

minutes

MEETING HELD ON **TUESDAY, 16 NOVEMBER 2010**

TABLE OF CONTENTS

ITEM NO	TITLE	PAGE NO
	DECLARATION OF OPENING	1
	ANNOUNCEMENT OF VISITORS	1
	PUBLIC QUESTION TIME	2
	PUBLIC STATEMENT TIME	5
	APOLOGIES AND LEAVE OF ABSENCE	6
C57-11/10	REQUESTS FOR LEAVE OF ABSENCE - CR TRONA YOUNG AND CR PHILIPPA TAYLOR	6
C58-11/10	CONFIRMATION OF MINUTES	6
	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	6
	DECLARATIONS OF INTEREST	8
	IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS	9
C59-11/10	PETITIONS	9
	PETITION REQUESTING COUNCIL TO IMPLEMENT TRAFFIC CALMING IN TRAILWOOD DRIVE, WOODVALE, BETWEEN THE RISE IN THE EAST AND THE RETURN IN THE WEST – [35580, 05386, 01398]	9
	PETITION REQUESTING THE RE-INSTATEMENT OF SOCCER GOAL(S) AT SEACREST PARK, SORRENTO – [02146]	9
	REPORTS	10
CJ187-11/10	MONTHLY TOWN PLANNING DELEGATED AUTHORITY REPORT DEVELOPMENT, CODE VARIATIONS AND SUBDIVISION APPLICATIONS – SEPTEMBER 2010 – [07032, 05961]	10
CJ188-11/10	DIRECTIONS 2031 – OUTER METROPOLITAN PERTH AND PEEL SUB-REGIONAL STRATEGY – [07147]	14
CJ189-11/10	PROPOSED ADDITIONS TO JOONDALUP CITY HOTEL AT LOT 345 (18) GRAND BOULEVARD, JOONDALUP – [84469]	24
CJ190-11/10	PROPOSED MODIFICATIONS TO TAVERN INCLUDING INTERNAL RECONFIGURATION, EXTERNAL FACADE, INCREASE IN PATRON NUMBERS AND CHANGE OF USE FROM SHOP TO TAVERN AT LOT 5003 (14) HOBSONS GATE, CURRAMBINE – [100366]	33

CJ191-11/10	CITY OF JOONDALUP DESIGN ADVISORY PANEL – [34172]	45
CJ192-11/10	NAMING OF REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE STRATEGIC PROJECTS – COMMUNITY SPORTING FACILITIES – [02146, 31250]	51
CJ193-11/10	2010/11 SPORTS DEVELOPMENT PROGRAM – ROUND 1 – [58536]	53
CJ194-11/10	SETTING OF MEETING DATES FOR 2011 – [08122]	60
CJ195-11/10	ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2010 – [45060]	65
CJ196-11/10	CUSTOMER SATISFACTION SURVEY 2009/10 – [69609]	68
CJ197-11/10	PROPOSED ANIMALS AMENDMENT LOCAL LAW 2010 – [21067]	75
CJ198-11/10	MINUTES OF EXTERNAL COMMITTEES – [41196, 03149]	81
CJ199-11/10	LIST OF PAYMENTS MADE DURING THE MONTH OF SEPTEMBER 2010 - [09882]	82
CJ200-11/10	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2010 – [07882]	84
CJ201-11/10	TENDER 024/10 – PROVISION OF METAL FABRICATION SERVICES – [10172]	87
CJ202-11/10	CRAIGIE BUSHLAND NATIVE WILDLIFE SANCTUARY – [44236, 43127]	92
CJ203-11/10	LYSANDER DRIVE, HEATHRIDGE – TRAFFIC MANAGEMENT – [45468]	103
CJ204-11/10	TRAILWOOD PARK, WOODVALE – RELOCATION OF PLAYGROUND - [42918]	108
C60-11/10	COUNCIL DECISION – EN BLOC RESOLUTION - [02154] [08122]	114
C61-11/10	NOTICE OF URGENT MOTION - [02154] [08122]	115
C62-11/10	ANNUAL FEES PAYABLE BY SCHOOLS IN RELATION TO FOOD ENFORCEMENT ACTIVITIES - [23039]	115
	REPORT OF THE CHIEF EXECUTIVE OFFICER	115

	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	115
C63-11/10	NOTICE OF MOTION NO 1 – CR LIAM GOBBERT – CITY TO COMMISSION VARIOUS ARTWORKS DEPICTING ICONIC LANDMARKS WITHIN THE CITY OF JOONDALUP – [14158]	115
C64-11/10	NOTICE OF MOTION NO 2 – MAYOR TROY PICKARD – CALL FOR REPORTS - [24069, 09135, 100619, 76613]	116
	ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING	118
	CLOSURE	118

CITY OF JOONDALUP

MINUTES OF COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY, 16 NOVEMBER 2010

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00 pm.

ANNOUNCEMENT OF VISITORS

Nil.

Mayor:

TROY PICKARD

Absent from 7.33 pm to 7.35 pm

Councillors:

Cr KERRY HOLLYWOOD

North Ward

Cr TOM McLEAN

North Ward

Absent from 7.33 pm to 7.35 pm

Cr PHILIPPA TAYLOR

North-Central Ward

Cr TRONA YOUNG

North-Central Ward

Cr LIAM GOBBERT

Central Ward

Cr GEOFF AMPHLETT

Central Ward – *Deputy Mayor*

Cr MIKE NORMAN

South-West Ward

Cr JOHN CHESTER

South-East Ward

Cr BRIAN CORR

South-East Ward

Cr RUSS FISHWICK

South Ward

Cr FIONA DIAZ

South Ward

Officers:

MR GARRY HUNT

Chief Executive Officer

MS DALE PAGE

Director Planning and

Development

MR JAMIE PARRY

Director Governance and Strategy

MR MARTYN GLOVER

Director Infrastructure Services

MR SAID HAFEZ

Acting Director Corporate Services

MR ROBERT FARLEY

Manager Planning Approvals and

Environmental Services

MR MARK McCRORY

Acting Manager Governance and

Marketing

MR TIM HEGNEY

Governance Coordinator

MRS LESLEY TAYLOR

Governance Officer

MRS BRENDA LOCHEAD

Governance Officer

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

PUBLIC QUESTION TIME

The following questions were taken on notice at the Council meeting held on 19 October 2010:

Mr M Sideris, Mullaloo:

Re: *Turfmaster Pty Ltd*

Q1 *In a recent article in the Joondalup Times Mayor Pickard publicly stated that the City spent \$580,000 over a three year period on legal advice on the dispute between the City of Joondalup and Turfmaster Pty Ltd. Please confirm the stated amount spent on legal advice is correct?*

A1 The amount reported is very close to the actual amount expended.

Q2 *Has the City lodged a claim with its Insurer in order to recover legal costs associated with the legal dispute with Turfmaster Pty Ltd?*

A2 No.

Q3 *Has the City lodged a claim with its Insurers in order to recover some of the \$899,000 for remediation work at the sumps affected and all the consultancy fees as stated by Mayor Pickard?*

A3 No.

Q4 *Has the City supplied to the Department of Environment and Conservation (DEC) all outstanding information requested by the DEC on the sump spraying issue?*

A4 Yes.

Q5 *With reference to the Response received to my questions to the Council meeting of 21 September 2010, the City's Code of Conduct which requires every individual council member, committee member and employee of the City of Joondalup to be open and accountable to the public. Identify the specific Sections of the Local Government Act 1995 and the Local Government (Administration) Regulations 1996 that the Chief Executive Officer's relies upon in order to decline to respond to my questions as submitted?*

A5 Section 5.95 of the *Local Government Act 1995* and regulation 7 of the *Local Government (Administration) Regulations 1996*.

The following questions were submitted prior to the Council meeting:**Mr M Sideris, Mullaloo:**

Re: *Turfmaster Pty Ltd*

Q1 *With reference to the Payment Detail attached to the Agenda:*

Advise what portion of the payment EF014377 \$109,910.48 for Legal Advice provided by Minter Ellison was associated with the Turfmaster spraying of sumps dispute?

A1 \$520

Q2 *Advise why the City did not lodge a claim with its Insurer in order to recover the legal costs or any of the \$899,000 for remediation work and consultancy costs associated with the Turfmaster spraying of sumps dispute?*

A2 There is no insurance policy that covers legal fees associated with actions instigated by the insured.

Q3 *Advise the total costs the City incurred internally (in house) for managing the Turfmaster spraying of sumps dispute:-*

(a) from mid 2006 to December 2008;

(b) from January 2009 to the date signed settlement with Turfmaster Pty Ltd?

A3 Costs associated with this matter are absorbed within general administrative costs.

Mrs Marie Macdonald, Mullaloo:

Re: *Turfmaster Pty Ltd*

In answer to my questions relating to the Turfmaster issue requesting information on how the City stated any income and expenditure in the accounts resulting from the spraying of Hexazinone the City stated:

“A1-5 All costs arising from the actions of Turfmaster Pty Ltd are included in the line items “Employee Costs” and “Materials and Contracts” in the Income Statement by Nature/Type forming part of the Annual Financial Report for each of the respective years in question. They have also been reported in the monthly Financial Activity Statement to Council.”

Q1 *Given the above answer please state where I would find any income resulting from this event or can the City state that there has been none or that there will be none?*

In answer to my questions relating to the Turfmaster issue requesting information on how the City stated any income and expenditure in the accounts resulting from the spraying of Hexazinone the City stated:

“The primary standard that governs the reporting of financial information is AASB 101. Separate disclosure of individual items is required only where the omission of such separate disclosure would have a material impact on the presentation of the financial statements and AASB 101 expressly disallows the presentation of any items in the financial statements as extraordinary items.”

- Q2 *Given the above answer, why was expenditure not shown as an abnormal item given that it was not and could not have been an anticipated event?*
- Q3 *How does the City measure materiality in its accounts given that an event which increases the rates possibly by 3% would be extremely material to ratepayers?*
- Q4 *Does the City believe that no explanation is due to ratepayers by way of a note in the Annual Accounts of the City relating to all income and expenditure resulting from the spraying of hexazinone in the sumps of the City?*

A1-4 Mayor Pickard advised these questions will be taken on notice.

The following questions were submitted verbally at the Council meeting:

Mr C Nally, Heathridge:

Re: *CJ202-11/10 – Craigie Bushland Native Wildlife Sanctuary Feasibility Study and Management Plan*

Q1 *Many families are feeling financial stress at present. Should the Council not consult the ratepayers prior to burdening them with additional rates to fund a project which seems to be a suburban experiment that was not community driven and has had no community involvement?*

A1 Mayor Pickard advised that the City is not planning an additional levy or rate to fund the management and operation of the fauna and flora reserve. Mayor Pickard advised that the remainder of the question will be taken on notice.

Q2 *Would Council agree that introducing widespread native animals does not balance out against loss of a recreational/relaxation facility such as the Craigie Bushland prior to the fence being erected?*

A2 Mayor Pickard advised that the space in question is a unique area of bushland, when compared with the many parks and public open space within the City. The Council has previously made decisions to commence a process to convert the area into a fauna and flora reserve, whilst still providing opportunities for members of the public to gain access and enjoy its beauty and uniqueness. The only difference now is that dogs are not permitted inside the enclosure. Within the City of Joondalup and adjacent to the Craigie Bushland there are many opportunities for members of our community who own dogs to recreate and exercise their dogs in other parks and bushland settings.

Mrs M Nally, Heathridge:

Re: *CJ202-11/10 – Craigie Bushland Native Wildlife Sanctuary*

Q1 *Dr Orsini's report describes the opportunity to have a native animal sanctuary at Craigie Bushland as regionally significant and unique in Australia since it would be the first sanctuary to be within 25 kilometres of a major CBD. How can this be the case when his own report describes the woodland reserve at Whiteman Park as being approximately 18 kilometres from the CBD of Perth?*

A1 Mayor Pickard advised that Mrs Nally would find that Whiteman Park is not a sanctuary, but a reserve and there is a distinct technical difference between the two. This will be investigated and a further response provided.

Q2 *What steps does the Council plan to take to deal with the publicity that will be generated over the use of 'foot hold' and 'leg hold' traps described by the RSPCA as cruel and inhumane in the eradication of feral animals in the planned native animal sanctuary at Craigie Bushland?*

A2 Mayor Pickard advised that there will be no risk to the public during the eradication of introduced and exotic species in the bushland. It is clearly identified in the report that the sanctuary will be closed off for a period of time to allow the eradication process to take place. There will be zero human risk unless a person was to scale the fence. The area will be appropriately signed warning residents of the risks and dangers.

Mr S Magyar, Heathridge:

Re: *CJ202-11/10 – Craigie Bushland Native Wildlife Sanctuary*

Q1 *Can the City give any indication when the community consultation plan would be drawn up and when community involvement was likely to occur?*

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

PUBLIC STATEMENT TIME

Mrs M Nally, Heathridge:

Re: *CJ202-11/10 – Craigie Bushland Native Wildlife Sanctuary*

Mrs Nally spoke against the development of a fauna and flora/native wildlife sanctuary within the Craigie Bushland.

Mr S Magyar, Heathridge:

Mr Magyar offered congratulations and thanks with respect to the following matters:

- Mayor Pickard being appointed as Vice President of the Australian Local Government Association.
- Provision of 'red' and 'green' indicator arrows in the Annual Financial Statements with respect to the City's performance as a result of a suggestion at the 2009 Annual General Meeting of Electors.
- Consideration being given to other species and the work being undertaken within Craigie Bushland.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Christine Hamilton-Prime 3 to 19 November 2010 inclusive.

C57-11/10 REQUESTS FOR LEAVE OF ABSENCE - CR TRONA YOUNG AND CR PHILIPPA TAYLOR

Cr Trona Young requested Leave of Absence from Council duties covering the period 19 to 28 November 2010 inclusive.

Cr Philippa Taylor requested Leave of Absence from Council duties covering the period 9 to 18 December 2010 inclusive.

MOVED Cr Hollywood, SECONDED Cr McLean that Council APPROVES the Requests for Leave of Absence covering the following dates:

Cr Young	19 to 28 November 2010 inclusive
Cr Taylor	9 to 18 December 2010 inclusive

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

CONFIRMATION OF MINUTES

C58-11/10 MINUTES OF COUNCIL MEETING, 19 OCTOBER 2010

MOVED Cr Amphlett, SECONDED Cr Norman, that the Minutes of the Council Meeting held on 19 October 2010 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

SUMMER EVENT SERIES

Mayor Pickard advised the City's summer event series had now commenced, with two successful events, *Jazz in the Park* and the *Little Feet Festival*.

The summer calendar of events, which runs until the end of March 2011, offers free family-friendly events to the residents at a range of different locations across the City.

Mayor Pickard stated the next events to be held would be *Joondalup Upmarket* and the second concert in the *Music in the Park* series, *Funk and Soul in the Park*.

Mayor Pickard advised *The Joondalup Upmarket* would open soon and feature local wares from some of Perth's most talented artists and designers.

Held at Central Walk, Joondalup for five Fridays from Friday 19 November 2010, the markets will be open from 6.00 pm to 9.00 pm and will be accompanied by free live music and children's entertainment.

FUNK AND SOUL IN THE PARK

Mayor Pickard advised that *Funk and Soul in the Park* would be held at Penistone Park in Greenwood on Saturday, 4 December 2010 from 7.00 pm.

He said the concerts were always a great night out, they were free and family friendly.

Mayor Pickard stated that information on both these events was available on the City's website.

JOONDALUP @ PRAYER

Mayor Pickard advised that on Sunday, 28 November 2010 he would be participating in a joint prayer session for the City of Joondalup at ECU Sports and Recreation Centre in Joondalup.

He said this would be an unprecedented occasion where local community members, churches and community groups would all be praying as one voice for the greater good of the Joondalup region.

Mayor Pickard encouraged community members to attend, stating the event itself would run from 1.00 pm to 6.00 pm with the main prayer focus being between 2.40 pm to 4.00 pm.

Mayor Pickard believed this event would be another reminder of the importance of faith within our community and the power of prayer.

Mayor Pickard advised that more information on the event could be obtained by contacting the Joondalup@prayer Organising Committee on 9400 2310.

ANNUAL GENERAL MEETING OF ELECTORS

Mayor Pickard advised that the City's Annual General Meeting of Electors for 2010 would be held on Monday 29 November, 2010 in the Council Chambers.

Starting at 7.00 pm, he said the meeting would give Electors, an opportunity to ask questions in relation to the City's performance in 2009/10.

Mayor Pickard said the City's Annual Report would also be received, together with the Annual Financial Statements and Auditor's Report.

Mayor Pickard encouraged members of the community to attend as it would be a great opportunity to see what was achieved by the City in 2009/10.

DECLARATIONS OF INTEREST

Disclosure of Financial Interests

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

Name/Position	Mayor Troy Pickard
Item No/Subject	CJ190-11/10 - Proposed modifications to tavern Including internal reconfiguration, external façade, increase in patron numbers and change of use from shop to tavern at lot 5003 (14) Hobsons Gate, Currambine.
Nature of interest	Financial Interest
Extent of Interest	Mayor Pickard received a contribution to the 2009 Mayoral Election Campaign from the applicant, which has been declared previously in the election return.

Name/Position	Cr Tom McLean
Item No/Subject	CJ190-11/10 - Proposed modifications to tavern Including internal reconfiguration, external façade, increase in patron numbers and change of use from shop to tavern at lot 5003 (14) Hobsons Gate, Currambine.
Nature of interest	Financial Interest
Extent of Interest	Cr McLean is purchasing a property at Lot 5006 (24) Chesapeake Way.

Disclosure of interest affecting impartiality

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

Name/Position	Mayor Troy Pickard
Item No/Subject	CJ193-11/10 - 2010/11 Sports Development Program – Round 1.
Nature of interest	Interest that may affect Impartiality.
Extent of Interest	Mayor Pickard is a patron of the Joondalup District Cricket Club.

Name/Position	Mr Mike Smith – Manager, Leisure and Cultural Services
Item No/Subject	CJ193-11/10 - 2010/11 Sports Development Program – Round 1.
Nature of interest	Interest that may affect Impartiality.
Extent of Interest	Mr Smith is a life member of the Joondalup District Cricket Club.

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

Nil.

C59-11/10 PETITIONS

- 1 PETITION REQUESTING COUNCIL TO IMPLEMENT TRAFFIC CALMING IN TRAILWOOD DRIVE, WOODVALE, BETWEEN THE RISE IN THE EAST AND THE RETURN IN THE WEST – [35580, 05386, 01398]

A 166 - signature petition has been received from Electors of the City of Joondalup requesting Council implements as a matter of the greatest urgency, traffic calming in Trailwood Drive, Woodvale between The Rise in the east and The Return in the west.

- 2 PETITION REQUESTING THE RE-INSTATEMENT OF SOCCER GOAL(S) AT SEACREST PARK, SORRENTO – [02146]

A 77 - signature petition has been received from Electors of the City of Joondalup requesting Council re-instate at Seacrest Park, Sorrento, one (or two) soccer goal (s) and netting, as per the previous unit that was removed prior to the redevelopment of Seacrest Park, without consultation with residents. The said soccer goal(s) need to be located in the same location as previous, but at any number of available and suitable sites that will not impinge on the use of any football or cricket ovals used for organising sporting events and competitions.

MOVED Cr Chester, SECONDED Cr Hollywood that the following petitions be RECEIVED, referred to the CEO and a subsequent report presented to Council for information:

- 1 **Petition Requesting Council to implement traffic calming in Trailwood Drive, Woodvale between The Rise in the east and The Return in the west;**
- 2 **Petition requesting the re-instatement of soccer goal(s) at Seacrest Park, Sorrento.**

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

CJ187-11/10 MONTHLY TOWN PLANNING DELEGATED AUTHORITY REPORT DEVELOPMENT, CODE VARIATIONS AND SUBDIVISION APPLICATIONS - SEPTEMBER 2010

WARD:	All
RESPONSIBLE:	Ms Dale Page, Director Planning and Development
FILE NUMBER:	07032, 05961
ATTACHMENTS:	Attachment 1 September 2010 Decisions planning applications Attachment 2 September 2010 Decisions building applications Attachment 3 September 2010 Subdivision applications processed

PURPOSE

To report on the number and nature of applications considered under Delegated Authority.

EXECUTIVE SUMMARY

The provisions of Clause 8.6 of the text to the District Planning Scheme No 2, allow Council to delegate all or some of its development control powers to a committee or an employee of the City.

The purpose of delegation of certain powers by Council, in addition to other town planning matters, is to facilitate timely processing of development applications, R-codes variations and subdivision applications. The framework for the delegation of those powers is set out in resolutions adopted by Council and is reviewed on a two yearly basis, or as required. All decisions made by staff, acting under delegated authority as permitted under the delegation notice, are reported to Council on a monthly basis.

This report identifies:

- 1 Planning applications (development applications and Residential Design Codes variations);
- 2 Building applications (Residential Design Codes variations); and
- 3 Subdivision applications.

determined by those staff members with Delegated Authority powers during September 2010 (as detailed in Attachments 1, 2 and 3).

