

- The definition of a corporate record has been expanded to clarify that it may include hard copy documents, online transactions or digital records.
- The *Electronic Transactions Act 2011* has been included in the list of legislation that the City will act in accordance with in relation to general record keeping.
- In section 4.3, the *General Disposal Authority for Source Records* has been included alongside the *General Disposal Authority for Local Government Records*; both of which the City will act in accordance with in relation to destruction of records.
- The City's *Record Keeping Plan* has been included in the 'Related Documentation' section to reflect its important role as a driver of best practice record keeping for the organisation.

### Issues and options considered

Council has the option to:

- adopt the revised *Records Management Policy*, as shown in Attachment 1 to this Report
- suggest further modifications to the revised *Records Management Policy*  
or
- retain the *Records Management Policy*, as shown in Attachment 2 to this Report.

The recommended option is to adopt the revised *Records Management Policy*.

**Legislation / Strategic Community Plan / Policy implications**

<b>Legislation</b>	<i>Evidence Act 1906.</i> <i>Freedom of Information Act 1992.</i> <i>Local Government Accounting Directions 1994.</i> <i>Local Government Act 1995.</i> <i>State Records Act 2000.</i> <i>Electronic Transactions Act 2011.</i>
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**Strategic Community Plan**

<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Corporate capacity.  Effective representation.
<b>Strategic initiative</b>	Continuously strive to improve performance and service delivery across all corporate functions.  Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.  Ensure the elected body has a comprehensive understanding of its roles and responsibilities.
<b>Policy</b>	<i>Records Management Policy.</i>

**Risk management considerations**

Adoption of the revised *Records Management Policy* will mitigate the risks associated with the City not having appropriate procedures in place to correctly manage corporate records.

**Financial / budget implications**

There are no anticipated financial or budget implications.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The *Records Management Policy* provides guidance to City staff, contractors and Elected Members regarding the storage, access and destruction of records. The policy amendments will allow the City to continue to effectively manage City records, while also clarifying the content of the policy and removing operational content. As such, it is considered appropriate that the revised *Records Management Policy* is adopted by Council.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Poliwka, SECONDED Cr McLean that Council ADOPTS the revised *Records Management Policy* as detailed in Attachment 1 of this Report.**

**The Motion was Put and**

**CARRIED (5/0)**

**In favour of the Motion:** Crs Dwyer, Chester, McLean, Norman and Poliwka.

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3agnPOLICY190805.pdf](#)*

## **ITEM 4                    VISUAL ARTS COMMISSIONING PROGRAM 2020-21 – WESTERN AUSTRALIAN PROPOSED ARTISTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	14158, 101515
<b>ATTACHMENTS</b>	Attachment 1    Paul Kaptein Proposal Attachment 2    Simon Gilby Proposal Attachment 3    Monique Tippett Proposal Attachment 4    Summary of proposals from other Artists  <i>(Please Note: The Attachments are confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to select one of the three shortlisted Western Australian artists for the *Visual Arts Commissioning Program 2020-21*.

### **EXECUTIVE SUMMARY**

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 and the three year cycle dictates that a Western Australian artist is due to be commissioned in 2020-21.

At its meeting held on 28 June 2016 (CJ100-06/16 refers), Council endorsed the proposal to alternate between an annual artwork commission from a high profile Western Australian artist in one year and an artist residency for international / interstate artists that takes place over two years and is comprised of two parts, a residency and commission. This cycle allowed for the research and appointment of an artist to occur in the preceding year. The three year cycle dictates that a Western Australian artist is due to be commissioned in 2020-21.

The appointment of this artist will be the start of the second cycle since Council's decision at its meeting held on 28 June 2016.

This report provides options for the commissioning of an artwork that documents and captures the social, urban or natural attributes of the City of Joondalup. All artists are of high professional standing, have confirmed that they can deliver the artwork within the allocated budget and timeframe, and are well qualified to produce an artwork that will be a sound investment for the City.

Each of the artists is equally worthy of being awarded the commission, in terms of artistic excellence and the merit of their individual proposals. It is therefore recommended that the Council selects one of the shortlisted artists to undertake the commission.

## **BACKGROUND**

The City's art collection comprises over 250 artworks created by professional Western Australian contemporary artists. Artworks span a wide range of media including painting, sculpture, drawing, ceramic, print, photography, textile and glass.

The City's art collection operates on a yearly art acquisition budget of \$15,000, which enables the acquisition of two or three high quality contemporary artworks throughout the year from the City of Joondalup Community Invitation Art Award, the City of Joondalup Community Art Exhibition and other exhibitions such as the NAIDOC Week art exhibition.

Acquisitions are also made from exhibitions across the Perth metropolitan area, and occasionally from regional Western Australia. These acquisitions allow the City's art collection to grow in cultural and fiscal value and fulfil the objectives of the City's *Visual Arts Policy*.

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 (and is in addition to the annual allocation of \$15,000 for artwork acquisitions).

At its meeting held on 28 June 2016 (CJ100-06/16 refers), Council endorsed the proposal to alternate between an annual artwork commission from a high profile Western Australian artist in one year and an artist residency for international / interstate artists that takes place over two years and is comprised of two parts, a residency and commission. This cycle allowed for the research and appointment of an artist to occur in the preceding year. The three year cycle dictates that a Western Australian artist is due to be commissioned in 2020-21.

Since the program began, three commissions from Western Australian artists have been completed including works by Tony Windberg (2012), Lindsay Harris (2013) and Nien Schwarz (2018), all of which have focussed on the geographic and biological features of the Joondalup region. This was also the subject of the City's first international public art commission, Brandon Ballengee's *Emperor Gum Moth* (2014).

The second international / interstate artist commission is currently underway, with the conclusion of Helen Pynor's period of residence in November 2019 being followed by her production of an artwork to occur in 2019-20. This artwork will differ from the previous commissions in that it will reflect the relationships that she formed with the healthcare communities in the area during her stay.

## **DETAILS**

To fulfil the Western Australian artist commission in 2020-21 a call-out for Expressions of Interest was issued in February 2019 to which 40 artists responded (Attachment 4 refers).

In alphabetical order the list of 40 artists who expressed interest include:

- Christine Baker.
- Nathan Beard.
- Hilary Buckland.
- Paul Caporn-Bennett.
- Karen Chappelow.
- Erin Coates.
- Jennifer Cochrane.
- Ben Crappsley.
- Melanie Dare.
- Sarah Elson.
- Eva Fernandez.
- Michael Francas.
- Danielle Freakley.
- Simon Gilby.
- Marian Giles.
- Michael Gray.
- Dita Hagedorn.
- Nick Horn.
- Eric Hynynen.
- Adam Ismail.
- Paul Kaptein.
- Bethamy Linton.
- Alexander Maciver.
- Elisa Markes-Young.
- Lucille Martin.
- Esther McDowell.
- Matthew McVeigh.
- Alan Muller.
- Holly O'Meehan.
- Leesa Padget.
- Denise Pepper.
- Annette Peterson.
- Peter Ryan.
- Prina Shah.
- Nicole and Bruce Slatter.
- Liliana Stafford.
- Suzy Swanborough.
- Jon Tarry.
- Sioux Tempestt.
- Monique Tippett.

All Expressions of Interest contained information about the artist and a specific proposal for the commission which has been assessed against the following criteria:

- The artist's experience, skill, and professional standing.
- Likelihood that the work produced will be original, unique and of high quality.
- Likelihood that the proposed work will be engaging and represent Joondalup's identity.
- The market value of the artist's work.
- The suitability of the proposed artwork for the art collection.
- That the artwork produced has financial investment potential.

Based on the criteria, three artists have been shortlisted and are put forward for consideration. These artists are as follows:

- 1 Paul Kaptein.
- 2 Simon Gilby.
- 3 Monique Tippett.

Once the successful artist has been selected the commissioning process will follow. This includes contracting the selected artist to produce a comprehensive concept response which will be provided for comment prior to the artist starting work on the commission. The finished artwork will be delivered within the agreed timeframe and budget and accessioned into the art collection as per the *Art Collection Management Plan* by June 2021.



## Issues and options considered

### Option 1 – Paul Kaptein

#### *About the Artist*

Paul Kaptein's current work is principally figurative sculpture that reflects a high degree of technical skill. The dramatic contrast between his realistic figures and their imagined states results in compelling pieces.