BACKGROUND

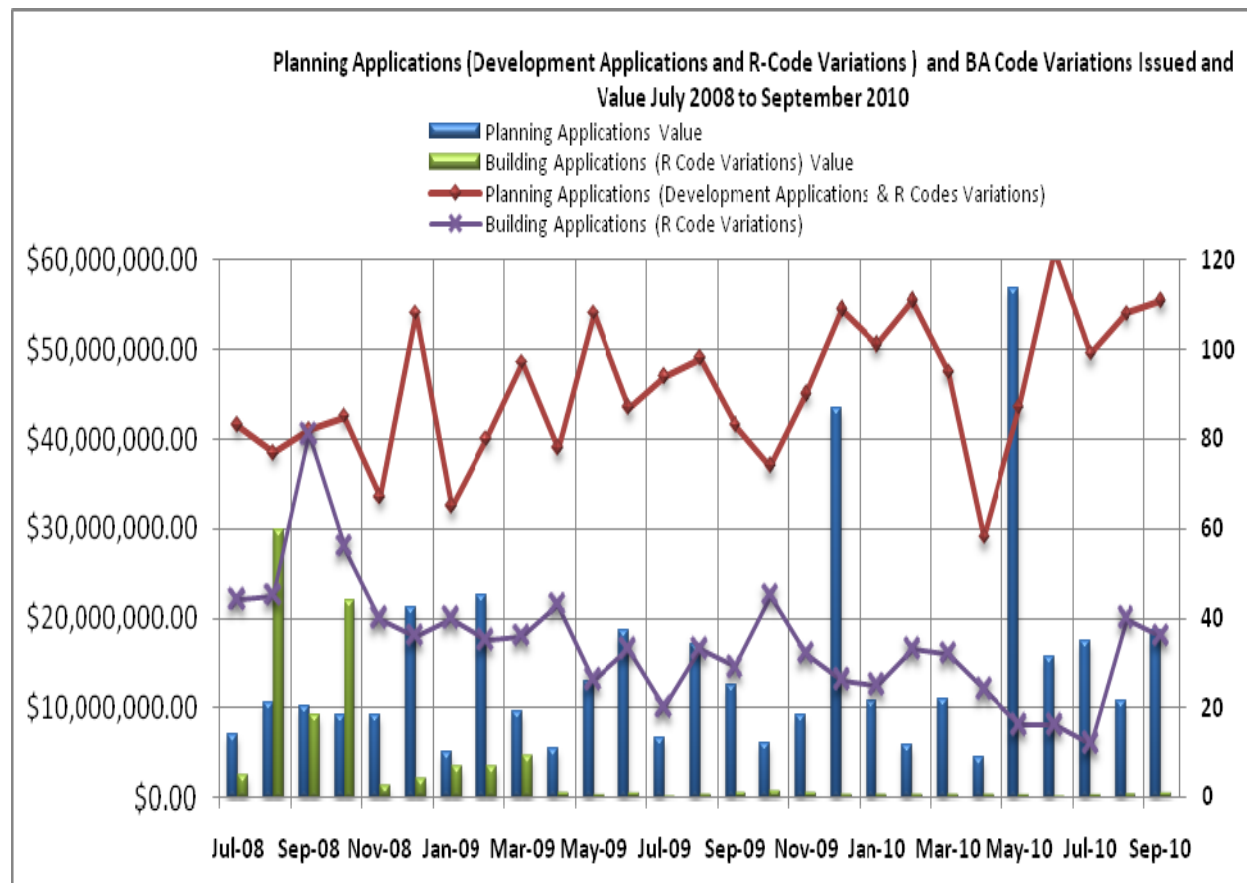
The District Planning Scheme No 2 requires that delegation be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 20 July 2010, Council considered and adopted the most recent Town Planning Delegation.

DETAILS

The number of applications determined under delegated authority for the period of September 2010, is shown below:

Approvals determined under delegated authority – September 2010		
Type of Approval	Number	Value (\$)
Planning applications (development applications and R-Codes variations)	112	\$19,236,780
Building applications (R-Codes variations)	36	\$ 406,360
TOTAL	148	\$19,643,140

The number of development applications received during the period for September was 116. (This figure does not include any applications that may become the subject of an R-Code variation as part of the building licence approval process).



Subdivision approvals processed under delegated authority From 1 September to 30 September 2010		
Type of approval	Number	Potential additional new lots
Subdivision applications	1	1
Strata subdivision applications	1	1

The above subdivision applications may include amalgamation and boundary realignments, which may not result in any additional lots.

Legislation/Strategic Plan/Policy Implications

Legislation Clause 8.6 of the District Planning Scheme No 2 permits development control functions to be delegated to persons or Committees. All subdivision applications were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

Strategic Plan

Key Focus Area The Built Environment

Objective 4.1.3 Give timely and thorough consideration to applications for statutory approval.

The use of a delegation notice allows staff to efficiently deal with many simple applications that have been received and allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

Policy

As above.

Risk Management considerations:

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

Financial/Budget Implications:

A total of 148 applications were determined for the month of September with a total amount of \$64,127 received as application fees.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Consultation may be required by the provisions of the Residential Design Codes, any relevant policy and/or the District Planning Scheme.

Of the 112 development applications determined during September 2010, consultation was undertaken for 44 of those applications. Applications for Residential Design Codes variations as part of building applications are required to include comments from adjoining landowners. Where these comments are not provided, the application will become the subject of a planning application (R-Codes variation). The two subdivision applications processed during September 2010 were not advertised for public comment, as the proposals complied with the relevant requirements.

COMMENT

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

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Amphlett, SECONDED Cr Hollywood that Council NOTES the determinations made under Delegated Authority in relation to the:

- 1 Development applications and R-Codes variations described in Attachments 1 and 2 to Report CJ187-11/10 during September 2010;**
- 2 Subdivision applications described in Attachment 3 during September 2010.**

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf091110.pdf](#)

CJ188-11/10 DIRECTIONS 2031 - OUTER METROPOLITAN PERTH AND PEEL SUB-REGIONAL STRATEGY

WARD: All

RESPONSIBLE: Ms Dale Page, Director Planning and Development

FILE NUMBER: 07147

ATTACHMENTS: Attachment 1 Submission on sub-regional strategy

PURPOSE

The purpose of this report is to inform Council of a draft document released by the Western Australian Planning Commission (WAPC), regarding the future planning for the outer metropolitan region of Perth and Peel and to seek endorsement of the submission on the document.

EXECUTIVE SUMMARY

The *Directions 2031 and Beyond* final report, the highest level strategic plan that establishes a vision for future growth of the Perth and Peel regions was recently released by the State Government. At the same time, two sub-regional strategies: outer metropolitan Perth and Peel and central metropolitan Perth were released for public comment. The sub-regional strategies provide a framework for delivering the objectives of Directions 2031.

A draft submission on the document has been prepared for Council consideration and endorsement. Generally, the principles outlined in the outer metropolitan strategy are supported. However, the majority of the strategy does not apply to the City of Joondalup as it is mainly relevant for local governments with significant greenfield land available for development.

The strategy lacks detail on how the estimated dwelling yield for infill/redevelopment in the City of Joondalup was calculated. The inclusion of detailed information on the location of the infill/redevelopment growth areas would be beneficial.

BACKGROUND

The draft Directions 2031 document was released for public comment in June 2009 by the Western Australian Planning Commission. It is a high level spatial framework and strategic plan that establishes a vision for the future growth of the Perth and Peel region. It provides a framework to guide the detailed planning and delivery of housing, infrastructure and services.

At its meeting held on 18 August 2009, Council endorsed a submission on Directions 2031 (CJ171-08/09 refers).

Following the consultation period the State Government released a final report titled *Directions 2031 and Beyond* (hereafter referred to as Directions 2031) in August 2010. Also released were two draft sub-regional strategies that are intended to help in the implementation of Directions 2031. The sub-regional strategies are *Outer Metropolitan Perth and Peel* and *Central Metropolitan Perth* which are currently out for public comment. The sub-regional strategies provide a framework for delivering the objectives of Directions 2031. They provide guidance at the local level and address issues that extend beyond local government boundaries. The strategies are primarily concerned with accommodating the estimated population growth up to 2031, which is expected to grow from 1.65 million to over 2.2 million by 2031.

DETAILS

The City of Joondalup is identified in the draft Outer Metropolitan Perth and Peel Sub-regional Strategy (sub-regional strategy). This strategy addresses strategic planning issues in the outer sub-regions of north-west, north-east, south-east and south-west metropolitan Perth and the Peel sub-region.

The sub regional strategy:

- provides information about expected population growth;
- identifies potential urban expansion areas;
- estimates dwelling supply based on identified infill opportunities, existing Urban and Urban Deferred zoned land and urban expansion and investigation areas;
- investigates the development potential of planned and future urban growth areas; and
- supports the planning and delivery of land for employment growth and actions to support economic development.

Directions 2031 identified the need to establish an Urban Expansion Management Program to guarantee there is sufficient land available for development at all times without the need for blanket rezonings. This program will be responsible for ensuring at least a 15 year supply of urban and urban deferred zoned land and a ten year buffer of urban expansion areas. It is one of the key features of the Outer Metropolitan Sub-regional Strategy.

Issues and options considered:

Council has the option to:

- Endorse the submission on the draft Outer Metropolitan Perth and Peel Sub-regional Strategy and forward to the Department of Planning;
- Modify the submission, and forward to the Department of Planning; or
- Not forward the submission to the Department of Planning.

Legislation/Strategic Plan/Policy Implications

Legislation

Directions 2031 is the highest level Metropolitan Spatial Framework and Strategic Plan. It guides planning policy to accommodate and manage population growth within Perth and Peel to 2031 and beyond. It replaces all previous metropolitan strategic plans and supersedes Network City. It is not a statutory document.

Strategic Plan

Key Focus Area: Economic prosperity and growth

Objective: To encourage the development of the Joondalup CBD.
To increase employment opportunities within the City.

Key Focus Area: The built environment

Objective: To ensure high quality urban development within the City.
To progress a range of innovative and high quality urban development projects within the City.

Policy

Not Applicable.

Risk Management considerations:

The absence of a strategic sub-regional approach to planning, economic development and infrastructure planning risks the ad hoc delivery of major infrastructure, transport, and services for the north-west sub-region.

Financial/Budget Implications:

There are no financial implications for this financial year. The projected dwelling yield and population growth for the north-west sub region may result in a number of financial benefits such as increased rate revenue for the City, and greater utilisation of social infrastructure such as recreation, education and health services. Conversely, increased population may require the provision of additional services and facilities.

Regional Significance:

The sub-regional strategy provides guidance across local government boundaries at the sub-regional level for delivering the objectives of Directions 2031 and how to achieve the housing and employment targets.

A Structure Plan for the sub-regional area will be prepared by the Department of Planning with its own principles and policies for the region to which lower order structure plans will need to align.

The Cities of Joondalup and Wanneroo are seeking to secure State Government support for the establishment of a Regional Governance Framework to coordinate and manage economic development and infrastructure planning in the north-west region. The Regional Governance Framework will develop agreed North West regional strategies that feed into State Government strategies such as Directions 2031 which will provide future oriented and publicly available long term strategic plans to manage population and economic growth and subsequently feed into the required long term planning for the Federal Government's Future Strategic Planning of Capital Cities.

Sustainability Implications:Environmental

The sub-regional strategy recognises the need to protect the natural and built environments and scarce resources, by including strategies and actions to achieve this.

The strategy includes opportunities and constraints mapping based on a broad framework of environmental, economic, social and cultural factors. The opportunities and constraints map identifies areas with most potential for future urban expansion and areas that are highly constrained and not suitable for urban expansion.

Social

The sub-regional strategy supports social sustainability by promoting and increasing housing diversity, affordability and choice.

Economic

Directions 2031 promotes an employment self-sufficiency target of 60%, however, the existing employment self-sufficiency in the north-west sub-region is currently 41%. The employment self sufficiency targets set by the Directions 2031 will guide the extent of commercial and retail development, activity centres and the provision of industrial and employment land in the north-west region. Long term and strategic planning for the supply of sufficient employment in the north-west corridor will reduce the number of people leaving the area for employment, thereby reducing traffic congestion, peak loads on public transport and travel costs.

A coordinated and integrated regional approach to transport, major projects, infrastructure provision, employment and urban growth management will address urban sustainability into the future and take into account strategic priorities for the whole of the north-west region.

Consultation:

The Western Australian Planning Commission is undertaking a three month public consultation period, which ends on 29 November 2010.

COMMENT

The sub-regional strategy is generally supported as it provides a coherent framework to guide the public and private sector in the planned growth of the metropolitan region.

However, like all draft plans there are certain areas where it is considered that refinement is required (as detailed in Attachment 1). Provided below are comments around the major themes of the sub-regional strategy.

Directions 2031 and Beyond

While Directions 2031 has been finalised by the State Government, it is considered important to note a major shift or change that occurred between the consultation document and the final document. The draft Directions 2031 document identified a hierarchy of centres across the metropolitan region, reflecting the maturation and diversity of those centres. Two Primary Centres were identified, being Joondalup and Rockingham. In its submission to the Western Australian Planning Commission the Council noted, in part:

- 1 the importance of the designation of the City as the Primary Centre for the North West sub-region;
- 2 that the City should be the only designated Primary Centre in the North West region for the foreseeable future;
- 3 any change to the status of other centres within the sub-region in the foreseeable future, will only serve to undermine the level of any new investment and the rate of growth of Joondalup City, and the realisation of the full potential of investment to date.

In a change of approach the finalised Directions 2031 document retained the terminology of Primary Centre, as an aspiration, but classified 10 centres across the metropolitan region as Strategic Metropolitan Centres, including Joondalup.

From a policy perspective, and the potential flow-on effect to investment, it is considered this final approach by State Government lacks the clarity of the earlier vision which better reflected the varying maturation of the centres across the metropolitan region.

It is worthwhile noting that the final document states that a primary centre should house major institutions, and address issues of accessibility, land availability, local amenity, communication, technology and available skilled labour. In this regard it is considered that Joondalup City Centre already achieves this in the following ways:

- Contains the major institutions of Joondalup Health Campus, Edith Cowan University, West Coast Institute of Training, WA Police Academy, plus a number of state and federal government agencies;
- Major retail facilities;
- Major train station and bus interchange;
- Growing resident population;
- Major sporting facility; and
- Range of entertainment facilities including cinemas and restaurants.

Urban Expansion and Investigation Areas

As stated earlier the City is identified within the outer sub-regional strategy. This strategy is predominantly geared towards local governments with a significant amount of greenfield land available for development. Along with Urban and Urban Deferred zoned land that is undeveloped it also identifies urban expansion and investigation areas.

It is noted that there are no urban expansion or urban investigation areas identified within the City of Joondalup, nor Urban Deferred undeveloped land. Furthermore, the remaining undeveloped Urban zoned land at Burns Beach and Iluka are covered by approved structure plans which are in the final phase of development, with only a few stages remaining to be subdivided.

The introduction of the urban expansion management program is supported. However it is considered that it will have little impact on the City of Joondalup, as the City is nearly fully developed with the remaining greenfield land already covered by an approved Structure Plan.

Estimated Dwelling yield - greenfield

The sub-regional strategy identifies dwelling estimates based on two scenarios of 'business as usual' and 'connected city'. The business as usual scenario estimates a dwelling yield for Burns Beach/Iluka of 900 dwellings. This is similar to the City's calculations of approximately 1,000 lots remaining to be subdivided. The City's figure is based on the approved structure plans.

Under the 'connected city' scenario the strategy identifies a potential yield of 1,400 dwellings, which represents an increase of 500 dwellings. It is acknowledged that the strategy has applied a standard mathematical increase across all 'greenfield' sites in the metropolitan region. Furthermore, while it is considered that there could be potential for an increased yield from the undeveloped portions of Burns Beach and Iluka, given the existing approved structure plans and no indication from the developer that there is an appetite for reviewing the structure plan and significantly increasing density, then the targets may not result in change.

It is recommended that the estimated dwelling supply for the connected city scenario be reviewed in light of the approved structure plans.

Infill/Redevelopment

Estimated Dwelling yield – infill/redevelopment

The outer sub-regional strategy identifies a 'business as usual' target of 9,300 dwellings through infill development and a 'connected city' target of 10,900 through infill. The draft outer sub-regional strategy is silent on how these targets have been derived or where it anticipates the increased density to occur.

Without a map of what areas were included in the calculation of the figures of 9,300 and 10,900 dwellings or an explanation of how this figure was calculated, it is difficult for the City to comment or check/ verify the proposed targets.

It is noted that the draft sub-regional strategy for the central metropolitan area includes more detailed maps and detail that explains the dwelling targets. It is considered that the draft strategy for Joondalup also include maps of the growth areas, similar to those included in the central sub-regional strategy, and a detailed breakdown of the growth areas including the estimated dwelling yields for these individual growth areas.

Draft Local Housing Strategy

The City recently advertised its draft Local Housing Strategy (LHS) for public comment. The draft LHS estimates an additional 1,800 dwellings will be created from known redevelopment sites and the continued development of the City Centre. In addition to this, a further 4,716 dwellings are estimated from the Housing Opportunity areas (areas proposed to have higher density codes) and the existing lots with development potential. This figure is based on a take up rate of 35%, which is based on information provided by the Department of Planning. Therefore, the estimated dwelling yield for infill/redevelopment in the City of Joondalup is 6,516 dwellings, which is significantly different to the WAPC's figures of 9,300 and 10,900.

Source of new dwellings	Estimated nett gain in dwellings		Draft Sub-Regional Strategy	
	'No change in densities' scenario	As recommended in the draft LHS	Business as usual	Connected City
City Centre	1,500	1,500		
Known development sites	300	300		
Infill (suburban 'Mums and Dads' developments)	3,110@35% = 1,088	3,781 (assuming 10,804 nett gain in dwellings in the HOAs @35% take-up) 935 (2,671 R20 development outside the HOAs @35% take-up) 4,716	Note: Rationale for figure not provided within the draft sub-regional strategy.	Note: Rationale for figure not provided within the draft sub-regional strategy.
TOTAL	2,888	6,516	9,300	10,900

The draft Local Housing Strategy proposes 10 Housing Opportunity Areas which are based on locational criteria underpinned by sound planning principles. The location criteria are:

- 800m catchment around Currambine, Joondalup, Edgewater, Whitfords, Greenwood and Warwick railway stations
- 800m catchment around Joondalup City Centre and the regional centres of Westfield Whitfords and Centro Warwick
- 400m catchment around district centres of Woodvale, Greenwood and Currambine
- 400m catchment around neighbourhood centres close to high frequency public transport services
- 400m catchment around high frequency bus routes
- Suburbs which would benefit from revitalisation
- Land abutting Right of Ways (laneways)

A similar approach to the above would be welcomed within the sub-regional strategy.

Dwelling supply assumptions

The sub-regional strategy makes the following dwelling supply assumptions in regards to infill development:

- Dwelling supply through infill development is based on known major infill and redevelopment projects.
- The estimated take up rate for infill development will range from a business as usual take-up rate of 85% to a connected City take-up rate of 100%.

There are several concerns with the dwelling supply assumptions. Firstly, (as previously mentioned), the document does not identify the known major infill and redevelopment projects, therefore the City does not know what areas have been included/identified as infill and is unable to check that these areas are correct.

Secondly, the estimated take up rate for infill development of 85% under the business as usual scenario and 100% under the connected city scenario is vastly higher than the figure of 35% used by the City in the draft Local Housing Strategy (LHS). There will be a large difference in estimated dwelling supply based on a take up rate of 85% to 100% as opposed to a take up rate of 35%.

It is possible the take up rate for infill development of 85% to 100% used in the strategy refers to a different type of infill or redevelopment than what the LHS refers to. However, this is not made clear in the strategy and requires clarification.

Economic development and employment growth

The City of Joondalup is currently working with the City of Wanneroo and the Department of Planning to provide input into the employment self sufficiency targets for Activity Centres in the north-west sub-region. It is also proposed that the Cities of Joondalup and Wanneroo will begin to work with the Department of Planning in December to develop an economic development and employment strategy for the north-west sub-region. This is one of the key sub-regional planning actions identified in the Outer Metropolitan Perth and Peel Sub Regional Strategy report and the City is supportive of this approach.

Conclusion

The majority of the outer sub-regional strategy does not apply to the City of Joondalup as it mainly relates to local government areas with significant greenfield land available for development. It is recommended that more detailed information on the location of the infill/redevelopment growth areas and associated dwelling yields be included in the outer sub-regional strategy.

Furthermore, it is considered that the detailed work that the City has undertaken in the draft Local Housing Strategy (including an extensive public consultation process) should form the basis for dwelling targets in the City of Joondalup. The draft LHS provides detailed mapping and forecasts/ targets for areas across the City, and is based on sound planning principles on the spatial distribution of density and the delivery of increased housing diversity in the City.

The Department of Planning has been requested to provide information and clarity on how the housing targets and take up rates have been developed, and the assumptions that underpin those targets. The City has been advised that the information will be provided, however, at the time of writing this report, the information was not available.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Corr , SECONDED Cr Chester that Council:

- 1 ENDORSES the submission from the City of Joondalup on the draft Outer Metropolitan Perth and Peel sub-regional Strategy, as outlined in Attachment 1 to Report CJ188-11/10, and forwards the submission to the Western Australian Planning Commission;**
- 2 ADVISES the Western Australian Planning Commission that Council:**
 - 2.1 Does not support the finalised Directions 2031 and Beyond document insofar that it has removed Joondalup City Centre from a Primary Centre status.**
 - 2.2 Requests that the classification of the Joondalup City Centre be revised as it is considered to achieve Primary Centre status as it contains:**
 - The major institutions of Joondalup Health Campus, Edith Cowan University, West Coast Institute of Training, WA Police Academy, plus a number of state and federal government agencies;**
 - Major retail facilities;**
 - A major train station and bus interchange;**
 - A growing resident population;**
 - A major sporting facility;**
 - A range of entertainment facilities including cinemas and restaurants;**
 - 2.3 Supports the introduction of the urban expansion management program, however notes that it will have little impact on the City of Joondalup due to limited greenfield land;**
 - 2.4 Recommends that the estimated greenfield dwelling yield under the connected city scenario be reviewed given that the targets do not reflect the approved structure plans;**
 - 2.5 Cannot provide comment on, or support, the infill/redevelopment dwelling yields as the draft strategy does not provide adequate detail how these calculations have been derived or where it anticipates the infill development to occur;**

- 2.6** Recommends that the draft Outer Metropolitan Perth and Peel sub-regional Strategy identify major growth areas, similar to that contained in the draft central sub-regional strategy, with a detailed breakdown estimating the dwelling yields for each area;
- 2.7** Notes that the draft City of Joondalup Local Housing Strategy estimates an additional dwelling yield of 6,516 dwellings which is significantly different to the WAPC's figures of 9,300 and 10,900;
- 2.8** Recommends that the targets for the Outer Metropolitan Perth and Peel sub-regional strategy for the City of Joondalup should be based on the draft City of Joondalup Local Housing Strategy, as it is considered that the planned housing densities and spatial distribution meet the principles and actions as outlined in the Outer Metropolitan Perth and Peel sub-regional strategy, in particular, noting that the draft Local Housing Strategy projections are based on:
- Known redevelopment areas;
 - Proposed Housing Opportunity Areas;
 - Existing subdivision potential;
 - Take up rate of 35%;
- 2.9** Supports the development of an economic development and employment strategy for the north-west sub-region in conjunction with the Department of Planning and City of Wanneroo;
- 2.10** Requests that the document be carefully reviewed and amended to ensure the following properties are not shown as 'urban undeveloped land', given that the sites are not residential development sites:
- Sacred Heart College (15 Hocking Parade, Sorrento) is zoned under the Scheme as Private Clubs/Recreation;
 - Geneff Park (22 Padbury Circle, Sorrento) is reserved under the Scheme as Parks and Recreation;
 - Lacepede Park (27 Lacepede Drive, Sorrento) is reserved under the Scheme as Parks and Recreation;
 - Falkland Park (17 Falkland Way, Kinross) is reserved under the Scheme as Parks and Recreation;
 - MacNaughton Park (9 MacNaughton Crescent, Kinross) is reserved under the Scheme as Parks and Recreation;

- **Timberlane Park (17 Althaea Way, Woodvale) is reserved under the Scheme as Parks and Recreation;**
- **Canham Way Service Industrial area, Greenwood is zoned under the Scheme as Service Industrial;**

Note: the above list is not comprehensive and the Department of Planning is requested to review the information provided within Figure 23.

- 2.11 Requests that, in regard to Appendix 1, as Tapping and Ashby are within the City of Wanneroo, reference to these suburbs be removed from the City of Joondalup housing calculations.**

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf091110.pdf](#)

CJ189-11/10 PROPOSED ADDITIONS TO JOONDALUP CITY HOTEL AT LOT 345 (18) GRAND BOULEVARD, JOONDALUP

WARD: North

RESPONSIBLE: Ms Dale Page, Director Planning and Development

FILE NUMBER: 84469

ATTACHMENTS: Attachment 1 Location plan
Attachment 2 Development plans
Attachment 3 Site Photo

PURPOSE

To request Council's determination of an application for additions to the existing hotel, located at 18 Grand Boulevard, Joondalup.

EXECUTIVE SUMMARY

The applicant is seeking planning approval for 20 additional rooms at the rear of the existing hotel at 18 Grand Boulevard, Joondalup.

The site is located on the corner of Grand Boulevard and Piccadilly Circle (as detailed in Attachment 1).

The proposal is considered to meet all the requirements of the Joondalup City Centre Development Plan and Manual (JCCDPM) other than the plot ratio of 1.5 in lieu of 1.0, and a parking shortfall of two bays.

At its meeting held on 25 May 2010, Council adopted the draft Joondalup City Centre Structure Plan (JCCSP), which is currently with the Western Australian Planning Commission (WAPC) to be certified. As the draft JCCSP has been adopted by Council it is considered a “seriously entertained planning proposal” and therefore should be given due consideration in the assessment and determination of this application. Under the draft JCCSP there is a shortfall of two parking bays, however there is no plot ratio requirement.

Having regard to the requirements of both the JCCDPM and draft JCCSP the variations are considered acceptable. On this basis, it is recommended that the application be approved.

BACKGROUND

Suburb/Location: Lot 345 (18) Grand Boulevard, Joondalup
Applicant: Fraser Kelly
Owner: The Fielding Superannuation Fund, the Perkins Superannuation Fund and Infinitee Pty Ltd
Zoning: **DPS:** Centre
MRS: Central City Area
Site Area: 1350m²
Structure Plan: Joondalup City Centre Development Plan and Manual (JCCDPM) and draft Joondalup City Centre Structure Plan (JCCSP)

The site is located on the corner of Grand Boulevard and Piccadilly Circle. The existing hotel on the site contains 37 self contained rooms, associated facilities and a café.

The property is zoned ‘Centre’ under the City of Joondalup District Planning Scheme No 2 (DPS 2) and is subject to the provisions of the JCCDPM. Under the JCCDPM the site is located within the City North District and is designated for General City Uses.

At its meeting held on 25 May 2010, Council adopted the draft JCCSP. Under the draft JCCSP the site is located within the ‘Mixed Use Corridor’ zone. This draft Structure Plan is currently with the Western Australian Planning Commission (WAPC) to be certified.

DETAILS

The proposed development incorporates the following:

- Three storey additions at the rear of the lot comprising 20 new self contained rooms;
- Reconfiguration of the existing car park to provide 20 car bays (inclusive of two disabled bays). This results in a net decrease of five car bays.

The application’s compliance with the relevant standards of the JCCDPM and draft JCCSP is summarised below:

		Required	Proposed
JCCDPM	Plot Ratio	1:1.0	1:1.5
	Car Parking	22	20
	Height	Three storey maximum	Three storeys
Draft JCCSP	Plot Ratio	No limit	1:1.5
	Car Parking	22	20
	Height	Three storey minimum Five storey maximum	Three storeys

Issues and options considered:

Council has the discretion to:

- Approve the application without conditions;
- Approve the application with conditions; or
- Refuse the application

Legislation/Strategic Plan/Policy Implications

Legislation District Planning Scheme No 2

The application proposes variations to the Structure Plan. Clause 4.5 of DPS2 gives Council discretion to consider these variations.

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

4.5.1 *Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*

4.5.2 *In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*

(a) *consult the affected parties by following one or more of the provisions for advertising uses pursuant to Clause 6.7.1; and*

(b) *have regard to any expressed views prior to making its decision to grant the variation.*

4.5.3 *The power conferred by this clause may only be exercised if the Council is satisfied that:*

(a) *approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*

(b) *the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

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

6.8 *Matters to be considered by Council*

6.8.1 *The Council when considering an application for Planning Approval shall have due regard to the following:*

- (a) Interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) Any relevant submissions by the applicant;*
- (c) Any agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
- (d) Any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) Any other matter which under the provisions of the Scheme the Council is required to have due regard;*
- (f) Any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*
- (g) Any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) The comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) The comments or wishes of any objectors to or supporters of the application;*
- (j) Any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) Any other matter which is relevant in the opinion of the Council.*

Strategic Plan

Key Focus Area: The built environment.

Objective: To ensure high quality urban development within the City.

Policy Council Policy - Joondalup City Centre Car Parking for Commercial Development

Car parking has been calculated in accordance with the JCCDPM and the JCCSP, as these both provide specific standards for this land use. The general commercial standard of one bay per 30m² NLA set out by the policy has not been applied in this instance.

Risk Management considerations:

The proponent has a right of review against Council's decision, or any conditions included therein, in accordance with the *State Administrative Tribunal Act 2004* and *Planning and Development Act 2005*.

Financial/Budget Implications:

The applicant has paid fees of \$2,500 to cover all costs with assessing the application.

Regional Significance:

Not Applicable.

Sustainability implications:

The applicant has provided the following information in regards to the sustainability of the development:

- All requirements of Building Codes of Australia part 3.12 (Energy efficiency) will be met or exceeded and all aspects of running the Hotel will be conducted with the aim of minimising energy use.
- The glazing of all eastern and western windows will be low-e pyrolytic glass in order to minimise heat gain.
- All common areas will incorporate fluorescent or compact fluorescent light fittings.

Furthermore, in accordance with the provisions of the draft JCCSP it is recommended that a condition of approval require shading of all new eastern and western windows via awnings, in order to ensure protection from direct summer sun.

Consultation:

The proposal was not advertised as it was considered that it would not adversely impact on the amenity of the locality or surrounding residents.

COMMENTLand Use

The lot is within the City North district of the JCCDPM and the Mixed Use Corridor of the draft JCCSP. Hotels are a permitted use in both of these zones.

Design

The subject site has been developed as a three storey hotel fronting onto Grand Boulevard and Piccadilly Circle. The rear of the property contains an at-grade car park which is accessed from a laneway.

The proposed additions to the hotel will be constructed on the southern portion of the site, building over the top of the reconfigured at-grade car park. As such, these additions will not be visible from the street.

These additions provide for a simple and efficient extension to the hotel. While the articulation that is evident in the front façade has not been replicated in the additions, it is considered that they are sufficient, given the rear location, and that it reflects the design of the immediate surrounding buildings.

It is noted that the development meets the required setbacks of both the JCCDPM and the draft JCCSP.

Car Parking

Car parking for the site has been calculated in accordance with the JCCDPM and the draft JCCSP (one per three bedrooms plus one per 30m² for any other commercial space accessible by the public).

Under both the JCCDPM and the draft JCCSP, 22 car bays are required. The applicant therefore proposes a 9% car parking shortfall.

Council is required to determine whether the 20 bays provided are sufficient to service the development. The options available to Council are:

- 1 Determine that the provision of 20 bays is appropriate; or
- 2 Determine that the provision of 20 bays is not appropriate; or
- 3 Determine that a cash-in-lieu payment of \$68,646 is required for the shortfall in parking.

In relation to access to public transport services it is noted that there is a bus stop within 75 metres of the site. Furthermore, the lot is 1,000 metres from the Joondalup train station.

Having regard to the central location of the hotel and its proximity to public transport, it is considered that the provision of 20 bays is sufficient for this development and that a cash-in-lieu payment is not required.

Plot Ratio

The additions generate a plot ratio of 1:1.5 which exceed the maximum plot ratio of 1:1 designated under the JCCDPM. The draft JCCSP has no plot ratio requirement.

Furthermore, the additions are compliant with the setback and height requirements of both the JCCDPM and the draft JCCSP.

On the basis that the draft JCCSP places no limitation on plot ratio and that the additions comply with the setback and height requirements, it is considered that the scale of the proposal is appropriate.

Construction Management

Parking on site will not be possible during the initial stage of construction, when the foundations of the additions are being established. It is anticipated that this stage will last for approximately a month.

After this first stage is completed, approximately 50% of the on-site car bays will be available for customer use.

There are five unrestricted parking bays in close proximity on Piccadilly Circle which would be utilised by the hotel during construction.

Furthermore, the City may issue parking permits for the neighbouring permit parking area on a cost per permit per day basis. There are also 24 permit parking bays along Hammersmith Court, which is located at the rear of the hotel. It is considered that in order to continue operating during construction parking permits will need to be obtained from the City.

It is therefore recommended that the specific number of permits required be determined through the submission of a construction management plan, which will require approval by the City prior to the issue of the Building Licence. This construction management plan will be requested as a condition of planning approval.

Conclusion

The proposed development complies with the requirements of DPS2 and the JCCDPM with the exception of plot ratio and car parking. It is considered that these variations should be supported as the proposal is appropriate for the location in regards to land use, bulk and scale of development. Furthermore, having regard to the draft JCCSP recently adopted by Council, the development is considered to meet all relevant objectives.

The proposed development will be a positive addition to the City Centre. It will provide additional short term accommodation to help meet the future demands of the growing City Centre.

Given the above, it is recommended that the application be approved.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION: That Council:

- 1 EXERCISES discretion in relation to Clauses 4.5 and 4.8.1 of the City of Joondalup District Planning Scheme No 2 and determines that the following are appropriate in this instance:
 - 1.1 Parking provision of 20 bays in lieu of 22 bays;
 - 1.2 A plot ratio of 1:1.5 in lieu of 1:1;
- 2 NOTES that the proposal does not meet the requirements of the draft Joondalup City Centre Structure Plan in relation to a parking provision of 20 bays in lieu of 22 bays;
- 3 APPROVES the application for planning approval dated 12 July 2010, submitted by Fraser Kelly on behalf of the owners, The Fielding Superannuation Fund, the Perkins Superannuation Fund and Infinitee Pty Ltd, for hotel additions at Lot 345 (18) Grand Boulevard, Joondalup, subject to the following conditions:
 - 3.1 This decision constitutes planning approval only and is valid for a period of two years from the date of the decision letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;
 - 3.2 All construction works shall be contained within the property boundary;

- 3.3 Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval prior to the issue of the relevant building licence;
- 3.4 The parking bays, driveways and access points to be designed in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and Off-street Parking for People with Disabilities (AS/NZS2890.6 2009). Such areas are to be constructed, drained and marked prior to the development first being occupied, and thereafter maintained, to the satisfaction of the City;
- 3.5 A Construction Management Plan being submitted and approved prior to the issue of the relevant Building Licence. The management plan shall detail how it is proposed to manage:
 - 3.5.1 the delivery of materials and equipment to the site;
 - 3.5.2 the storage of materials and equipment on the site;
 - 3.5.3 the parking arrangements for the contractors, subcontractors and the existing hotel;
 - 3.5.4 other matters likely to impact on the surrounding properties.

MOVED Cr McLean, SECONDED Cr Hollywood that Council:

- 1 **EXERCISES discretion in relation to Clauses 4.5 and 4.8.1 of the City of Joondalup District Planning Scheme No 2 and determines that the following are appropriate in this instance:**
 - 1.1 **Parking provision of 20 bays in lieu of 22 bays;**
 - 1.2 **A plot ratio of 1:1.5 in lieu of 1:1;**
- 2 **NOTES that the proposal does not meet the requirements of the draft Joondalup City Centre Structure Plan in relation to a parking provision of 20 bays in lieu of 22 bays;**
- 3 **APPROVES the application for planning approval dated 12 July 2010, submitted by Fraser Kelly on behalf of the owners, The Fielding Superannuation Fund, the Perkins Superannuation Fund and Infintee Pty Ltd, for hotel additions at Lot 345 (18) Grand Boulevard, Joondalup, subject to the following conditions:**
 - 3.1 **This decision constitutes planning approval only and is valid for a period of two years from the date of the decision letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;**
 - 3.2 **All construction works shall be contained within the property boundary;**

- 3.3 Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval prior to the issue of the relevant building licence;
- 3.4 The parking bays, driveways and access points to be designed in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and Off-street Parking for People with Disabilities (AS/NZS2890.6 2009). Such areas are to be constructed, drained and marked prior to the development first being occupied, and thereafter maintained, to the satisfaction of the City;
- 3.5 A Construction Management Plan being submitted and approved prior to the issue of the relevant Building Licence. The management plan shall detail how it is proposed to manage:
- 3.5.1 the delivery of materials and equipment to the site;
 - 3.5.2 the storage of materials and equipment on the site;
 - 3.5.3 the parking arrangements for the contractors, subcontractors and the existing hotel;
 - 3.5.4 other matters likely to impact on the surrounding properties.
- 3.6 The windows on the eastern and western façades are to be protected from direct sun. Plans demonstrating how this requirement will be satisfied are to be provided with the Building Licence Application, to the satisfaction of the City;
- 4 NOTES that once the construction management plan required by condition 3.5 has been received and accepted by the City, that surrounding residents will be advised of the development and how the construction and traffic will be managed.

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf091110.pdf](#)

Disclosure of Financial interest

Name/Position	Mayor Troy Pickard
Item No/Subject	CJ190-11/10 - Proposed modifications to tavern Including internal reconfiguration, external façade, increase in patron numbers and change of use from shop to tavern at lot 5003 (14) Hobsons Gate, Currambine.
Nature of interest	Financial Interest
Extent of Interest	Mayor Pickard received a contribution from the applicant, to the 2009 Mayoral Election Campaign which has been declared previously in the election return.

Name/Position	Cr Tom McLean
Item No/Subject	CJ190-11/10 - Proposed modifications to tavern Including internal reconfiguration, external façade, increase in patron numbers and change of use from shop to tavern at lot 5003 (14) Hobsons Gate, Currambine.
Nature of interest	Financial Interest
Extent of Interest	Cr McLean is purchasing a property at Lot 5006 (24) Chesapeake Way.

Mayor Pickard and Cr McLean left the Chamber at 7.33 pm.

Cr Amphlett assumed the Chair.

CJ190-11/10 PROPOSED MODIFICATIONS TO TAVERN INCLUDING INTERNAL RECONFIGURATION, EXTERNAL FAÇADE, INCREASE IN PATRON NUMBERS AND CHANGE OF USE FROM SHOP TO TAVERN AT LOT 5003 (14) HOBSONS GATE, CURRAMBINE

WARD: North

RESPONSIBLE: Ms Dale Page, Director Planning and Development

FILE NUMBER: 100366

ATTACHMENTS: Attachment 1 Locality plan
Attachment 2 Development plans
Attachment 3 External finishes schedule
Attachment 4 Perspective drawings
Attachment 5 Map of submissions
Attachment 6 Resolutions of Council meetings - November 2008 and April 2009

PURPOSE

To request Council's determination of an application for minor internal and external facade changes to an approved tavern building, an increase in patron numbers and change of use for a portion of the development from shop to tavern on Lot 5003 (14) Hobsons Gate, Currambine.

EXECUTIVE SUMMARY

At its meeting held of 25 November 2008, Council approved an application for a tavern, office and shop on the subject site. A further amendment to the application was approved by Council at its meeting held on 21 April 2009, removing the office from the proposal and modifying the shop, car parking areas and the design of the facades.

The application is for minor internal reconfiguration, external façade modifications, increase in patron numbers and a change of use to portion of the building from shop to tavern. The internal changes do not result in any planning related variations and are not fundamentally different from the previous approval for the tavern.

The applicant is seeking to change the approved shop portion of the development to a tavern so that it can be incorporated into the remainder of the development. The primary use of this portion of the tavern will be as a function centre. The applicant is also seeking to do minor internal changes to the tavern, and to increase patron numbers from 360 to 480.

A total of 13 submissions were received as part of the public consultation with 11 being objections and two non objections. The submissions received primarily raised concerns regarding noise and anti-social behaviour as a potential result of the operation of the proposed tavern.

BACKGROUND

Suburb/Location:	Lot 5003 (14) Hobsons Gate, Currambine
Applicant:	Hospitality Total Services
Owner:	Resolve Nominees Pty Ltd
Zoning:	DPS: Business
	MRS: Urban
Site Area:	6,242m ²
Structure Plan:	Currambine District Centre Structure Plan (CDCSP)

The subject site is located within the CDCSP area. The Currambine District Centre is bounded by Marmion Avenue to the west, Shenton Avenue to the south, and Delamere Avenue to the north and east. The subject site is centrally located within the Currambine District Centre, immediately to the south of Hobsons Gate and to the east of Cheasapeake Way.

At its meeting held on 25 November 2008, Council approved a tavern, office, shop and 138 car parking bays on the subject site. This approval included a condition limiting the occupancy of the tavern to a maximum of 360 people. Copies of the Council resolutions for both of these applications are provided as Attachment 6.

The Council subsequently approved an amended proposal at its meeting held on 21 April 2009. This amended proposal deleted the proposed office, slightly reduced the size of the shop and doubled the floor area of the tavern. The approval maintained the condition limiting the occupancy of the tavern to a maximum of 360 people.

The CDCSP guides development within this area. The CDCSP follows main street principles with the aim of creating an integrated retail centre that can serve the local community with its required retail needs as well as form a liveable town centre. A number of developments have been approved for the area of relevance to this application is:

- Lot 5004 (4) Hobsons Gate (located to the west of the subject site). Council approved an application for a nine tenancies (showrooms and a shop) in December 2008. A number of change of use applications have subsequently been approved for this site.

- Lot 1032 (1) Hobsons Gate (located to the north-west of the subject site). An application for showrooms and offices was approved 20 April 2010.
- Lot 929 (1244) Marmion Avenue (located to the south-west of the subject site). The State Administrative Tribunal approved an application for a liquor store in December 2008. The application was originally refused by Council.
- Lot 5005 (11) Chesapeake Way (located to the north of the subject site). An application for a mixed commercial development and grouped dwellings was approved 18 August 2009.