Paul studied at the Claremont School of Art (1996-1998) before graduating with a Bachelor of Arts (Fine Art) from Curtin University in 1999. Since 2010, Paul has been producing figurative sculptural works that have earned him great acclaim. In 2015, he was shortlisted for the City of Joondalup Community Invitation Art Award, as well as Albany Art Prize, Bankwest Art Prize and Jacaranda Art Award for drawing. He has won the prestigious Mandorla Art Award, the Mid-West Art Prize and the Stockland Sculpture Prize in the City of Armadale's Minnowarra Art Award.

Paul's work can be found in the collections of the University of Western Australia, Edith Cowan University, Royal Perth Hospital, Grafton Regional Gallery, New Norcia Museum Art Collection and City of Wanneroo. He is currently completing a major commission for St Josephs College in Hunters Hill, Sydney.

Examples of Paul's works are attached (Attachment 1 refers). For more examples visit [www.paulkaptein.com](http://www.paulkaptein.com)

#### *Extract from Proposal*

*"...I'm interested in exploring historical (social and geographical) dimensions of Joondalup as well as speculative futures, possibly related to health and educational institutions. The expanse of coastline is also of particular interest as a geographical boundary marking the edge of a continental plane as well as a stark division between primal elements of earth, water and air and also as a site of diverse cultural activity. As a starting point, the question I'm asking myself in response to the themes of this commission is 'How do the social, urban and geographical environments give shape to the identity of the people of Joondalup?'"*

### Option 2 – Simon Gilby

#### *About the Artist*

Simon Gilby graduated from the Claremont School of Art in 1990 and is renowned for his large sculptural artworks made from forged steel. These are usually hollow, figurative sculptures of human and animal bodies that often feature surreal motifs, such as wings or structures that operate as metaphors for internal and psychological states. Simon is a community-minded artist, working as a lecturer, an artist-in-residence in schools and in Aboriginal communities.

Many significant art collections include examples of Simon's work. These include the Art Gallery of Western Australia, the University of Western Australia, Parliament of Western Australia, Curtin University, Edith Cowan University, Murdoch University and the City of Bunbury.

Examples of Simon's works are attached (Attachment 2 refers). For more examples visit [www.simongilby.com.au](http://www.simongilby.com.au)

*Extract from Proposal*

*“After recent circumstances of personal injury and residencies in regional and Aboriginal communities, I’ve become increasingly interested in the conjunction between the morphology of landforms and that of the internal anatomy of the body. I see this visual congruence as symbolically reflecting our interdependence and mutual vulnerability. I intend to investigate the both ancient and contemporary culture’s interest in transcending the encapsulated reality within the body of the individual into the mass of landscape. The intended result would be an artwork, two-dimensional or three-dimensional, responding to a prevailing sentiment of the permeability of the human and the elemental.”*

Option 3 – Monique Tippett*About the Artist*

Monique Tippett is based in Dwellingup and her timber works explore themes drawn from her relationship with the natural environment. She strives to portray the scale, light, texture and beauty and fragility through her finely crafted objects. Monique’s artworks are both sculptures and paintings, with subtle linear and geometric patterns being painted on the surface of smooth timber surfaces. The aim of their enigmatic, abstract qualities is to elicit contemplation of the natural world.

Monique has won many art awards, some on several occasions, including the City of Armadale’s Minnowarra Art Award and the Mandjar Art Award. She has received numerous art commissions and her works are included in many collections including the Edith Cowan University, the Cities of Armadale, Mandurah and Bunbury, St John of God Hospitals as well as Perth Childrens, Sir Charles Gairdner, Busselton and Merriden Hospitals. Monique was recently honoured to be announced as the 2019 artist-in-residence for the Western Australian Parliament.

Examples of Monique’s work are attached (Attachment 3 refers). For more examples visit [www.moniquetippett.com](http://www.moniquetippett.com)

*Extract from Proposal*

*“The theme for the proposed artwork will be based around the natural environment of the Joondalup area. I lived in the area for a number of years before moving to Dwellingup for a tree change and I am familiar with the types of landscapes that the City of Joondalup encompasses, from the coastal heathlands that fringe the beachside suburbs to the unique wetland landscapes of Lake Joondalup and Yellagonga Regional Park. Areas associated with events in local history, pre or post European, would also be of interest. A work that evokes the natural environment benefits from scale. I prefer working in the larger format for this reason and this commission would allow me to do that.”*

**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** *Visual Arts Policy.*

### **Risk management considerations**

Not applicable.