The site immediately to the east is zoned Civic and Cultural and is owned by the City.

An acoustic report was submitted with the previous application for the tavern which concludes that with proper design noise levels can be controlled to comply with the *Environmental Protection (Noise) Regulations 1997*.

A Management Plan was also submitted as part of the previous application for tavern. This plan detailed the procedures and policies of the operation of the tavern. The report also outlined policies to minimise noise and the potential for anti-social behaviour.

DETAILS

The tavern development has an existing approval. The submitted application is similar to the previously approved application. This application seeks approval for the following:

- Minor internal reconfiguration to modify floor spaces allocated to activities within the tavern;
- An increase in patron numbers from 360 to 480;
- A change of use for a portion of the building from a shop to a tavern;
- Minor external façade modification including minor changes to windows and roof design on the north-western façade.

A summary of the proposed alterations is set out in the table below:

	Previously Approved Application	Proposed Development
<u>Tavern</u>		
Lounge/Dining Area	182.78m ²	321m ²
Function Area	160.62m ²	145m ²
Cocktail Lounge	100.83m ²	160m ²
Sports Bar	107.65m ²	90m ²
Alfresco/Outdoor Dining Area	140.8m ²	117m ²
Total	692.86m²	833m²
<u>Other Uses</u>		
Shop	170m ²	Nil
Total	170m²	Nil

The reduction of the amount of net lettable area from what is approved, to now proposed, is a result of internal reconfiguration of the floor space. The overall gross floor area of the development has not changed.

The table below summarises changes to the required car parking numbers:

Required By DPS2	Required for Previous Approved Application	Proposed Development
Standing (1per 3m ² NLA)	38.61	15
Seating (1 per 5m ² NLA)	118.37	157.6
Shop (7/100m ²)	11.92	N/A
Total Required	168.9 (169)	172.6 (173)
Total Provided	160	161
Car Parking Shortfall	9 bays (5.3%)	12 bays (7.5%)

Car Parking:

The proposal provides for no variations to the CDCSP as it is for a change of use, internal changes and an increase in patron numbers. The only new variation is to DPS2 being a shortfall of car parking of 12 (7.5%) bays.

The applicant has provided the following justification for the proposal:

- *The existing approved Tavern has already been conditionally granted a Tavern License by the Department of Racing and Gaming and Liquor.*
- *The strict conditions imposed on the conditionally granted Tavern License will also apply to the function facility should it be approved.*
- *During the community consultation for the Tavern License the WA Police, the Drug and Alcohol Office, local businesses and residents were contacted and fully briefed on the proposed Tavern operation and the food and quality service focus on the venue by experienced operators.*
- *Both the WA Police and the Department of Health did not raise any intervention against the tavern application.*
- *There will be no dedicated packaged alcohol takeaway area within the 170sqm area proposed for functions and throughout the venue.*
- *During a door knock survey conducted by Hospitality Total Services in October 2008, a majority of the residents in the vicinity were looking forward to the proposed Tavern opening.*
- *The operators have agreed to ensure a safe barrier exists between the carpark at the rear and the public open space behind it and also CCTV coverage of the rear of the premises.*
- *The proposed Hobsons Gate Bar and Brasserie will attract patrons from a large walkable catchment area.*
- *The nature of the varied amenity that surrounds the venue would perhaps mean, for example that patrons would park at the showroom they may be visiting and then decide to walk over to the Tavern for a meal.*
- *Research has shown that due to heightened awareness, surrounding drink driving that patron numbers are travelling in shared transportation with a designated driver and/or use public transport or taxi.*

Issues and options considered:

Council has the option to:

- Approve the application without conditions;
- Approve the application with conditions; or
- Refuse the application.

Strategic Plan

Key Focus Area: The Built Environment

Objective: To ensure high quality urban development within the City.

Legislation – Statutory Provisions:

The proposed development includes variations to Clause 4.8 of DPS2. Clause 4.5 of the DPS2 allows for these variations to be considered.

4.5 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

4.5.1 Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.

4.5.2 In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:

- (a) consult the affected parties by following one or more of the provisions for advertising uses pursuant to Clause 6.7.1 and*
- (b) have regard to any expressed views prior to making its decision to grant the variation.*

4.5.3 The power conferred by this clause may only be exercised if the Council is satisfied that:

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in Clause 6.8; and*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

The matters listed under Clause 6.8 require consideration:

6.8 MATTERS TO BE CONSIDERED BY COUNCIL

6.8.1 *The Council when considering an application for Planning Approval shall have due regard to the following:*

- (a) *interests of orderly and proper planning and the preservation of the amenity of the relevant locality;*
- (b) *any relevant submissions by the applicant;*
- (c) *any Agreed Structure Plan prepared under the provisions of Part 9 of the Scheme;*
- (d) *any planning policy of the Council adopted under the provisions of clause 8.11;*
- (e) *any other matter which under the provisions of the Scheme the Council is required to have due regard;*
- (f) *any policy of the Commission or its predecessors or successors or any planning policy adopted by the Government of the State of Western Australia;*
- (g) *any relevant proposed new town planning scheme of the Council or amendment or proposed Metropolitan Region Scheme Amendment insofar as they can be regarded as seriously entertained planning proposals;*
- (h) *the comments or wishes of any public or municipal authority received as part of the submission process;*
- (i) *the comments or wishes of any objectors to or supporters of the application;*
- (j) *any previous decision made by the Council in circumstances which are sufficiently similar for the previous decision to be relevant as a precedent, provided that the Council shall not be bound by such precedent; and*
- (k) *any other matter which in the opinion of the Council is relevant.*

As the Tavern is a “D” use, the additional matters identified in Clause 6.8.2 also require Council consideration: A “D” use means:

“A use class that is not permitted, but to which the Council may grant its approval after following the procedures laid down by sub clause 6.6.2”

6.8.2 *In addition to the matters referred to in the preceding sub clause of this clause, the Council when considering whether or not to approve a “D” or “A” use application shall have due regard to the following (whether or not by implication or otherwise they might have required consideration under the preceding subclasses of this clause):*

- (a) *the nature of the proposed use and its relationship to the use of other land within the locality;*
- (b) *the size, shape and character of the parcel of land to which the application relates and the nature and siting of any proposed building;*
- (c) *the nature of the roads giving access to the subject land;*
- (d) *the parking facilities available or proposed and the likely requirements for parking, arising from the proposed development;*
- (e) *any relevant submissions or objections received by the Council; and*
- (f) *such other matters as the Council considers relevant, whether of the same nature as the foregoing or otherwise.*

Risk Management considerations:

The proponent has a right of review against Council's decision, or any conditions included therein, in accordance with the *State Administrative Tribunal Act 2004* and the *Planning and Development Act 2005*.

Financial/Budget Implications:

The applicant paid fees of \$265 (excluding GST) to cover the cost of assessing the proposal and document production. The cost of advertising the proposal in the newspaper is \$750, and this will be reimbursed by the applicant.

Regional Significance:

Not Applicable.

Sustainability Implications:Energy Efficiency

As part of the original application for the tavern the applicant advised that a number of measures will be put in place in relation to energy efficiency, including the following:

- *Windows are positioned to take advantage of northern light, reducing lighting and heating requirements.*
- *Fluorescent lights will be used internally where appropriate to reduce energy consumption.*
- *Air conditioning will be controlled in 'zones' to allow areas of the building not in use to be switched off.*
- *Waterless urinals will be used which save water use.*
- *The 'e-water system' will be investigated which produces alkaline and acidic cleaning products from tap water, reducing chemical use.*
- *LED lights will be considered for the car parking area, which use less power during operation.*
- *All refrigerators will be MEPS (Minimum Energy Performance Standards) tested; and*
- *Staff training will have the best practice in mind, including small things such as switching off appliances when they are not in use, recycling, and stock management to reduce waste.*

Consultation:

The proposal was advertised for public comment for a period of 21 days. A total of 71 nearby owners were advised in writing, a sign was erected on the road verge adjacent to the site from 31 August to 16 September 2010 and advertisements were placed in the Joondalup Weekender on 26 August, 2 and 9 September 2010. Advertising closed on 16 September, 2010.

A total of 13 responses were received, being 11 objections and two letters stating no objections to the proposal.

A map indicating the location of submitters is provided as Attachment 5.

Key issues arising from Public Consultation

- Noise from the tavern when functions are being held and the increased amount of traffic this will cause.
- The tavern will attract the normal violence and unruly behaviour that is always associated with this type of business.
- The tavern will be a negative feature in the suburban area.
- The tavern is situated too close to homes, where families with children live.
- Concerns about noise, litter and possible vandalism from the nightly exodus of loud (possibly drunk and violent) patrons.
- The area will be noisy and potentially affect safety.

COMMENT

In considering this application it is important to note that the development of a tavern on this site has an existing approval. What is being proposed is a reconfiguration of the approved tavern, and changing the use of the approved shop tenancy, located at the southernmost part of the site, to form part of the tavern.

Linked to this is a request to increase patron numbers from 360 to 480 people.

Location and the Use of the Proposed Development

The site is located within the Business zone of the Currambine District Centre. The CDCSP seeks the development of the Currambine District Centre with the diversity and robustness of a small town centre.

Furthermore, the objectives of the Business zone are:

- To create an active focus for the community with a diversity of non retail main street and uses that generate day and evening activity.
- To allow for appropriate businesses to locate and develop in close proximity to residential areas for the convenience of the community.

The approved tavern development is focussed on Chesapeake Way as the main frontage. Chesapeake Way is the central main street of the Currambine District Centre which links the northern Business zone sites with the existing Currambine Marketplace and Cinemas to the south. The tavern will operate during day and evening periods, thus adding to the activity and diversity of the town centre.

Changing the use of the shop tenancy and incorporating it into the approved tavern is considered to be compatible with the existing approvals and the objectives of the structure plan and the Business zone.

Patron Numbers

The application proposes to increase the patron numbers from 360 to 480 persons. The capacity of a tavern is not normally set through a planning approval but through the *Health (Public Building) Regulations 1992*, which determines appropriate numbers based on floor area, number of toilets and number of exits.

It is noted that the original tavern approval included a condition of 360, which was based on the patron numbers proposed by the applicant. An assessment of this current proposal against the *Health (Public Buildings) Regulations 1992* has identified that the tavern has a potential capacity of approximately 900 patrons. The proposed 480 patrons is substantially below this.

For comparison purposes, the table below indicates the maximum capacity of other taverns within the City. These figures are based on the maximum occupancy allowable under the *Health (Public Building) Regulations 1992*.

Tavern Name	Address	Maximum Capacity
Beldon Tavern	Gunter Grove, Beldon	177
Craigie Tavern	Eddystone Avenue, Craigie	200
Kingsley Tavern	Kingsley Drive, Kingsley	500
Mullaloo Beach Hotel	Oceanside Prom Mullaloo	528
Glengarry Tavern	Warwick Road, Duncraig	569
Old Bailey	Reid Promenade, Joondalup	600
Grand Boulevard Tavern	Grand Boulevard, Joondalup	626
Whitfords Tavern	Whitfords Avenue/Marmion Avenue, Hillarys	682
The Greenwood	Warwick Road, Greenwood	730

The proposed plans are provided in Attachment 2.

Design Variations to the CDCSP

Minor changes are proposed to the external façade that do not result in any further variations to the CDCSP to what was previously approved by Council.

The structure plan requires all windows to be a minimum 600 millimetres above the ground level. Modifications have been made to the glazing located on the north western façade with a minimum sill height of approximately one metre as measure from the ground level. The previous approval incorporated a number of windows to Hobsons Gate that began at ground level which was considered to be more appropriate satisfying the objectives of the Business Zone of the CDCSP. A condition of approval will be included to modify the sill height to be at ground level.

Noise

A number of comments received during the public consultation period identified the potential for noise from the proposed tavern as a concern.

The proposed development is located centrally within the Currambine District Centre and is located approximately 185 metres from existing residential properties to the west, 240 metres from the north, 100 metres to the east, and 450 metres to the south.

An application for grouped dwellings at Lot 5006 (24) Delamere Avenue, Currambine (as detailed in Attachment 1) has been approved and is under construction, which will result in residential properties approximately 50 metres to the north-east.

An application for grouped dwellings has been approved for Lot 5005 (11) Chesapeake Way, Currambine (as detailed in Attachment 1). If this development is to be constructed, this will result in residential properties also being located approximately 80 metres to the north.

This current application involves incorporating the approved shop, located at the southern most part of the subject site, into the approved tavern development. It will not result in the tavern being any closer to either existing or proposed residences that what has already been approved.

It is noted that as part of the original tavern approval that an acoustic report was submitted. The report concludes that with proper design noise level emissions attributable to the development can be controlled such that compliance with the *Environmental Protection (Noise) Regulations 1997* can be achieved.

Furthermore, the management plan for the tavern also proposes a number of policies in order to control the level of noise emitted from the proposed tavern (see details section).

The combinations of design and management policies of the tavern are considered sufficient to ensure that the amenity of residents will be maintained with regard to noise impact. The separation distance between the proposed tavern and existing residences is considered sufficient to ensure that noise emitted from the tavern will dissipate before reaching the existing residential area.

Anti-Social Behaviour

A number of comments received during the public consultation period identified potential anti-social behaviour as a concern.

The submitted management plan proposes a number of policies to minimise the potential for anti-social behaviour by patrons of the proposed tavern.

The management plan for the tavern states that the venue operator will provide staff after closing hours to assist with the dispersal of all guests with minimal disruption to residents.

The approved development indicates two taxi bays within the Chesapeake Way road reserve outside of the tavern which will be provided at the applicant's cost. The applicant has submitted that Swan Taxis are supportive of any taxi rank development within this area to assist with the needs of the venue. This will assist tavern patrons seeking transport after the venue has closed.

The proposed management plan policies, and requirements of the Liquor Control Act are considered sufficient to assist in controlling the potential for anti-social behaviour from the tavern patrons.

Traffic and Parking

The proposed development has a car parking shortfall of 12 bays (7.5%) to that required by DPS2.

Council previously approved a shortfall of nine bays (5.3%) over the site owing to the mixed use nature of the development.

Council is required to determine whether the 161 bays provided are sufficient to service the development. The options available to Council are DETERMINE that:

- 1 the provision of 161 bays is appropriate; or
- 2 the provision of 161 bays is not appropriate; or
- 3 a cash-in-lieu payment of \$337,077 is required for the shortfall in parking.

The increase in patron numbers associated with the tavern does not result in the additional car parking. The requirement is based on the proposed seating and standing area of the tavern, which is an increase through incorporating the approved shop into the tavern.

It is considered that the 12 bay shortfall is relatively minor given the total size of the development. In particular it is noted that the development of nearby offices, showrooms, restaurants and entertainment will increase the likelihood that a portion of the clientele will be local workers who will be within walking distance to the development.

Conclusion

The proposed development complies with the requirements of DPS2 and the CDCSP with the exception of the shortfall of car parking. The change of use from shop to tavern is supported as the proposal is considered to meet the objectives of the CDCSP and the Business zone.

The subject site is an appropriate and acceptable location for development of this nature. The design of the tavern and the proposed management policies are considered sufficient to ensure that potential adverse affects on the amenity of the existing residential area and development on the adjoining properties are minimised. The development will contribute to the day and night time main street activity with the CDCSP aims to achieve.

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Young that Council:

- 1 EXERCISES discretion under Clauses 4.5.1 and 4.8 of the City of Joondalup District Planning Scheme No.2 and determines that the following are appropriate in this instance:**
 - 1.1 Provision of 161 car parking bays in lieu of 173;**
 - 1.2 Windows as located on the north-western façade with a minimum sill height of nil in lieu of a minimum 600 millimetres from the ground level;**
- 2 APPROVES the application for planning approval, dated 24 September 2010, submitted by Hospitality Total Services on behalf of the owners, Resolve Nominees Pty Ltd for a change of use from Shop to Tavern at Lot 5003 (14) Hobsons Gate, Currambine, subject to the following conditions:**
 - 2.1 The tavern shall accommodate a maximum of 480 people at any one time;**
 - 2.2 The windows as located to the north-western façade shall provide for a sill level from the ground level. Plans shall be provided with the Building Licence application demonstrating compliance with this condition;**
- 3 ADVISES the applicant that with regard to Part 2.1 above, any increase in accommodation numbers shall be the subject of a further development application and will be assessed against all relevant planning matters;**
- 4 ADVISES the applicant that all other conditions of DA09/0265 dated 11 May, 2009 and DA09/1097 dated 4 March, 2010 apply.**

The Motion was Put and

CARRIED (10/0)

In favour of the Motion: Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, Norman, Taylor and Young

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf091110.pdf](#)

Mayor Pickard returned to the Chamber at 7.35 pm and resumed the Chair.

Cr McLean returned to the Chamber at 7.35 pm.

CJ191-11/10 CITY OF JOONDALUP DESIGN ADVISORY PANEL

WARD: All

RESPONSIBLE: Ms Dale Page, Director Planning and Development

FILE NUMBER: 34172

ATTACHMENTS: Attachment 1 Terms of Reference

PURPOSE

The purpose of this report is for the Council to consider the Terms of Reference of the Design Advisory Panel. Specific consideration is given to amending the Terms of Reference to enable all development applications for new buildings in the City Centre to be referred to the Design Advisory Panel.

EXECUTIVE SUMMARY

The Council endorsed the establishment of a Design Advisory Panel at its meeting held on 30 September 2008. Panel members have been appointed for a two year term, and the panel has met once to provide advice on a proposed development in Shenton Avenue, Joondalup.

The Council requested a report on amending the Terms of Reference of the panel at its meeting held on 19 October 2010. This specifically requested that all new building development in the Joondalup City Centre be referred to the Design Advisory Panel.

It is recommended that Council:

1 *AMENDS the Design Advisory Panel Terms of Reference, Point 3 to read:*

“3. OBJECTIVES

To provide advice to the City on:

3.1 All new building development within the City Centre;

3.2 Major extensions to existing buildings in the City Centre that impact on the streetscape; and

3.3 Major buildings outside of the City Centre (excluding single and grouped dwellings, and extension to commercial or mixed-use buildings that do not significantly affect the streetscape);

Assessment and advice will have a particular focus on the impact of the building on the streetscape and the environmentally sustainable design features of the building.”

2 *AMENDS the title of the Design Advisory Panel to Joondalup Design Reference Panel.*

BACKGROUND

At its meeting held on 30 September 2008, Council endorsed the establishment of an independent Design Advisory Panel and sought nominations of members from relevant professional institutions representing architecture, urban design planning, town planning and landscape architecture.

At its meeting held on 16 June 2009, Council appointed panel members, and deputy members, representing the Australian Institute of Architects, Planning Institute of Australia and Australian Institute of Landscape Architects for a period of two years.

At its meeting held on 19 October 2010, Council considered a development application for 35 Davidson Terrace, which proposed a five storey commercial development. The Council deferred consideration of the application pending the submission of additional information, and referred the proposal to the Design Advisory Panel. The Council also resolved to request a report be presented to the Council that:

“Investigates the possibility of amending the Terms of Reference for the Design Advisory Panel, to enable all development applications for new buildings in the City Centre to be referred to the Design Advisory Panel, irrespective of the expected value of the development.”

DETAILS

The Terms of Reference of the Design Advisory Panel state the following objective of the panel:

“To provide design advice to the Council on major and/ or significant development applications. Major and/ or significant development applications are those which have a stated value in excess of \$10m, are greater than four storey in height and/ or is likely to have a significant impact on the streetscape. These applications are most likely to be in the City Centre.”

The Design Advisory Panel has met once since its inception, to consider a development a proposed at 57 Shenton Avenue, Joondalup.

It is noted that for the 2009/10 period the following development applications were received in the city centre that had a value of greater than \$10 million:

- 57 Shenton Avenue: Office and chapel
- Lakeside Shopping Centre: Department store and car park
- Edith Cowan University: Computing and engineering building

The application for the department store at Lakeside Shopping Centre involved a two storey building. The building had previously been approved by the City, with this application seeking a further two year approval. Given the height of the development, the application was not referred to the Design Advisory Panel for consideration, and was approved under delegated authority as a compliant development.

The application at Edith Cowan University involved a new three storey building located in the centre of the campus. Given the height of the building, the application was not referred to the Design Advisory Panel, and was approved under delegated authority as a compliant development.

In addition to the above developments, it is noted for the 2009/10 period the following new buildings were proposed, but which had a lower value and/ or lower height than the threshold stipulated in the Design Advisory Panel Terms of Reference.

- 35 Davidson Terrace: five storey commercial
- Joondalup Arena: clubhouse
- 51 Winton Road: warehouse development

The majority of applications for the City Centre involve changes of use, signage, façade upgrades and extensions or additions to existing buildings.

Issues and options considered:

- Option 1: No change to current Terms of Reference
Option 2: Amend Terms of Reference to include all new buildings in City Centre and major development outside the City Centre.

Legislation/Strategic Plan/Policy Implications

Legislation Planning and Development Act 2005 and District Planning Scheme No. 2

There is no requirement under the Act or DPS 2 to establish a panel.

Strategic Plan

Key Focus Area: The Built Environment

Objective: 4.1 Objective: to ensure high quality urban development within the City.

Policy

Not Applicable.

Risk Management considerations:

A proponent has a right of review against a Council decision, or any conditions included therein, in accordance with the *State Administrative Tribunal Act 2004* and *Planning and Development Act 2005*.

This right of review extends to non-determination, if an application is not determined within 60 days of lodgement. Most applicants on major developments do not exercise this right, preferring to work with local government authorities and receive a determination from Council.

Financial/Budget Implications:

There are no financial implications attached to this report.

Each panel member is paid \$250 for each sitting of the Design Advisory Panel, including time to review the proposal(s) before the panel meets.

Regional Significance:

Not Applicable.

Sustainability Implications:

Sustainability impacts of individual developments are addressed in reports to both the Design Advisory Panel and Council.

Consultation:

No consultation has taken place in regard to this report.

COMMENT

The intent of the Design Advisory Panel is to provide advice on major development that may have an impact on the streetscape. The current threshold is that development shall be greater than \$10 million in value and greater than four storeys and/or is likely to have a significant impact on streetscape.

It is considered that a Design Advisory Panel is a helpful tool to assist landowners and the Council in achieving good design outcomes. Equally important is to have clear policy and standards that articulate how the City believes good design outcomes can be achieved. It is these requirements that the landowner will use to guide them during their design process, and the State Administrative Tribunal may refer to where agreement on an application is not reached.

The impact that a development may have on a streetscape is not always able to be measured by its financial value or height. Reviewing the six developments identified earlier in this report assists in identifying the following issues:

- 1 There a number of large landholdings within the City Centre. Development on these landholdings may have a high value, but do not necessarily impact on the streetscape or public realm.
- 2 A development may have an existing approval and the landowner may seek to extend the period of the approval before it lapses. Should such an application be presented to the Design Advisory Panel?
- 3 When should a Design Advisory Panel be involved in the process? The current approach is that a proposal is presented to the Design Advisory Panel once the City has negotiated a design outcome. Should a Design Advisory Panel become involved earlier, at concept/ pre-application stage?
- 4 If a development, such as a new building at Edith Cowan University or Lakeside Shopping Centre, is fully compliant then even if the development is referred to the Design Advisory Panel, the final decision could potentially be made under delegated authority.
- 5 There is increasing expectation from the State Government and private sector on timely decisions. Amending the Terms of Reference could be viewed as extending the time taken to make decisions, although it is noted that this would impact few applications. It is noted that the Council's recent adoption of a policy on environmentally sustainable design included an expectation that the City will seek to prioritise developments that are designed to meet a nationally recognised rating tool. A conflict in the intent of these two could be viewed to exist.

New Build

As highlighted previously, not all new build developments necessarily impact on the streetscape. However, in trying to define what does or does not impact on a streetscape or public realm can be subjective.

In light of this, and given the relative low number of new building applications for the Joondalup City Centre, the requirement that all new buildings in this area be presented to a Design Advisory Panel is supported. It is considered that the Council may wish to decide whether this should include major extensions to existing buildings where it is deemed that the extension has an impact on the streetscape.

Title of Panel

It is noted that the State Government is creating Development Assessment Panels, with applications over the value of \$7 million being determined by these independent panels. Panel members are appointed by the State Government, and will include two councillors from each local government.

There is potential for confusion within the industry with a common acronym being used to describe different bodies. That is, a development is reviewed by a DAP (Design Advisory Panel) and then determined by another DAP (Development Assessment Panel).

It is considered appropriate to consider a minor amendment to the name of the Design Advisory Panel to avoid this confusion. A potential option could be Joondalup Design Reference Panel. This would distinguish the panel as a local government initiative and provide a location specific context to the panel, which would assist landowners and developers in navigating the development approval process.

This change also provides an opportunity to consider the objectives of the Design Advisory Panel. Currently the stated focus is on the impact on a streetscape. Given the Council's recent adoption of policies relating to environmentally sustainable design, it is considered appropriate that the Design Advisory Panel objectives be expanded to provide the City with advice regarding the stated sustainability measures/rating of the proposed development.

Timing

As noted earlier the practice to-date has been to present an application to the DAP once a design has been refined following negotiations with City officers. It is noted in advice from Commission for Architecture in the Built Environment in the United Kingdom (CABE, UK), that panels should see projects sooner rather than later, when designs are still being developed and designers can take on board suggestions readily.

Instigating a panel for pre-application proposals is not supported, as it could result in the panel commenting on what may be speculative proposals that are never formally submitted. However, it is considered that there is value in a panel providing advice earlier on in the application process to assist in focusing discussions/negotiations. In this arrangement, a proposal may be again presented to the panel prior to determination.

It is considered that this can be accommodated without modification to the Terms of Reference.

Costs

The current arrangement of \$250 per panel member per sitting is considered value for money, as this includes pre-meeting preparation, travel and meeting time. It is understood that as a rule of thumb that experts, as appointed to the panel, would charge a range of \$220 to \$270 per hour.

Including the potential for a panel to meet twice during an application process will increase costs associated with the operation of the panel, however, it is considered that this can be met within existing approved budgets.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Amphlett, SECONDED Cr Hollywood that Council:

1 AMENDS the Design Advisory Panel Terms of Reference, Point 3 to read:

“3. OBJECTIVES

To provide advice to the City on:

- 3.1 All new building development within the City Centre;**
- 3.2 Major extensions to existing buildings in the City Centre that impact on the streetscape;**
- 3.3 Major buildings outside of the City Centre (excluding single and grouped dwellings, and extension to commercial or mixed-use buildings that do not significantly affect the streetscape);**

Assessment and advice will have a particular focus on the impact of the building on the streetscape and the environmentally sustainable design features of the building;”

2 AMENDS the title of the Design Advisory Panel to Joondalup Design Reference Panel.

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf091110.pdf](#)

CJ192-11/10 NAMING OF REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE STRATEGIC PROJECTS – COMMUNITY SPORTING FACILITIES

WARD: All

RESPONSIBLE: Mr Garry Hunt, Chief Executive Officer

FILE NUMBER: 02146, 31250

ATTACHMENTS: Nil.

PURPOSE

To seek Council endorsement for the naming of community facilities at Seacrest Park, Sorrento and Forrest Park, Padbury.

EXECUTIVE SUMMARY

This report considers the naming of community facilities at Seacrest Park, Sorrento, and Forrest Park, Padbury.

Through the Federal Government's Regional and Local Community Infrastructure (RLCIP) Strategic Projects scheme, the City of Joondalup received funds to develop three community facilities. After the approval of tenders in June 2010, construction at Seacrest and Forrest Parks commenced in July and completion dates are scheduled in accordance with the Federal Government funding guideline for December 2010.

It is recommended that Council, in accordance with the City Policy 'Naming of Public Facilities', AGREES to name the community facilities at Seacrest Park, Sorrento, 'Seacrest Park Community Sporting Facility' and Forrest Park, Padbury, 'Forrest Park Community Sporting Facility'.

BACKGROUND

In May 2009, the City received funding support for the development of facilities at Seacrest and Forrest Parks under the Federal Government's Regional and Local Community Infrastructure (RLCIP) Strategic Projects scheme.

Detailed background on the development of community facilities at these locations has been provided in previous Council reports; when seeking initial approval for the grant funding, when the revised integrated solution for the development of community sporting facilities was endorsed and when the proposed concept plans were endorsed (CJ049-03/09, JSC12-09/09 and CJ028-02/10 refer). The tender for construction of the facilities was then accepted at the Special Meeting of Council at its meeting held on 8 June 2010 (JSC01-06/10 refers).

Construction is currently in progress and in accordance with the Federal Government funding completion of the facilities is scheduled for December 2010.

At its meeting held on 20 July 2010, Council endorsed the naming of Gibson Park Community Centre, which is the City's other federally funded RLCIP project.

DETAILS

Legislation/Strategic Plan/Policy Implications

Strategic Plan

Key Focus Area: Community Wellbeing

Objective: 5.1 To ensure the City's facilities and services are of a high quality and are accessible to everyone.

Policy

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

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

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

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

Risk Management considerations:

Not Applicable.

Financial/Budget Implications:

Not Applicable.

Regional Significance:

The development of facilities across the two active sporting reserves within the City will cater for both local residents and broader sporting teams where members reside both within and beyond the City of Joondalup.

COMMENT

It is appropriate for the Council to consider the naming of the facilities at Seacrest and Forrest Park. In accordance with the requirements of the City Policy, it is proposed that the facilities be named 'Seacrest Park Community Sporting Facility' and 'Forrest Park Community Sporting Facility' accordingly.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Amphlett, **SECONDED** Cr Hollywood that Council in accordance with the City Policy 'Naming of Public Facilities', **AGREES** to name the community facilities at Seacrest Park, Sorrento 'Seacrest Park Community Sporting Facility' and Forrest Park, Padbury, 'Forrest Park Community Sporting Facility'.

The Motion was Put and **CARRIED (12/0)** by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Disclosure of interest affecting Impartiality

Name/Position	Mayor Troy Pickard
Item No/Subject	CJ193-11/10 - 2010/11 Sports Development Program – Round 1.
Nature of interest	Interest that may affect Impartiality.
Extent of Interest	Mayor Pickard is a patron of the Joondalup District Cricket Club.

Name/Position	Mr Mike Smith – Manager, Leisure and Cultural Services
Item No/Subject	CJ193-11/10 - 2010/11 Sports Development Program – Round 1
Nature of interest	Interest that may affect Impartiality
Extent of Interest	Mr Smith is a life member of the Joondalup District Cricket Club

CJ193-11/10 2010/11 SPORTS DEVELOPMENT PROGRAM – ROUND 1

WARD: All

RESPONSIBLE: Mr Garry Hunt, Chief Executive Officer

FILE NUMBER: 58536

ATTACHMENTS: Attachment 1 Joondalup Districts Cricket Club Application Assessment
Attachment 2 Sorrento Football Club Application Assessment

PURPOSE

To provide a recommendation for funding as part of the City's 2010/11 Sports Development Program – Round 1.

EXECUTIVE SUMMARY

The Sports Development Program aims to assist local not for profit, district level sporting clubs with programs, projects and events that facilitate the development of sport and enhance its delivery to City of Joondalup residents.

The City reviewed three applications in Round 1 of the 2010/11 Sports Development Program. In October 2010, the Acting Chief Executive Officer did not approve funding for one application under delegated authority. This was for the Wanneroo Basketball Association School Development Clinic (\$3,750).

The applications from the Joondalup Districts Cricket Club and Sorrento Football Club and have been presented to Council for approval.

It is recommended that Council:

- 1 *APPROVES a \$20,000 (excluding GST) grant to the Joondalup Districts Cricket Club for their 'City of Joondalup Player and Coaching Development Program', subject to the club entering into a formal funding agreement with the City of Joondalup;*
- 2 *APPROVES a \$15,840 (excluding GST) grant to the Sorrento Football Club for their 'Player Profiling Program', subject to the club entering into a formal funding agreement with the City of Joondalup.*

BACKGROUND

At its meeting held on 11 June 2002, Council resolved to establish a sporting club support scheme whereby assistance can, upon application, be made available to district level clubs in lieu of individual sponsorship support (as detailed in Item CJ136-06/02). At its meeting held on 22 June 2010, Council endorsed that the Sports Development Program be administered twice per year based on summer/winter application periods (as detailed in Item CJ091-06/10).

The Sports Development Program aims to assist local not for profit, district level sporting clubs that play at, or are aspiring towards, the highest level of competition in its chosen sport. Eligible clubs must be located within the City of Joondalup and be represented at both junior and senior levels. Clubs can apply for support every second year following a successful application.

The Sports Development Program offers support to sporting clubs to enable them to establish sporting and club development initiatives. This funding program is a supplement to important sponsorship funds. The program aims to ensure that the City, like any corporate sponsor, receives appropriate recognition for its support.

Round 1 of the 2010/11 Sports Development Program was promoted directly to all eligible clubs in August 2010. The clubs that were sent information include:

- Arena Swim Club
- Breakers Swim Club
- ECU Joondalup Soccer Club
- Greenwood Tennis Club
- Joondalup Districts Cricket Club
- Joondalup & Districts Rugby League Club
- Joondalup Lakers Hockey Club
- Kingsley Tennis Club
- North Coast Triathlon Club
- Ocean Ridge Tennis Club
- Perth Outlaws Softball Club
- Sorrento Football Club

- Wanneroo Basketball Association
- Wanneroo Lacrosse Club
- Westside Steelers Gridiron Club
- Whitfords Amateur Football Club
- Whitford Hockey Club

Eight clubs were not eligible to apply as they had recently received grants: Joondalup Netball Association, Ocean Reef Sea Sports Club, Stirling Basketball Association and Joondalup Brothers Rugby Union Football Club (2009/10 Sports Development funding), and Mullaloo Surf Life Saving, Sorrento Surf Life Saving, Sorrento Tennis Club and West Perth Football Club (sponsorship agreements).

DETAILS

Joondalup Districts Cricket Club

The Joondalup Districts Cricket Club has eight junior teams and is the only club in Western Australia to have two sides in each age group for the Western Australian Cricket Association's (WACA) District competition. It also has four senior teams. The club is based at Iluka Sports Complex and is the only district club located within the City of Joondalup.

The Club continues to investigate opportunities to foster and develop its players to meet the criteria for representative cricket (State and National level). The City of Joondalup Player and Coaching Development Program will provide the opportunity for coaches to further enhance skills such as batting, wicket keeping, fielding and bowling.

The City reviewed the Joondalup Districts Cricket Club application. The program will target approximately 170 players and coaches (110 juniors and 60 seniors). It involves the employment of four experienced coaches and the hire of a specialist facility, Revolution Sports Centre to conduct the program. The program will be conducted over one year, December 2010 to November 2011. The club will contribute \$10,000 towards the program.

	Actual Cost	Amount Requested from the City
The costs of the program are:		
Coaching	\$24,000	\$18,000
Venue Hire	\$ 6,000	\$ 2,000
Total Cost	\$30,000 (excluding GST)	\$20,000 (excluding GST)

Full details of the City's assessment of the project are included in Attachment 1.

The City has funded the Joondalup Districts Cricket Club through the Sports Development Fund previously.

Year	Amount Funded
2008/09	\$18,000
2006/07	\$13,000
2004/05	\$16,000
2002/03	\$17,000
Total	\$64,000 (excluding GST)

The Joondalup Districts Cricket Club has acquitted and complied with all the requirements of previous grants.

Sorrento Football Club

The Sorrento Football Club located at Percy Doyle Reserve, has over 500 members. It is one of the State's leading football (soccer) clubs with teams competing at the highest level (State Premier League) of football, both at junior and senior level within Western Australia. The City has one other club located within its boundaries playing at State Premier League level being ECU Joondalup Soccer Club.

The Player Profiling Program will provide the club with professional physiological assessments. Information from the assessments will be provided to coaches and will assist player development.

The City reviewed the Sorrento Football Club application. The program will target approximately 182 players and coaches (112 juniors and 70 seniors). It involves the employment of a Sport Science Specialist and purchase of equipment required to conduct the program. The program will be conducted from January 2011 to June 2012. The club will contribute \$2,185 towards the program.

	Actual Cost	Amount Requested from the City
The costs of the program are:		
Sports Science Specialist	\$15,840	\$15,840
Equipment	\$ 2,185	0
Total Cost	\$18,025 (excluding GST)	\$15,840 (excluding GST)

Full details of the City's assessment of the project is included in Attachment 2.

The City has funded the Sorrento Football Club through the Sports Development Fund previously.

Year	Amount Funded
2008/09	\$ 4,600
2005/06	\$ 4,180
2003/04	\$12,125
Total	\$20,905 (excluding GST)

The Sorrento Football Club has acquitted and complied with all the requirements of previous grants.

Wanneroo Basketball Association

The Wanneroo Basketball Association located at Joondalup Basketball Stadium, has over 2,500 members. The Association runs domestic competitions and has representation in the Western Australia Basketball League as well as elite men and women in the State Basketball League.

The objective of its program was to conduct clinics for local primary schools within the school environment and at the Joondalup Basketball Stadium, with the aim of developing skills to play in local Wanneroo Basketball Association competitions.

The City reviewed the Wanneroo Basketball Association application. The program will target approximately 360 primary school children. The program was proposed to be conducted from February 2011 to March 2012.

The proposal fits within the Sports Development Program guidelines and meets one of the two identified priorities of the 2010/11 program. However, the current application requires further planning including evidence of a Strategic Plan, detailed project budget, future budget, project schedule of events and a letter of support from the State Sporting Association. The Wanneroo Basketball Association has also not acquitted a previous grant (Sports Development Program 2007/08) which makes them ineligible for funding in the 2010/11 Sports Development Program – Round 1.

Under delegated authority, the Acting Chief Executive Officer did not approve the application from Wanneroo Basketball Association. However, the City will assist the Association in acquitting its previous grant and preparing a new submission for Round 2.

from	Actual Cost	Amount Requested the City
The costs of the program are:		
Coaches	\$1,440	\$1,440
Referees	\$ 400	\$ 400
Sporting equipment	\$ 480	\$ 480
Clothing	\$ 450	\$ 450
Coaching courses	\$ 640	\$ 640
Evaluation and supervision	\$ 340	\$ 340
Total Cost	\$3,750 (ex cluding GST)	\$3,750 (excluding GST)

The City has funded the Wanneroo Basketball Association through the Sports Development Fund previously.

Year	Amount Funded
2007/08	\$14,290
2005/06	\$13,960
2003/04	\$17,750
Total	\$46,000 (excluding GST)

Issues and options considered:

Not Applicable.

Strategic Plan

Key Focus Area: Community Wellbeing

Objective: 5.2 To facilitate healthy lifestyles within the community.

Strategy: 5.2.1 The City provides high quality recreation facilities and programs.

Outcome: The Joondalup community is provided with opportunities to lead a healthy lifestyle.

Policy

The Sports Development Program is conducted in line with City Policy - Community Funding.

Risk Management considerations:

Not Applicable.

Financial/Budget Implications:

Account No:	1.443.A4409.3293.4023
Budget Item:	Sponsorships
Budget Amount:	\$90,000
Amount Spent To Date:	\$ 0
Proposed Cost:	\$35,840
Balance:	\$54,160

Regional Significance:

Not Applicable.

Sustainability Implications:

The City has followed a clear and equitable process in the administration of the Sports Development Program. Applicants have been provided the opportunity to meet with City Officers to receive feedback on their proposed projects and to help ensure that it meets the program's objectives and priorities.

The Sports Development Program provides for a positive affect on the development of a healthy, equitable, active and involved community. The program also provides the opportunity for a positive affect on community access to sport, leisure and recreational services.

Consultation:

Applicants are encouraged to discuss funding proposals with City Officers prior to submission to ensure that the application is in line with program objectives and contains the level of detail required for assessment. All eligible clubs were advised of the program and the closing date for applications.

Both the Joondalup Districts Cricket Club and Sorrento Football Club communicated with City Officers prior to the Club's final application submissions.

COMMENT

The Sports Development Program offers support to sporting clubs in areas that are operational and often prohibitive to club development under normal circumstances. The program aims to ensure that the City receives appropriate recognition for its support. The maximum grant available to an individual club is \$20,000 in any one year and the level of recognition to the City may vary accordingly.

The City considered the funding request from the Joondalup Districts Cricket Club and Sorrento Football Club against the program guidelines, identified priorities and the level of sponsorship exposure offered to the City. The total amount of funding recommended to the Joondalup Districts Cricket Club is \$20,000 (excluding GST), and the Sorrento Football Club is \$15,840 (excluding GST).

In assessing the Joondalup Districts Cricket Clubs application, the benefit to players and coaches was evident. Coaches play an important role in player development within the club. Although the program will benefit only a small proportion of the community, it will provide an avenue to develop cricketers from the area into State and National representatives. This increases the profile of cricket and provides young cricketers in the community with a pathway to achieve their goals.

In assessing the Sorrento Football Club application, the benefit to players was evident. Physiological characteristics of football players are an integral part of talent identification and development programs. This program will assist the club to develop its footballers into State and National representatives whilst also increasing the profile of football to the community.

As part of the grant funding both Joondalup Districts Cricket Club and the Sorrento Football Club will be required to recognise the City through the following:

- Display the City of Joondalup logo on all club newsletters for the current and following seasons.
- Recognise the City of Joondalup in all press releases and other media opportunities associated with the project.
- Display the City of Joondalup logo on all promotional material associated with the project.
- Write a press release outlining the project and covering the presentation of the cheque.
- Display the City of Joondalup logo and website link on the clubs webpage for the current and following seasons.
- Formally invite a City of Joondalup representative to officially present the grant cheque to your organisation.
- Display the City of Joondalup logo on the clubs letterhead for the current and following seasons.
- Provision for the City's logo to be displayed on all new items of club clothing.
- Naming rights for the project.