### **Financial / budget implications**

The 2020-21 budget will include an amount of \$15,000 for the commissioning of artworks. No funds to date have been expended.

#### Current financial year impact

<b>Account no.</b>	C1078.
<b>Budget Item</b>	Commissioning for the City's Art Collection.
<b>Budget amount</b>	\$ 15,000 (2020-21)
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$ 15,000
<b>Balance</b>	\$ 0

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

The City's art collection, including its public art, archives and memorabilia, plays an important role in shaping and developing the community's identity. 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.

### **Sustainability implications**

#### Economic

One of the stated purposes of the art collection is to grow the value of the City's art and cultural assets. Procuring artworks from professional artists in the mid and later stages of their careers is the most secure investment choice.

#### Social sustainability

The commissioning of special purpose artworks has positive social sustainability implications. Artworks that reflect the City of Joondalup foster the place-identity of the community, enhancing social wellbeing through a sense of belonging.

### **Consultation**

Not applicable.

## COMMENT

The three shortlisted artists are equally worthy in terms of artistic excellence and value for money and are all notably absent from the City's art collection. There were several other artists listed in Attachment 4 to this Report, whose works are not of equivalent merit to those shortlisted but would be suitable for consideration as potential acquisitions in the future.

While the commissioning of the artwork will not occur until 2020-21, it is necessary to appoint an artist before then to enable contracts, design concept brief and the like to be finalised. This will allow a full 12 months for the artist to undertake the commission and present to the City within the contracted timeframe. The finalisation of the contract for the commission will be subject to funds being allocated in the 2020-21 budget.

## VOTING REQUIREMENTS

Simple Majority.

*The Chief Executive Officer left the room at 6.25pm.*

*The Manager Leisure and Cultural Services left the room at 6.32pm and entered at 6.34pm.*

## OFFICER'S RECOMMENDATION

That Council **SELECTS** one of the three artists recommended to undertake the artwork commission in 2020-21 to the value of \$15,000.

**MOVED Cr Poliwka, SECONDED Cr Chester that Council SELECTS Option 1 – Paul Kaptein to undertake the artwork commission in 2020-21 to the value of \$15,000.**

**The Motion was Put and**

**CARRIED (5/0)**

**In favour of the Motion:** Crs Dwyer, Chester, McLean, Norman and Poliwka.

## **ITEM 5                    DISPOSAL OF MINOR SURPLUS ASSETS POLICY REVIEW**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	101267
<b>ATTACHMENT</b>	Attachment 1 <i>Revised Disposal of Minor Surplus Assets Policy</i> Attachment 2 <i>Current Disposal of Minor Surplus Assets Policy</i>
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### **PURPOSE**

For Council to review the *Disposal of Minor Surplus Assets Policy* and adopt the revised policy as part of the Policy Manual Review process.

### **EXECUTIVE SUMMARY**

The *Disposal of Minor Surplus Assets Policy* was identified as part of the 2019 Policy Manual Review as requiring only minor amendments. 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 Disposal of Minor Surplus Assets Policy as detailed in Attachment 1 to this Report.*

### **BACKGROUND**

At its meeting held on 26 March 2002 (CJ060-03/02 refers), Council first adopted the *Disposal of Minor Surplus Assets Policy* as the *Policy for Disposal of Surplus Personal Computers*. This policy was developed as a mechanism for identifying community groups and education providers who were suitable recipients of surplus computer assets following equipment upgrades. This ensured that surplus minor assets were sustainably disposed of and reused by local community groups that required support and assistance for undertaking community activities.

During the 2005 Policy Manual review, the scope of the policy was broadened to incorporate any form of minor asset and the title was consequently amended to become the *Disposal of Surplus Assets (Minor) Policy* (CJ206-10/05 refers).

As part of the 2012 Policy Manual review, the *Disposal of Surplus Assets (Minor) Policy* was identified as requiring major review (CJ169-08/12 refers). Besides minor amendments to improve readability, the following changes were made:

- Changes to the 'Disposal Assessment' requirements which allowed the Chief Executive Officer discretion to determine whether an advertised application process was necessary.
- A definition of a 'minor asset' was included in an 'Application' section which aligned to the *Western Australian Local Government Accounting Manual*. This document defined a minor asset to be any asset with an acquisition value below the local government's capitalisation threshold, which for the City, is anything below \$5,000.