The Chief Executive Officer, under delegated authority, can approve applications for funding up to \$10,000. The funding requested from the Joondalup Districts Cricket Club and Sorrento Football Club is greater than \$10,000 and therefore requires the approval of Council.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Young, SECONDED Cr Amphlett that Council APPROVES a:

- 1 \$20,000 (excluding GST) grant to the Joondalup Districts Cricket Club for its 'City of Joondalup Player and Coaching Development Program', subject to the club entering into a formal funding agreement with the City of Joondalup;**
- 2 \$15,840 (excluding GST) grant to the Sorrento Football Club for its 'Player Profiling Program', subject to the club entering into a formal funding agreement with the City of Joondalup.**

The Motion was Put and**CARRIED (12/0)**

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf091110.pdf](#)

CJ194-11/10 SETTING OF MEETING DATES FOR 2011

WARD: All

RESPONSIBLE: Mr Jamie Parry, Director Governance and Strategy

FILE NUMBER: 08122

ATTACHMENTS: Nil.

PURPOSE

To set Council's meeting dates for the 2011 calendar year.

EXECUTIVE SUMMARY

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

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

BACKGROUND

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

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

DETAILS**Issues and options considered:**

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

The proposed meeting scheduled in August 2011 will recognise Local Government Week, with a commencement time of 12 noon to enable attendance by high school students.

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

LEGISLATION/STRATEGIC PLAN/POLICY IMPLICATIONS

Legislation: Section 5.3 of the Local Government Act 1995

Ordinary and Special Council meetings:

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

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

Public Notice of Council or Committee meetings

12(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which –

- (a) *the ordinary Council meetings; and*
- (b) *the Committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public;*

are to be held in the next 12 months;

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

Strategic Plan:

Key Focus Area: Leadership and Governance

Objective: To ensure that the processes of local governance are carried out in a manner that is ethical, transparent and accountable.

Policy:

Not Applicable.

Risk Management considerations:

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

Financial/Budget Implications:

Account No:	1522A520232770000
Budget Item:	Public Notice of 2011 Briefing Session and Council Meeting dates
Budget Amount:	\$7,000
Amount Spent To Date:	\$1,839
Proposed Cost:	\$ 176
Balance:	\$4,985

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

Local Government Elections will be held on Saturday, 15 October 2011. As such, it is proposed that the Briefing Session and Ordinary Council Meeting that month be held in the first and second week of October respectively to ensure that there is no outstanding Council Business prior to the election.

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

It is recommended that the current monthly timeframe for meetings be maintained for 2011, subject to the:

- August Council meeting, to acknowledge Local Government Week, commencing at 12 noon;
- 2011 Local Government elections and Elected Members' Induction Program;
- December meetings being scheduled one week earlier in order to accommodate the Christmas holiday period.

It is also recommended that deputation sessions continue to be held at the commencement of Briefing Sessions; that where possible, no meetings are to be scheduled in the fourth week of every month; and that designated Council Committee Meetings be scheduled to occur on Mondays or Wednesdays of weeks 1, 2 or 3 of any month in order to minimise potential conflicts with other Council activities.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION:

That Council:

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

Briefing Sessions To be held at 6.30 pm in Conference Room 1	Council meetings To be held in the Council Chamber
Tuesday, 8 February 2011	7.00 pm on Tuesday, 15 February 2011
Tuesday, 8 March 2011	7.00 pm on Tuesday, 15 March 2011
Tuesday, 12 April 2011	7.00 pm on Tuesday, 19 April 2011
Tuesday, 10 May 2011	7.00 pm on Tuesday, 17 May 2011
Tuesday, 14 June 2011	7.00 pm on Tuesday, 21 June 2011
Tuesday, 12 July 2011	7.00 pm on Tuesday, 19 July 2011
Tuesday, 9 August 2011	12 noon on Tuesday, 16 August 2011
Tuesday, 13 September 2011	7.00 pm on Tuesday, 20 September 2011
Tuesday, 4 October 2011	7.00 pm on Tuesday, 11 October 2011
Tuesday, 8 November 2011	7.00 pm on Tuesday, 15 November 2011
Tuesday, 6 December 2011	7.00 pm on Tuesday, 13 December 2011
January 2012 - Recess	

- 2 AGREES to hold deputation sessions in conjunction with the Briefing Sessions;
- 3 in accordance with Regulation 12 of the *Local Government (Administration) Regulations*, GIVES local public notice of the meeting dates detailed in Part 1 above;
- 4 INVITES a maximum of 10 students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12 noon on Tuesday, 16 August 2011.
- 5 NOTES that the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays;
- 6 AGREES that, where possible, no meetings are to be scheduled in the fourth week of every month;
- 7 AGREES that meetings for designated Council Committees be scheduled to occur on Mondays or Wednesdays of weeks 1, 2 or 3 of any month to minimise potential conflicts with other Council activities.

MOVED Cr Amphlett, SECONDED Cr Hollywood that Council:

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

Briefing Sessions To be held at 6.30 pm in Conference Room 1	Council meetings To be held in the Council Chamber
Tuesday, 8 February 2011	7.00 pm on Tuesday, 15 February 2011
Tuesday, 8 March 2011	7.00 pm on Tuesday, 15 March 2011
Tuesday, 12 April 2011	7.00 pm on Tuesday, 19 April 2011
Tuesday, 10 May 2011	7.00 pm on Tuesday, 17 May 2011
Tuesday, 21 June 2011	7.00 pm on Tuesday, 28 June 2011
Tuesday, 12 July 2011	7.00 pm on Tuesday, 19 July 2011
Tuesday, 9 August 2011	12 noon on Tuesday, 16 August 2011
Tuesday, 13 September 2011	7.00 pm on Tuesday, 20 September 2011
Tuesday, 4 October 2011	7.00 pm on Tuesday, 11 October 2011
Tuesday, 15 November 2011	7.00 pm on Tuesday, 22 November 2011
Tuesday, 6 December 2011	7.00 pm on Tuesday, 13 December 2011
January 2012 - Recess	

- 2 AGREES to hold deputation sessions in conjunction with the Briefing Sessions;**
- 3 in accordance with Regulation 12 of the *Local Government (Administration) Regulations*, GIVES local public notice of the meeting dates detailed in Part 1 above;**
- 4 INVITES a maximum of 10 students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12 noon on Tuesday, 16 August 2011.**
- 5 NOTES that the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays;**
- 6 AGREES that, where possible, no meetings are to be scheduled in the fourth week of every month;**
- 7 AGREES that meetings for designated Council Committees be scheduled to occur on Mondays or Wednesdays of weeks 1, 2 or 3 of any month to minimise potential conflicts with other Council activities.**

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

CJ195-11/10 ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2010

WARD: All

RESPONSIBLE: Mr Jamie Parry, Director Governance and Strategy

FILE NUMBER: 45060

ATTACHMENTS: Attachment 1 Annual Plan Quarterly Progress Report for the period 1 July to 30 September 2010
Attachment 2 Capital Works Overview Report for the period 1 July to 30 September 2010

PURPOSE

To present the Annual Plan Quarterly Progress Report for the period 1 July to 30 September 2010.

EXECUTIVE SUMMARY

The Annual Plan contains the major projects and priorities which the City proposes to deliver in the 2010/11 financial year.

The Annual Plan Quarterly Progress Report provides information on the progress of projects and programs documented in the Annual Plan 2010/11. The Annual Plan Quarterly Progress Report for the period 1 July to 30 September 2010 is detailed in Attachment 1 to this report.

A Capital Works Overview Report, which details all projects within the Capital Works Program, is provided as Attachment 2 to this report.

It is recommended that Council RECEIVES the:

- 1 *Annual Plan Quarterly Progress Report for the period 1 July to 30 September 2010 forming Attachment 1 to Report CJ195-11/10;*
- 2 *Capital Works Overview Report for the period 1 July to 30 September 2010 forming Attachment 2 to Report CJ195-11/10.*

BACKGROUND

The City's Corporate Reporting Framework requires the development of an Annual Plan to achieve the objectives of the Strategic Plan 2008/11, and the provision of reports against the Annual Plan to be presented to Council on a quarterly basis.

DETAILS

Issues and options considered:

The Annual Plan contains a brief description of the key projects and programs that the City proposes to deliver in the 2010/11 financial year. Milestones are set for the key projects and programs to be delivered in each quarter.

The Quarterly Progress Report provides information on progress against the milestones and a commentary is provided against each milestone to provide further information on progress, or to provide an explanation where the milestone has not been achieved.

The milestones being reported this quarter are the shaded sections of Attachment 1.

Legislation/Strategic Plan/Policy Implications

Legislation The Local Government Act 1995 provides a framework for the operations of Local Governments in Western Australia. Section 1.3 (2) states:

This Act is intended to result in:

- (a) *Better decision making by local governments;*
- (b) *Greater community participation in the decisions and affairs of local governments;*
- (c) *Greater accountability of local governments to their communities; and*
- (d) *More efficient and effective government.*

Strategic Plan

Key Focus Area: Leadership and Governance

Objective 1.1 To ensure that the processes of local governance are carried out in a manner that is ethical, transparent and accountable.

Policy

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

Risk Management considerations:

The quarterly progress reports against the Annual Plan provide a mechanism for tracking progress against milestones for major projects and programs.

Financial/Budget Implications:

All Projects and Programs in the Annual Plan 2010/11 have been included in the 2010/11 Budget.

Sustainability Implications:

All projects and programs in the Annual Plan contribute to community wellbeing, the natural and built environment, economic development and good governance.

Regional Significance:

Not Applicable.

Consultation:

Not Applicable.

COMMENT

The Annual Plan 2010/11 was received by Council at its meeting held on 17 August 2010 (*CJ138-08/10 refers*).

A detailed report on progress of the Capital Works Program has been included with the Annual Plan Quarterly Progress Report. This Report provides an overview of progress against all of the projects and programs in the 2010/11 Capital Works Program.

The Capital Works Overview Report includes a column which prescribes the *Percent completed on Site* and comments regarding the progress of projects. The majority of projects are in the planning stage and, consequently, the *Percent complete on Site* may be zero. This is however typical at the first quarter in the Capital Works Cycle.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, **SECONDED** Cr Amphlett that Council **RECEIVES** the:

- 1 Annual Plan Quarterly Progress Report for the period 1 July to 30 September 2010 forming Attachment 1 to Report CJ195-11/10;**
- 2 Capital Works Overview Report for the period 1 July to 30 September 2010 forming Attachment 2 to Report CJ195-11/10.**

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf091110.pdf](#)

CJ196-11/10 CUSTOMER SATISFACTION SURVEY 2009/10**WARD:** All**RESPONSIBLE:** Mr Jamie Parry, Director Governance and Strategy**FILE NUMBER:** 69609**ATTACHMENTS:** Attachment 1 Top Line Results including actions and improvements for 2010/11

PURPOSE

To present the detailed results of the 2009/10 Customer Satisfaction Survey.

EXECUTIVE SUMMARY

The Customer Satisfaction Survey is conducted annually to measure the level of overall satisfaction with the City, and its performance in delivering specific services and facilities.

The 2009/10 Survey shows an overall satisfaction rating of 82.6%. This compares with 83% recorded for the 2008/09 Survey reflecting high levels of community satisfaction with the City.

Customer Satisfaction with services provided by the City in 2009/10 was 89.2% compared to 89.8% in 2008/09, reflecting continuing high levels of satisfaction. Overall results recorded for the 2010 Customer Satisfaction Monitor continue to show a strong result, reflecting a high level of community satisfaction with the City.

At an individual service level there have been few changes in satisfaction levels this year, with increases in satisfaction levels for:

- Mobile security patrols;
- Informing the community about local issues;
- Graffiti removal (very satisfied level).

Satisfaction with value for money provided for City rates has also remained reasonably strong, similar to 2008 and 2009 with around two in three rate payers satisfied with the value for money provided by the City

BACKGROUND

Customer Satisfaction Surveys have been conducted on an annual basis since 2000. The most recent survey was conducted in June 2010.

An independent market research company conducted the 2010 Survey.

The objectives of this survey were to determine:

- overall satisfaction with the City of Joondalup;
- satisfaction with City Services;
- satisfaction with selected services and facilities;
- value for money provided by rates;
- key issues of concern and suggestions for improvement.

This latest community research was undertaken during 17 June to 26 June 2010 and involved random sampling and telephone interviewing of 625 respondents from within the City. The sample was crosschecked to ensure that it significantly matched the demographic profile and population spread of Joondalup in terms of age, gender and location to obtain a representative sample.

A separate survey was also conducted of residents who had used the City's Building and Planning Services over the last 12 months. This separate survey of specific applicants was introduced in 2008/09. Previously this area was surveyed as part of the annual Customer Satisfaction Survey however the methodology was altered due to minimal numbers of people surveyed having contact with Planning or Building Services.

The sampling size for the overall Customer Satisfaction Survey produces a sampling precision of +/- 4% at the 95% confidence interval – that is there is a 95% certainty that the results obtained will be within a +/- 4% if a census was conducted of all households within the City of Joondalup. This percentage is in accordance with the level specified by the Auditor General.

DETAILS

Satisfaction levels were recorded from those respondents who felt familiar enough with the service or facility to be able to comment. Respondents expressing dissatisfaction were asked to provide suggestions for improvement.

The overall satisfaction rating in 2009/10 was 82.6% compared to the 2008/09 rating of 83%.

Respondents were prompted with a list of 12 services provided by the City, and asked how satisfied they were with the City's performance. To maintain comparability across Surveys, the questionnaire used was based on the version used in previous years. However, some changes were made to the Survey during 2008/09 which have also been included in the 2009/10 Survey being:

- the inclusion of an additional question measuring satisfaction with services provided by the City, in addition to overall satisfaction with the City;
- two questions on communication with the community were added to determine satisfaction with consultation about local issues, and information provision about local issues.

A separate survey of customers of Planning, Approvals and Environmental Services was conducted to measure specific levels of satisfaction with planning and building services. This survey replaced a question measuring satisfaction with planning and building approvals amongst City of Joondalup residents in general and was aimed at determining the satisfaction of those residents that had directly used the service. (The smaller sampling size for the separate survey of planning and building applicants produces a sampling precision of +/- 7% at the 95% confidence interval).

The top line findings indicate that, for the majority of services, high satisfaction ratings have continued. The Survey also shows that in 2008/09 and 2009/10 satisfaction ratings remained high from residents who had contact with the City in relation to a planning or building matter.

The 2009/10 Survey showed increases in satisfaction from the previous year with the extent to which the City consults with the community (74.8% in 2009/10 compared with 69.7% in 2008/09), and the extent to which the City informs the community about local issues (78.3% in 2009/10 compared with 72% in 2008/09). Given that the City has put considerable effort into community consultation and community information (including a redesign of the City's web site) these are pleasing results for 2009/10.

Satisfaction ratings for 2009/10 and comparison with previous year's satisfaction ratings

The following table provides comparisons of satisfaction ratings with previous surveys undertaken in 2006/07, 2007/08, 2008/09 and 2009/10.

Service	2006/07	2007/08	2008/09	2009/10
Overall Satisfaction	86.1	81.9	83.1	82.6
Satisfaction with services provided	Not measured	Not measured	89.8	89.2
Value for money from rates	67.3	67.5	62.3	63.4
Libraries	95.5	93.7	93.5	92.3
Festivals	87.4	87.6	90.3	88.3
Sport and recreation	91.5	88.5	90.2	90.2
Mobile security patrols	70.6	62.3	63.5	70.4
Graffiti removal	74.6	75.4	78.4	82.1
Ranger services	Not measured	79.6	79.3	77.8
Weekly rubbish collection	98	96.3	97.2	97
Fortnightly recycling	95	91.1	92.6	92
Parks and Public Open Space	Not measured	91.9	91.5	91.7
Street appearance	82.1	84.2	84.1	83.5
Planning and building	61.6	54.8	N/A	N/A
Planning Services	N/A	N/A	80	85.1
Building Services	N/A	N/A	89.7	87
Local traffic	77.3	72.9	77.4	79.5

Service	2006/07	2007/08	2008/09	2009/10
Parking	72.4	69.4	58.2	54.4
Community consultation	Not measured	Not measured	69.7	74.8
City information	Not measured	Not measured	72	78.3
Understand community needs	Not measured	Not measured	73.5	72.6

Although overall satisfaction levels remain high, and satisfaction with City Services is high, the City will continue to improve service delivery in all areas, with particular focus on those service areas with lower satisfaction ratings including the following:

- Parking.
- Mobile Security Patrols.
- Ranger Services.

The City will also continue to provide opportunities for community participation and consultation in order to increase satisfaction with understanding community needs, and work on strategies to improve community satisfaction with value for money for rates.

The top line results are included in *Attachment 1* including details of actions taken in 2009/10 to improve service delivery, and planned actions and priorities for 2010/11 for all service areas.

Benchmarking satisfaction ratings with other local governments

The City also endeavours, wherever possible, to benchmark results against other local governments where benchmarking data is available, a similar methodology for conducting customer surveys is employed, and the surveys are conducted in the same year. The table below provides comparison information with local governments who have completed customer satisfaction surveys in 2009/10.

Service	Joondalup	Wanneroo	Melville	Fremantle	South Perth	Joondalup Ranking
Overall Satisfaction	82.6	81	82	71	83	2
Satisfaction with services provided	89.2		Not measured	Not measured	Not measured	Not measured by other local governments.
Value for money from rates	63.4	63	70	59	66	3
Libraries	92.3	84	94	87	81	2
Festivals	88.3	69	75	92	82	1
Sport and recreation	90.2	78	88	72	Not measured	1
Mobile security patrols	70.4	Not measured	68	Not measured	Not measured	1
Graffiti removal	82.1	Not measured	83	51	Not measured	2
Ranger services	77.8	47 (Ranger visibility)	Not measured	Not measured	Not measured	Only measured by one local government.
Weekly rubbish collection	97	93	98	96	95	2
Fortnightly recycling	92	86	93	85	91	2
Parks and Public Open Space	91.7	79	87	76	85	1
Street appearance	83.5	79	87	76	85	3
Planning Services	85.1	53	Not measured	39	47	1 – However different methodology used by City of Joondalup.
Building Services	87	53	Not measured	39	47	1 – However different methodology used by City of Joondalup.

Service	Joondalup	Wanneroo	Melville	Fremantle	South Perth	Joondalup Ranking
Local traffic	79.5	60	69	68	Not measured	1
Parking	54.4		Not measured	44	60	2
Community consultation	74.8	53	54	50	54	1
City information	78.3	67	62	60	65	1
Understand community needs	72.6	63	37 (Elected Members) 47 (Staff)	41 (Elected Members) 51 (Staff)	47 (Elected Members) 52 (Staff)	1

The benchmarking comparisons show that the City of Joondalup is doing well in comparison with other local governments in all areas. Overall satisfaction ratings compare well with the other local governments included in the benchmarking as do satisfaction ratings with libraries, festivals, sport and recreation, mobile security patrols, graffiti removal, weekly rubbish collections, fortnightly recycling, parks and public open spaces, and local traffic.

The City's satisfaction ratings for community consultation, informing the community, and understanding community needs are very high in comparison with the Cities of Wanneroo, Melville, Fremantle, and South Perth.

The City's satisfaction ratings for planning services and building services is much higher than those local governments including in the benchmarking data, however the City utilises a different methodology whereby planning and building applicants over the last 12 months are surveyed separately as opposed to being included in the overall satisfaction survey as with those local governments included in the benchmarking data.

The comparisons between parks and public open spaces, and street appearance are problematic as some of the local governments included in the benchmarking include questions that incorporate more than one aspect. For example, the City of Melville combines streetscapes, parks and sporting grounds in one question as opposed to the City of Joondalup's question being about parks and public open spaces. Where this occurs, the same satisfaction rating has been applied to those questions that include the different components.

Legislation/Strategic Plan/Policy Implications

Legislation The Annual Community Satisfaction Survey assists the City to achieve three elements of the Local Government Act 1995:

- 1 Better decision-making by local government;
- 2 Greater community participation in the decisions and affairs of local governments;
- 3 More efficient and effective local government.

Strategic Plan

Key Focus Area: Leadership and Governance

Objective: To engage proactively with the community.

Risk Management considerations:

Monitoring levels of customer satisfaction with services provided by the City is essential to assist in the delivery of effective and efficient services to the community.

Financial/Budget Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability Implications:

Customer satisfaction is a measure of an organisation's sensitivity to customer needs and, from an organisational perspective, is essential for long-term success and sustainability.

Consultation:

The 2009/10 Customer Satisfaction Survey was conducted by surveying 625 residents of the City of Joondalup.

COMMENT

The 2009/10 Customer Satisfaction Survey results show that, in the main, residents are satisfied with the services provided by the City of Joondalup. A number of service areas attracted extremely high satisfaction ratings indicating that residents are very satisfied with service levels and service activities.

Community consultation is an important part of local government activities and customer satisfaction surveys play an integral role in responding to community expectations. Those services and activities that attracted lower satisfaction ratings will be the focus for improvements in 2010/11, however, the City will continue to look for improvements in all service areas.

The 2009/10 Customer Satisfaction Survey report provides information to inform improvements to service delivery. The City will utilise the information to introduce and build on improvements in all service areas.

A number of improvements to services are planned for 2010/11 with some improvements already underway. These are detailed in Attachment 1.

The satisfaction rating comparisons with other local governments are pleasing, particularly those satisfaction ratings for community consultation, informing the community, and understanding community needs. The City puts considerable effort into ensuring the community is consulted on key projects, and is provided with information on City projects and activities.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Amphlett, SECONDED Cr Hollywood that Council receives the 2009/10 Customer Satisfaction Survey.

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf091110.pdf](#)

CJ197-11/10 PROPOSED ANIMALS AMENDMENT LOCAL LAW 2010

WARD: All

RESPONSIBLE: Mr Jamie Parry, Director Governance and Strategy

FILE NUMBER: 21067

ATTACHMENTS: Attachment 1 Animals Amendment Local Law 2010
Attachment 2 Animals Local Law 1999

PURPOSE

To provide opportunity for notice to be given, pursuant to Section 3.12(2) of the *Local Government Act 1995*, of the purpose and effect of the proposed *City of Joondalup Animals Amendment Local Law 2010*, to take into account amendments to animal exercise areas on the City's coast, as resolved by the Council at its meeting held on 21 September 2010.

Council approval is sought for the release of the proposed local law for a six week public comment period.

EXECUTIVE SUMMARY

As a result of Council's decision to adopt the City of Joondalup "Beach Management Plan", amendments to the City's *Animals Local Law 1999* are required to reflect the new restrictions over the Hillarys Horse and Dog Beaches, as articulated within the Plan.

The process for amending local laws is governed by Section 3.12 of the *Local Government Act 1995*. In accordance with this process, notice of the purpose and effect of the proposed Amendment Local Law must be provided by Council and approval must be sought for the release of the law for a minimum six week public comment period.

This report seeks to fulfil the requirements of Section 3.12(2) in initiating the local law amending process and ensuring that the new animal beach exercise restrictions are effectively implemented.

BACKGROUND

At its meeting held on 21 September 2010, Council adopted the City of Joondalup "Beach Management Plan" which aims to fulfil the following purpose:

"To provide a management framework for the use, enjoyment, maintenance, protection, preservation and appropriate development of the lands that are covered by the Plan within the available resources.

It is acknowledged that there are a wide range of existing regional and Council plans, strategies and policy statements, and the development of this Plan is intended to create an umbrella management framework that will provide the community with certainty about the City's beach lands and enable the Council to manage and develop it effectively."

In adopting the Plan, Council adopted an approach to kitesurfing activities and animal exercise areas on the City's coast. The Council also resolved inter alia the following:

- *"Council NOTES that upon adopting the Beach Management Plan, the City will commence developing an Implementation Plan to give effect to the 32 Issue Statements within the Plan;*
- *Council REQUESTS a report in the second quarter of 2011 advising of the implementation of Council's agreed Options in relation to animal exercise areas and kitesurfing and a report in September 2012 detailing the status and progress of implementation of Issue Statements 1 to 32 within the Beach Management Plan."*

In order to respond to Council's resolution above, preliminary implementation measures will need to be introduced for the 2010/11 summer period as they relate to the adopted management approaches for animal exercise areas and kitesurfing. This will occur prior to the development of a full Implementation Plan for all 32 Issues Statements contained within the Beach Management Plan.

Of first priority is the consideration of the City's coastal-related local laws to ensure that current compliance measures within the laws are sufficient and that any issues relating to jurisdiction are resolvable and acted upon immediately. As such, this report provides a preliminary review of the City's local laws in anticipation of interim implementation measures being introduced.

DETAILS

Current application of coastal related local laws

The City, as a local government entity, is provided with powers under the *Local Government Act 1995* to make local laws to “perform any of its functions under the Act” (s. 3.5(1)). Section 3.1(1) then defines the general function of a local government as being “to provide for the good government of persons in its district”.

As such, the City has the capacity to make local laws to regulate activities within its district on the understanding that any such management is in the interests of good government for its residents. In relation to coastal activities, regulation occurs through the administration of two local laws in particular:

- *Local Government and Public Property Local Law 1999*

Coastal reserves, beaches and the ocean are classified as public locations. For the purposes of preservation, sustainability, amenity and safety, the City stipulates within its *Local Government and Public Property Local Law 1999*, restrictions over specific coastal activities. (Usually in the form of approval processes, prohibitions, designated areas and the like).

- *Animals Local Law 1999*

Designated animal beach exercise areas are established through this local law, including the creation of offences associated with animal management in public places, (such as animal fouling, effective control, and the like).

The regulation of kitesurfing and animal exercising activities will be administered through the abovementioned local laws and as such, each law will require review to ensure that new compliance measures are able to be implemented.

Kitesurfing - Local Government Public Property Local Law 1999

To manage kitesurfing activities within the City of Joondalup, the Beach Management Plan endorses the establishment of a designated launch and landing area at Mullaloo Beach and three exclusion zones within the water at Mullaloo, North Mullaloo and Sorrento.

The establishment of these areas will occur through the erection of signage on the beach and beach access paths as well as the installation of marker buoys and navigation aids within the water and fore-dune. Non-compliance will then be enforced through Clause 44 of the *Local Government and Public Property Local Law 1999*, which states:

44 “A person attending any beach in the district shall:

(a) comply with any sign erected on the beach”

The City’s current Governor approved district extension enables its *Local Government and Public Property Local Law 1999* to apply 200 metres seawards from the low water mark and as such, any direction stated on a sign that is erected on a beach (under Clause 44) will also extend to this area. Therefore, both designated areas and exclusion zones are able to be enforced under the City’s current *Local Government and Public Property Local Law 1999* and a local law amendment is not required.

Horse and Dog Exercise Beaches - Animals Local Law 1999

Permitted and prohibited animal exercise areas are established through the City's *Animals Local Law 1999*. The local law currently articulates specific areas on Hillarys and Whitfords Beaches where horses and dogs can be exercised.

In order to give effect to the new animal exercise areas stated within the Beach Management Plan and the resolution of Council (*CJ158-09/10 refers*), the City's *Animals Local Law 1999* requires amending to restrict horse exercising activities and extend the current dog beach exercising area. Attachment 1 of this report outlines the format of the amendments that will effectively:

- 1 Prohibit horse exercising within the current designated horse beach area between the period of midday and midnight, Monday to Saturday and from midnight Saturday to midnight Sunday.
- 2 Extend the current dog beach area south by 100 metres.
- 3 Enable dogs to be exercised within the current horse beach area off-lead between the period of midday and midnight, Monday to Saturday and from midnight Saturday to midnight Sunday.

It should be noted that whilst the resolution of Council requested the period of restriction for horses to apply from midday until daybreak Monday to Saturday and all day Sunday, the City must prescribe specific times within the local law in order for the restrictions to be effective. "Daybreak" is a time of day that changes according to the season and can therefore not be relied on as a sufficient period of enforcement. As such, the local law amendment has been drafted to reflect the intention of the restrictions (that is, to prevent horses from utilising the beach during the peak periods in which dogs are present), whilst enabling specific and static times to be prescribed.

Issues and Options

Council may choose to proceed with one of the following options:

- Option 1: Approve the release of the attached *Animals Amendment Local Law 2010* for a six week public comment period, which is aligned to the intent of the Council's resolution of September 2010.
- Option 2: Approve the release of the attached *Animals Amendment Local Law 2010* for a six week public comment period, subject to amendments.
- Option 3: Not approve the release of the attached *Animals Amendment Local Law 2010* on the basis that the amendments should not be pursued.

It is recommended that Council adopts Option 1, namely, to approve the release of the attached *Animals Amendment Local Law 2010* for a six week public comment period in its current format, on the basis that the amendment will give effect to Council's adopted position for managing animal exercising activities within the City's Beach Management Plan.

Whilst it is recommended that Option 1 be adopted, Council should note that application of the amendments will not come into effect until at least following the February Council meeting as the legislated six week public comment period will extend into Council's annual break period. As such, opportunity to adopt the Amendment Local Law will not be provided until Council's first Meeting of 2011. In the meantime, it is suggested that the following implementation measure be pursued:

Dog and Horse Exercise Area Restrictions:

Signs should be installed in the locations where the new exercise areas are to be established, outlining the new restrictions. Offences should then be temporarily enforced through Clause 44 of the City's *Local Government and Public Property Local Law 1999* which requires beachgoers to comply with the directions stipulated on signs installed on beaches.

After the *Animals Amendment Local Law 2010* is in effect, enforcement of the offences will revert back to the *Animals Local Law 1999*.

Legislation Local Government Act 1995
 Local Government and Public Property Local Law 1999
 Animals Local Law 1999

Strategic Plan

Key Focus Area: Leadership and Governance

Objectives: 1.3: To lead and manage the City effectively

Policy: Community Consultation and Engagement

The Community Consultation and Engagement Policy provides that consultations are not to be conducted during the Summer break (between the last Ordinary Meeting of Council in December to the first Ordinary Meeting of Council in February) unless otherwise stipulated by Council.

Delays in advertising the proposed amendments to the local law will delay enforcement of regulatory positions articulated in the Beach Management Plan.

Risk Management considerations:

The regulation of dog exercising and kitesurfing activities aims to reduce the level of risk these activities may pose to others and, as a consequence, increase beach user safety. Pursuing the attached local law amendment will enable the City to appropriately enforce the regulatory positions articulated within the Beach Management Plan and therefore obtain safety benefits for coastal patrons.

Financial/Budget Implications:

Minor costs will be incurred in amending the local laws, which relate mainly to the placement of advertisements and gazettal notices. The estimated cost of these advertisements is \$325.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

This report seeks Council approval to release the attached *Animals Amendment Local Law 2010* for a six week public comment period.

It is proposed that the City not only commit to the legislative requirements for local law amendments, being Statewide and local public notice, but notify key stakeholders, inform the community through the dedicated Beach Management Plan site on the City's website.

It is proposed that public notice related to the local law amendment be published at the end of November.

COMMENT

Not Applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Amphlett, **SECONDED** Cr Hollywood that Council that Council, in accordance with *Section 3.12 of the Local Government Act 1995*:

- 1** **GIVES NOTICE** of the following purpose and effect for the proposed *Animals Amendment Local Law 2010*, provided at Attachment 1 of Report CJ197-11/10:

“The purpose of this amendment local law is to extend the current designated dog beach exercise area and to apply new day and time restrictions over the current designated horse beach exercise area”

“The effect of this amendment local law is that the designated dog beach exercise area will be extended by 100 metres; horses will be prohibited from accessing the designated horse beach exercise area during the periods of midday to midnight, Monday to Saturday and between midnight Saturday and midnight Sunday; and dogs will be able to be exercised within the designated horse beach area off-lead during the prohibited periods for horses;

- 2** **APPROVES** the release of the proposed *Animals Amendment Local Law 2010*, provided at Attachment 1 to Report CJ197-11/10, for a six weeks public comment period, commencing the end of November 2010.

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf091110.pdf](#)

CJ198-11/10 MINUTES OF EXTERNAL COMMITTEES**WARD:** All**RESPONSIBLE:** Mr Jamie Parry, Director Governance and Strategy**FILE NUMBER:** 41196, 03149**ATTACHMENTS:** Attachment 1 Minutes of the Meeting of the Tamala Park Regional Council held on 14 October 2010
Attachment 2 Minutes of the Meeting of the Mindarie Regional Council held on 28 October 2010

(Please Note: These minutes are only available electronically)

PURPOSE

To submit minutes of external committees to Council for information.

EXECUTIVE SUMMARY

The following minutes are provided:

- Meeting of the Tamala Park Regional Council held on 14 October 2010.
- Meeting of the Mindarie Regional Council held on 28 October 2010.

VOTING REQUIREMENTS

Simple Majority

MOVED Cr Amphlett, **SECONDED** Cr Hollywood that Council **NOTES** the minutes of the:

- 1 Tamala Park Regional Council meeting held on 14 October 2010 forming Attachment 1 to Report CJ198-11/10;**
- 2 Mindarie Regional Council meeting held on 28 October 2010 forming Attachment 2 to Report CJ198-11/10.**

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16min161110.pdf](#)

CJ199-11/10 LIST OF PAYMENTS MADE DURING THE MONTH OF SEPTEMBER 2010

WARD:	All
RESPONSIBLE:	Mr Said Hafez, Acting Director Corporate Services
FILE NUMBER:	09882
ATTACHMENTS:	Attachment 1 CEO's Delegated Municipal Payment List for the month of September 2010
	Attachment 2 CEO's Delegated Trust Payment List for the month of September 2010
	Attachment 3 Municipal and Trust Fund Vouchers for the month of September 2010

PURPOSE

To present to Council the list of accounts paid under the Chief Executive Officer's (CEO) delegated authority during the month of September 2010 for noting.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of September 2010 totalling \$14,544,935.92.

It is recommended that Council NOTES the Chief Executive Officer's list of accounts for September 2010 paid under delegated authority in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations in Attachments 1, 2 and 3 to Report CJ199-11/10, totalling \$14,544,935.92.

BACKGROUND

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

DETAILS

The table below summarises the payments drawn on the funds during the month of September 2010. Lists detailing the payments made are appended as Attachments 1 and 2.

The vouchers for the month are appended as Attachment 3.

FUNDS	DETAILS	AMOUNT
Municipal Account	Cheques 87765 – 87984 and EF14105 – EF14574 Net of cancelled payments	\$11,185,315.59
	Vouchers 730A – 738A	\$ 3,328,585.33
Trust Account	Cheques 203676 - 203728 Net of cancelled payments	\$ 31,035.00
Total		\$14,544,935.92

Issues and options considered:

Not Applicable.

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

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

Strategic Plan

Key Focus Area: Leadership and Governance

Objective: 1.1 To ensure that the processes of Local Government are carried out in a manner that is ethical, transparent and accountable.

Policy All expenditure included in the list of payments is drawn from the City's accounting records.

Risk Management considerations:

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

Financial/Budget Implications:

All expenditure from the Municipal Fund was included in the 2010/11 Annual Budget as adopted by Council at its meeting held on 6 July 2010.

Regional Significance:

Not Applicable.

Sustainability Implications:

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

Consultation:

Not Applicable.

COMMENT

All Municipal Fund expenditure included in the list of payments is in accordance with the 2010/11 Annual Budget as adopted by Council at its meeting held 6 July 2010 or has been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Corr, SECONDED Cr McLean that Council NOTES the Chief Executive Officer's list of accounts for September 2010 paid under delegated authority in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996 forming Attachments 1, 2 and 3 to Report CJ199-11/10, totalling \$14,544,935.92.

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf091110.pdf](#)

CJ200-11/10 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2010

WARD: All

RESPONSIBLE: Mr Said Hafez, Acting Director Corporate Services

FILE NUMBER: 07882

ATTACHMENTS: Attachment 1 Financial Activity Statement for the Period Ended 30 September 2010

PURPOSE

The September 2010 Financial Activity Statement is submitted to Council to be noted.

EXECUTIVE SUMMARY

At its meeting held on 6 July 2010, Council adopted the Annual Budget for the 2010/11 Financial Year - JSC06-07/10. The figures in this report are compared to the Adopted Budget figures.

The September 2010 Financial Activity Statement report shows an overall favourable variance from operations and capital for the period of \$8,191k when compared to the 2010/11 Adopted Budget.

This variance can be summarised as follows:

- The **Operating** surplus is \$2,439k above budget made up of higher revenue of \$732k and lower operating expenditure of \$1,707k.

Operating revenue is above budget mainly for Rates \$308k, Fees and Charges \$499k, Contributions, Reimbursements and Donations \$266k and Investment Earnings \$323k. Additional revenue arose from parking infringements, building development application fees, reimbursements of long service leave from other Councils, sale of recyclables and higher returns on investments due to higher funds invested. Offsetting this is a revenue deficit of (\$595k) for the first quarterly General Assistance Grant budgeted to be received in August and now expected in October.

The operating expenditure variance includes Materials and Contracts \$1,066k, Employee Costs \$771k and Depreciation (\$211k).

Lower employment costs occurred as recruitment for vacant positions continues and budgeted salary increases are yet to occur.

Materials and Contracts expenditure is below budget which includes sports clubs contributions caused by project delays, furniture and equipment purchases and external contract services for irrigation, landscape maintenance, street tree pruning and removal predominantly due to timing differences.

- The **Capital Revenue and Expenditure** deficit is \$5,519k below budget made up of a shortfall of revenue of (\$574k) and under expenditure of \$6,093k.

The revenue deficit to budget includes a State Blackspot project (\$144k) that was actually received in the previous financial year and Road Preservation Resurfacing program (\$318k) principally for the State Local Roads Grant that is now expected in October. The grant for the Ocean Reef Marina (\$600k) has not yet been applied for. These are offset by the City receiving \$522k for the RLCIP Seacrest Park, Macdonald Reserve and Forrest Park projects which was budgeted to be received in 2009/10.

Capital Expenditure is below budget on Capital Projects \$1,435k, Capital Works \$4,462k and Motor Vehicle Replacements \$200k.

The main Capital Project variances occurred on the Ocean Reef Marina \$979k where the feasibility study of concept Plan 7 is being prepared. Work on the Regional Local Community Infrastructure Projects is \$1,501k behind schedule. Other Capital Works projects are generally in the tender and planning phase such as the Road Resurfacing program.

Further details of the material variances are contained in Appendix 3 attached to this Report.

It is recommended that Council NOTES the Financial Activity Statement for the period ended 30 September 2010 forming Attachment 1 to Report CJ200-11/10.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* requires the production of financial activity statements. At its meeting held on 11 October 2005, Council approved the monthly Financial Activity Statement according to nature and type classification.

DETAILS

Issues and options considered:

The Financial Activity Statement for the period ended 30 September 2010 is appended as Attachment 1.

Legislation/Strategic Plan/Policy Implications

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

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

Strategic Plan

Key Focus Area: Leadership and Governance

Objective: 1.3 To lead and manage the City effectively.

Risk Management considerations:

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

Financial/Budget Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability Implications:

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

Consultation:

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

COMMENT

All expenditures included in the Financial Activity Statement are incurred in accordance with the provisions of 2010/11 Adopted Budget or have been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Amphlett, SECONDED Cr Hollywood that Council NOTES the Financial Activity Statement for the period ended 30 September 2010 forming Attachment 1 to Report CJ200-11/10.

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf091110.pdf](#)

CJ201-11/10 TENDER 024/10 - PROVISION OF METAL FABRICATION SERVICES

WARD: All

RESPONSIBLE: Mr Said Hafez, Acting Director Corporate Services

FILE NUMBER: 101072

ATTACHMENTS: Attachment 1 Summary of Tender Submissions

PURPOSE

This report is to seek the approval of Council to accept the Tender submitted by Wanneroo Caravan Centre and Steel Fabricators for the provision of metal fabrication services (Tender 024/10).

EXECUTIVE SUMMARY

Tenders were advertised on 8 September 2010 through state wide public notice for the provision of metal fabrication services. Tenders closed on 23 September 2010, with the following submissions being received:

- Wanneroo Caravan Centre and Steel Fabricators
- Teksteel Engineering Pty Ltd
- TSG Group Pty Ltd
- All Things Stainless Pty Ltd (Late Tender).

The submission from All Things Stainless Pty Ltd was received after the closing time and was not accepted for evaluation.

The submission from Wanneroo Caravan Centre and Steel Fabricators represents best value to the City and is the lowest priced Tender. The Evaluation Panel has confidence in its ability to meet the City's requirements and will have sufficient resources and more than 30 years experience completing work for the City.

It is recommended that Council ACCEPTS the Tender submitted by Wanneroo Caravan Centre and Steel Fabricators for the provision of metal fabrication services for a three year period in accordance with the statement of requirements as specified in Tender 024/10 at the submitted schedule of rates.

BACKGROUND

This requirement is for the provision of metal fabrication services within the City for various works and maintenance projects including the fabrication of bollards, access gates, “U” bars for pedestrian walkways, grates and minor modifications to vehicles and their equipment.

The City had a panel Contract for building and general maintenance services of which metal fabrication was a component. This contract expired on 28 January 2010. The services obtained under this panel Contract have been split into the individual components. Metal fabrication services are currently being obtained on a quotation basis.

DETAILS

Tenders were advertised on 8 September 2010 through state wide public notice for the provision of metal fabrication services.

Evaluation Criteria

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

Qualitative Criteria		Weighting
1	Capacity	50%
2	Demonstrated experience in providing similar services	25%
3	Demonstrated understanding of the required tasks	20%
4	Social and economic effects on the local community	5%

Evaluation Panel

The evaluation panel comprised of four members; one with tender and contract preparation skills and three with the appropriate technical expertise and involvement in supervising the Contract. The panel carried out the assessment of submissions in accordance with the City’s evaluation process in a fair and equitable manner.

Tender Submissions

Four submissions were received from:

- Wanneroo Caravan Centre and Steel Fabricators
- Teksteel Engineering Pty Ltd
- TSG Group Pty Ltd
- All Things Stainless Pty Ltd (Late Tender).

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

The submission from All Things Stainless Pty Ltd was received after the closing time and was not accepted for evaluation.

Price Assessment of Tender Submissions

To provide an estimated expenditure over a 12 month period the most commonly used labour rate, its typical usage and the associated quantity of materials have been used. The table below provides a comparison of the estimated cost of the Contract for each Respondent.

Any future requirements will be based on demand and subject to change in accordance with the operational needs of the City.