## DETAILS

The City's policies are regularly reviewed to ensure their continued relevance and applicability. The *Disposal of Minor Surplus Assets Policy* was identified as part of the 2019 Policy Manual Review.

### Local government comparison

An analysis of other local government policies relating to the disposal of minor surplus assets was undertaken to inform the review of the *Disposal of Minor Surplus Assets Policy*. Of the 12 local governments benchmarked, five have a policy which provides a position on sustainably disposing of minor surplus assets.

Name of Local Government	Related Policy
City of Bayswater	Disposal of Surplus Goods and Equipment (Minor Assets)
City of Canning	Disposal of surplus furniture, equipment and materials
City of Cockburn	Disposal of Assets
City of Mandurah	No Policy
City of Perth	Disposal of Property
City of South Perth	Disposal of Surplus Property
City of Stirling	No Policy
City of Vincent	No Policy
City of Wanneroo	No Policy
Shire of Mundaring	Disposal of Minor Surplus Assets
Town of East Fremantle	Disposal of Surplus Property
Town of Victoria Park	No Policy

Analysis shows that while these policies are largely consistent with the City's *Disposal of Minor Surplus Assets Policy* most policies outline provisions for the disposal of all surplus assets, with minor assets included. This comparison indicates that the policy remains relevant and is consistent with local government practices.

### Proposed Amendments

With no major changes identified within the policy review, the following minor amendments are recommended to the *Disposal of Minor Surplus Assets Policy*, as shown in Attachment 1 to this Report:

- Inclusion of a 'Definition' section to define the terminology 'minor surplus assets'.

- A revision of the 'Statement' section to clearly articulate the consideration of disposing minor surplus assets that no longer have commercial value and that the City may choose to donate these assets to local community groups or education providers.
- Updated the 'Related Document' section to reference the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* instead of the *Western Australian Local Government Accounting Manual*.
- Minor wording changes to improve readability.

### Issues and options considered

Council has the option to either:

- adopt the revised *Disposal of Minor Surplus Assets Policy* as shown in Attachment 1 to this Report
- suggest further modifications to the *Disposal of Minor Surplus Assets Policy* or
- retain the *Disposal of Minor Surplus Assets Policy* in its current format, as shown in Attachment 2 of this Report.

The recommended option is to adopt the revised *Disposal of Minor Surplus Assets Policy*.

### Legislation / Strategic Community Plan / Policy implications

**Legislation**                      *Local Government (Financial Management) Regulations 1996.*

#### Strategic Community Plan

**Key theme**                      Community Wellbeing.

**Objective**                      Community spirit.

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

**Strategic initiative**              Promote the sustainable management of local organisations and community groups.

**Policy**                              *Disposal of Minor Surplus Assets Policy.*

### Risk management considerations

The policy states that no risk liability is to be attached to any minor assets provided to groups through the disposal process. The City's current *Risk Management Framework* and associated processes provide a system for ensuring that potential risks to the City are minimised and managed.

### Financial / budget implications

Not applicable.

### Regional significance

Not applicable.

**Sustainability implications**

Encouraging the re-use of surplus minor assets ensures that waste is diverted from land fill in accordance with the City's commitment to environmentally sustainable outcomes.

**Consultation**

Not applicable.

**COMMENT**

The *Disposal of Minor Surplus Assets Policy* continues to provide a clear direction for sustainably disposing of minor surplus assets in a way that benefits local community groups and education providers.

The proposed minor amendments to the policy further clarify the City's position on the disposal of minor surplus assets. It is considered appropriate that the *Disposal of Minor Surplus Assets Policy* is adopted by Council.

**VOTING REQUIREMENTS**

Simple Majority.

*The Manager Leisure and Cultural Services, Coordinator Cultural Services and Curator left the room at 7.00pm.*

**MOVED Cr Poliwka, SECONDED Cr McLean that Council ADOPTS the revised *Disposal of Minor Surplus Assets Policy* as detailed in Attachment 1 to this Report.**

**The Motion was Put and**

**CARRIED (5/0)**

**In favour of the Motion:** Crs Dwyer, Chester, McLean, Norman and Poliwka.

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4agnPOLICY190805.pdf](#)*



**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 7.02pm; the following Committee Members being present at that time:

Cr Sophie Dwyer  
Cr John Chester  
Cr Tom McLean, JP  
Cr Michael Norman  
Cr Russell Poliwka