Estimated Cost	Wanneroo Caravan Centre and Steel Fabricators	Teksteel Engineering Pty Ltd	TSG Group Pty Ltd
Year 1	\$134,750	\$151,500	\$159,750
Year 2	\$139,466	\$156,803	\$165,341
Year 3	\$144,348	\$162,291	\$171,128
Total Estimated Cost	\$418,564	\$470,593	\$496,219

During the last financial year 2009/10, the City incurred \$137,935 for the provision of metal fabrication services and is expected to incur in the order of \$418,564 over the three year Contract period.

Evaluation Summary

Tenderer	Estimated Contract Price	Evaluation Score	Qualitative Rank
Wanneroo Caravan Centre and Steel Fabricators	\$418,564	75.2%	1
Teksteel Engineering Pty Ltd	\$470,593	55.2%	2
TSG Group Pty Ltd	\$496,219	43.6%	3

TSG Group Pty Ltd was ranked last in the qualitative assessment and price. It has the capacity to meet the City's requirements. TSG Group Pty Ltd did not provide any response addressing its understanding of the requirements and did not adequately demonstrate experience in providing similar services. The examples of work supplied were all large-scale construction projects. TSG Group Pty Ltd's offer was 18.55% more expensive than Wanneroo Caravan Centre and exceeded the City's budget for metal fabrication services.

Teksteel Engineering Pty Ltd ranked second in price and the qualitative assessment. It demonstrated the capacity to meet the City's requirements. It did not demonstrate sufficient experience in work of similar nature to the City's requirements. Teksteel Engineering Pty Ltd's Offer was 12.4% more expensive than Wanneroo Caravan Centre and exceeded the City's budget for metal fabrication services.

Wanneroo Caravan Centre and Steel Fabricators was ranked first in both the qualitative assessment and price. It demonstrated substantial experience in providing similar services to the Cities of Wanneroo and Joondalup for the past 30 years. The company has a good understanding of the requirements and the capacity to meet the City's needs. It also submitted the lowest priced offer with competitively priced labour rates and materials mark-up percentage.

Issues and options considered:

Metal fabrication services are required in the maintenance of the City's infrastructure in parks, roads and vehicles. The City does not have the internal resources to supply the required goods and services and as such requires an appropriate external service provider.

Legislation/Strategic Plan/Policy Implications

Legislation A state wide public tender was advertised, opened and evaluated in accordance with Clause 11(1) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$100,000.

Strategic Plan

Key Focus Area: Community Wellbeing

Objective: To ensure that the City's facilities and services are of a high quality and accessible to everyone.

Policy Not Applicable.

Risk Management considerations:

Should the contract not proceed, the risk to the City will be moderate as the City will be unable to undertake repairs to infrastructure such as access gates and stormwater drainage grates. This may lead to an increased safety risk to members of the public in these public areas.

It is considered that the Contract will represent a low risk to the City as the recommended Respondent is a well-established company with 30 years experience supplying its services to the City and has the capacity to meet the City's timeframes and has a comprehensive understanding of the City's requirements.

Financial/Budget Implications:

Natural Account Numbers:	3359 (Labour) and 3327 (Material)
Budget Item:	Various cost codes for building maintenance, plant and equipment, parks and gardens and operations engineering.
Budget Total:	\$140,000
Amount Spent to Date: (July 2010 to October 2011)	\$30,063
Committed:	\$10,797
Estimated Expenditure: (November 2010 to June 2011)	\$90,000
Balance for current year to June 2011:	\$9,140
Proposed cost for contract period:	\$418,564

All figures quoted in this report are exclusive of GST.

The projected expenditure on these Services is subject to change and dependent on the quantity and type of requirements throughout the Contract period. The estimated expenditure over the Contract period is based on historical and known requirements for Operations Services.

Regional Significance:

Not Applicable.

Sustainability Implications:

Metal fabrication services are used in the maintenance and repair of the City's assets in parks, public access ways and pedestrian safety barriers. These services assist the City in improving the amenity of open spaces and safety to the public.

Consultation:

Not Applicable.

COMMENT

The evaluation panel carried out the evaluation of the Submissions in accordance with the Qualitative Criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by Wanneroo Caravan Centre and Steel Fabricators.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Amphlett, SECONDED Cr Hollywood that Council ACCEPTS the tender submitted by Wanneroo Caravan Centre and Steel Fabricators for the provision of metal fabrication services for a three year period in accordance with the statement of requirements as specified in tender 024/10 at the submitted schedule of rates.

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf091110.pdf](#)

**CJ202-11/10 CRAIGIE BUSHLAND NATIVE WILDLIFE
SANCTUARY**

WARD:	Central
RESPONSIBLE:	Mr Martyn Glover, Director Infrastructure Services
FILE NUMBER:	44236, 43127
ATTACHMENTS:	Attachment 1 Craigie Bushland Native Wildlife Sanctuary Feasibility Study and Management Plan – Strategic Options and Directions. Attachment 2 Friends of Craigie Bushland - Craigie Open Space Management Plan – Cover and Executive Summary. Attachment 3 A Preliminary Investigation into the Concept of a Wildlife Sanctuary at Craigie Bushland Reserve – Cover and Expenditure Summary. Attachment 4 Pedestrian Access Gates. Attachment 5 Gates Locations.

PURPOSE

The purpose of this report is to introduce the Craigie Bushland Native Wildlife Sanctuary Feasibility Study and Management Plan – Strategic Options and Directions (the Study), included in Attachment 1.

EXECUTIVE SUMMARY

In October 2008, Council requested the development of a detailed feasibility and management plan for the proposed Craigie Bushland Native Wildlife Sanctuary.

The resultant Study prepared by Jean-Paul Orsini and Associates is supportive of the progression of the sanctuary. The costs for the first three years are within the anticipated budgets and the potential risks are manageable.

The proposed timetable of projects leading to the eventual closure of the vermin proof boundary fence is achievable and will provide a step by step process whereby the risks to the City are minimised.

The key issue for the community will be accessibility to the sanctuary. This needs to be considered will reference to the safety of both the public and the fauna within the bounds of the sanctuary.

It is recommended that Council:

- 1 *SUPPORTS the development of the native wildlife sanctuary including a visitor's facility in Craigie Bushland in accordance with the timetable detailed in Report CJ202 11/10 and at a total cost for the first four years of \$1.5 million;*
- 2 *REQUESTS that a trial of managed accessibility be conducted during the period prior to the fauna stocking of the native wildlife sanctuary as detailed in Report CJ202 11/10;*
- 3 *NOTES that the review of the 1999 Craigie Open Space Management Plan will include an emphasis on weed control within the Sanctuary; and*
- 4 *SUPPORTS a strategy that high profile endangered native wildlife are to be catered for in the stocking of the Sanctuary.*

BACKGROUND

In August 2002, Council considered two management plans developed for the Craigie Open Space. The first was prepared by consultants Ecoscape on behalf of the City and the second was prepared by the "Friends of Craigie Bushland" with support from City Staff (see Attachment 2 – Cover and Executive Summary).

Council resolved that it:

- "1 RECEIVES, but does not adopt the Ecoscape Craigie Open Space Study; and*
- 2 ADOPTS the Craigie Open Space Management Plan prepared by the Friends of Craigie Bushland."*

The Ecoscape report included the potential for eco-tourism where there would be visits "to the Craigie Open Space bushland for a wildlife experience".

The "Friends of Craigie Bushland" Craigie Open Space Management Plan refers to the ongoing monitoring of native fauna and the control of feral animals, however, it does not refer to the potential for a native wildlife sanctuary.

In 2005 the City commissioned "A Preliminary Investigation into the Concept of a Wildlife Sanctuary at Craigie Bushland Reserve" by Jean-Paul Orsini and Associates (see Attachment 3 – Cover and Expenditure Summary). The investigation concluded that

"the reserve has the potential to become a sanctuary for Australian native wildlife and a centre for excellence for wildlife management, education and nature-based tourism in the Perth Metropolitan Area, attracting the local community as well as interstate and overseas visitors".

In June 2008 the Conservation Advisory Committee sought a report in relation to future works for Bushland and Natural Area reserves. When the report was presented to Council in September 2008, in addition to the Committee's recommendation, it was resolved that Council:

- "3 SEEKS a report from the Chief Executive Officer on the development and management options for a potential wildlife sanctuary at Craigie Bushland including possible partnership arrangements and the anticipated costs over five years of operation."*

At its meeting held on 28 October 2008 a report titled Craigie Bushland – Proposed Conservation Sanctuary Development CJ221-10/08 was presented to Council, with a proposal for the City to develop a portion of Craigie Bushland into a native animal sanctuary. It was resolved that Council:

- “1 *ENDORSES the concept for the establishment of a conservation sanctuary in Craigie Bushland subject to a future and more detailed report to Council on the subject which presents the detailed Feasibility and Management Plan;*
- 2 *APPROVES the installation of a feral-proof fence in accordance with the 2008/09 budget allocation; and*
- 3 *REQUESTS the development of a detailed Feasibility and Management Plan that outlines all short and long-term planning issues and associated costs in line with option 1 as detailed in Report CJ221-10/08;*
- 4 *REQUESTS the City to investigate opportunities for potential partnerships in the development of the site as outlined in Report CJ202 11/10 as without external support, the project is unlikely to be feasible (Stakeholder Involvement).”*

Report CJ221-10/08 included two options for the progress of the sanctuary. The report described Option 1 as a conservation sanctuary with limited and controlled human interaction focussing on restoration. In contrast, Option 2 was a conservation sanctuary with a focus on human experience and education. The study addresses Option 1 but also provides information on the potential to progress to Option 2.

In accordance with Council direction, a feral proof fence three kilometres long, enclosing 43 hectares was completed in Craigie Bushland in January 2010. The City has also approached a number of government agencies and wildlife organisations, including the Water Corporation and the Australian Wildlife Conservancy, to discuss potential partnerships to both develop and manage a native animal sanctuary.

The City engaged Jean-Paul Orsini and Associates (environmental consultants) to work closely with the City to develop the Craigie Bushland Native Wildlife Sanctuary Feasibility Study and Management Plan - Strategic Options and Directions. Dr Orsini developed the plan in consultation with a wide range of individuals and organisations associated with both the Craigie Open Space and native flora and fauna management.

DETAILS

At its meeting held on 28 October 2008, Council requested the development of a document, to examine the long term planning issues, and costs associated with the development of Option 1, as contained in the Craigie Bushland – Proposed Conservation Sanctuary Development Report. Option 1 is described as a, “*Conservation Sanctuary with limited and controlled human interaction focusing on restoration*”. The Report states that, “*The initial purpose of the sanctuary will be to return the local ecosystem to its highest levels by restoring or re-vegetating degraded natural bushland, reintroducing native animal species, and preventing further destruction or damage by feral animals and uncontrolled human activity.*”

The City has recently received the final draft of the Study written by Jean-Paul Orsini and Associates. In the Study Dr Orsini is very positive about the potential of Craigie Bushland to be a successful native animal sanctuary and states that, “*With the right amount of resources and dedication, Craigie Bushland Wildlife Sanctuary has the potential to become a centre of excellence for wild life management and community awareness and education about Australia’s unique wildlife, and provide significant nature-based opportunities*”.

Issues and options considered:

The Study includes a series of recommendations and comments related to the issues and options these are as follows:

Recommendation (page 30)

- *To review, update and finalise the 1999 Craigie Open Space Management Plan, incorporating the Craigie Bushland Native Wildlife Sanctuary Management Plan's key recommendations and requirements related to future fauna translocations, and that the revised Management Plan be adopted by Joondalup Council.*

The Craigie Open Space Management Plan was adopted by Council in August 2002. The City has been progressing the recommendations associated with the plan over the past eight years. The review of the Plan will include the recommendations of the Craigie Bushland Native Wildlife Sanctuary Management Plan as well as weed control within the Sanctuary area. The intention will be that the native flora in the Sanctuary is provided with every opportunity to flourish and replicate the original bushland before European settlement. The Study's proposed budget includes \$30,000 for the review of the Plan.

Recommendation (page 33)

- *That a seasonal wetland be established where the current sump in the south-west corner of the sanctuary is using native species plantings of local provenance.*

The provision of a permanent wetland associated with the existing stormwater sump in the south-west corner of the site would ensure that the fauna population had access to water within the sanctuary. This would need to be constructed prior to the closure of the boundary fence.

Recommendation (page 36)

- *Floppy chain link mesh to be added to the overhang on the outside of the fence to stop foxes and feral cats from climbing over the top of the fence. A trial period will be necessary to ensure that effectiveness of the fence design at keeping feral predators out.*

These works were included in the construction of the fence at an additional cost of \$8,000.

Recommendations (page 38 and 39)

That:

- *The City of Joondalup liaise with FESA to develop a Fire Management Plan for the whole of Craigie Bushland that emphasises the high natural and wildlife values of the bushland and the sanctuary, with clear response times and priorities allocated to any emergency. The Fire Management Plan should include the provision of appropriate firebreaks within and surrounding the sanctuary, access gates should fire control be necessary and monitoring and management of fuel loads within the sanctuary at appropriate times of year.*
- *A fire hazard and risk assessment plan be prepared by the City of Joondalup.*
- *The City of Joondalup prepares in consultation with FESA a Fire Risk Management Plan.*

- *The City of Joondalup ensures that up-to-date aerial photos of Craigie Bushland and maps showing emergency gates into Craigie Bushland Native Wildlife Sanctuary are available and that master keys to all gates are passed on to both FESA and Duncraig Fire Brigade.*
- *The City of Joondalup conveys to FESA and the Duncraig Fire Brigade the high significance of the Craigie Bushland Native Wildlife Sanctuary as far as fire fighting priority is concerned.*

These plans will need to be in place and approved prior to the closure of the feral proof boundary fence.

Recommendation (page 40)

- *That a Technical Reference Panel be formed representing various agencies and fields of expertise as required.*

The membership of the Technical Reference Panel is a key to the effective operation of the sanctuary and would provide advice on fauna and flora ecology and management, wildlife translocation, environmental management, landscape, veterinary science and wildlife care.

Recommendations (page 41)

- *That a Community Engagement Plan be prepared for the Craigie Bushland Native Wildlife Sanctuary.*
- *That a Community Stakeholder Group be formed representing key community interests to help developing an effective community relations and communication process.*

The Friends of Craigie Bushland will provide a basis for the community stakeholder group. To date the only community resistance to the project has been predominantly from the dog walking fraternity who have had access denied. It is noted that the Craigie Open Space Management Plan 2002 includes a recommendation that “dogs are to be kept under control and use only outer perimeter paths”. The provision of the feral proof boundary fence achieves this objective.

Recommendation (page 45)

- *That a fully itemised and costed Business Plan be developed for the Craigie Bushland Native Wildlife Sanctuary.*

Before the City can progress with the sanctuary it will be imperative that an adopted business plan is in place which details what the sanctuary will provide, how it will be operated, how much it will cost and who will meet the cost. This business plan will need to be in place before the feral proof boundary fence is closed.

Recommendations (page 48)

That:

- *A sponsorship strategy be developed by the City of Joondalup with clear short and long-term goals and objectives.*

- *Major sponsors be invited to enter into a Memorandum of Understanding (MOU) with the City of Joondalup stating the MOU's objectives, the responsibilities of both parties, the long-term nature of the engagement taken (recommended time three to five years) that is commensurate with the long-term management responsibilities required in relation to the management of a wildlife sanctuary.*
- *The sanctuary Business Plan investigate financial models that could best attract sponsors and donors to the project.*

It is anticipated that the sanctuary will be a major attraction to local residents and visitors alike, that is it will be a regional facility. Consequently, the long term viability at the sanctuary will require partnerships and sponsorships so that the cost burden is not fully borne by the City of Joondalup ratepayers. The Study provides partnering examples including the WA Museum, Perth Zoo, Australian Wildlife Conservancy, Whiteman Park, Kanyara Wildlife Rehabilitation Centre, Native Animal Rescue, Murdoch University School of Veterinary Science, local veterinarians, Water Corporation, Main Roads WA, Metropolitan Cemeteries Board, Earthwatch Australia, Birds Australia WA, Wildflower Society of WA and this list is far from exhaustive.

Sponsorship opportunities could include companies such as Woodside, ALCOA and Wesfarmers as well as government sponsors such as the Water Corporation, Alinta and Western Power. There is also the possibility that tertiary education centres such as Edith Cowan University and West Coast Institute of Training would provide in kind sponsorship through their environmental faculties.

There are also two additional issues which were not covered in the recommendations but require discussion as part of this Report.

Access

As previously mentioned, there has been some opposition to the concept of a sanctuary by dog walkers as many residents/dog walkers have exercised their dogs in Craigie Bushland Reserve for a number of years. Their concern is that dogs will not be allowed within the reserve when the perimeter gates are locked. Unfortunately the presence of dogs within the Sanctuary will not be compatible to the native fauna populations that will live there, and for this reason dogs will need to be prohibited from the fenced enclosure, but will be welcome in the surrounding bushland.

The vermin proof boundary fence provides for three pedestrian access gates (Attachment 4 refers) and eight vehicle access gates. Since the construction of the vermin proof boundary fence, all pedestrian gates have been left unlocked and five of the eight vehicle access gates are also unlocked. The three remaining vehicle access gates have been locked to prevent access (see Attachment 5 for gate locations). The unlocked vehicle access gates will remain open to facilitate access by emergency vehicles if necessary and to accommodate kangaroo movement through the sanctuary.

The Study examined the subject of visitor entry to the reserve. Dr Orsini suggested a range of entry systems including the use of electronic pads to allow entry and the potential utilisation of Craigie Leisure Centre to register Sanctuary visitors.

There are a number of issues to consider with respect to access including the amount of public access, method of access, site security, flora and fauna protection, fauna availability and fire control.

Public accessibility and interaction with the flora and fauna will be key to the success of the sanctuary with a preference to maximise the access for the community.

The method of access will require careful consideration to ensure that security of the site is robust and risks to the public and the flora and fauna are minimised. There will be an opportunity prior to stocking the sanctuary to trial a series of methodologies including key issues or touch pads to accommodate entry.

If the sanctuary is to be recognised as a quality facility, there will need to be a level of management of public access. It is unlikely that environmental partnerships or sponsorships will be forthcoming if in the long term there is no guarantee that the flora and fauna is appropriately protected through management of public access.

The majority of the recommended fauna in the sanctuary is nocturnal. Therefore, the best opportunity to observe the fauna will be at night and access at this time will require guides.

The Krakamia Fauna Sanctuary near Gidgegannup conducts guided night visits and these are popular because the bush comes alive with the native animals at this time.

The sanctuary will be subject to a fire and fire risk management plan. This plan will require that all visitors to the sanctuary be recorded in case a fire breaks out in or near the site and there is a need to check if anyone is left within the fenced enclosure.

During the trial period previously discussed, it will be necessary to trial the options to record access including potential internet booking or through the Craigie Leisure Centre.

Fauna Introduction

Before the City considers introducing wildlife into the sanctuary it will be necessary to:

- 1 Establish baseline data of existing fauna;
- 2 Eradicate feral animals; and
- 3 Identify the level of stock that the sanctuary can support.

The most recent surveys of the site were conducted in the mid 1990's. A cost of \$20,000 is included in the Study to complete a survey of both flora and fauna in the 43 hectare fenced site.

The preferred time of the year to carry out eradication of feral animals is spring because this is when the young are born and the adults tend to congregate. In consideration of this key date a calendar for events leading up to the closure of the feral proof boundary fence has been developed in the table below:

Date	Project	Resource
November 2010	Feasibility Study adopted	In-house and consultant
March 2011	Business Plan and Sponsorship Plan adopted	In-house and consultant
May 2011	Review of Craigie Open Space Management Plan 2002 incorporating Craigie Bushland Native Wildlife Sanctuary	In-house and consultant
June 2011	Community Engagement Plan adopted	In-house
July 2011	Fire and Fire Risk Management Plans adopted	In-house and FESA
August 2011	Wetland constructed	In-house and contract

Date	Project	Resource
September 2011	Fence closed and feral animals eradicated	In-house and contract
November 2011	Technical Reference Panel appointed	In-house

The Study discusses the potential species to stock the sanctuary and is in consideration of the relatively small size of the enclosed area. The initial recommended group of four species are:

- Quenda (Southern Brown Bandicoot);
- Bushtail Possum;
- Honey Possum; and
- Western Pygmy-Possum.

There is also the opportunity for the City to introduce high profile endangered species e.g. mainland quokka or bilby as well as the potential for larger marsupials including Wallabys. However the populations would need to be managed so that the sanctuary does not become overstocked and the species are in accordance with the City's license.

Legislation/Strategic Plan/Policy Implications

Legislation

The development of a native wildlife sanctuary in Craigie Bushland will be influenced by a range of State and Commonwealth legislation and regulations:

- The *Wildlife Conservation Act 1950 (Western Australia)* relates to all native West Australian fauna and that all native fauna is the property of the Crown, and in many cases this includes animals in private sanctuaries, depending on the origins of the animal.
- The *Environment Protection and Biodiversity Conservation Act 1999* regulates the translocation of threatened fauna species. The State's *Environmental Protection Act 1984* regulates the clearing of bushland for development purposes.
- In June 2010 the Western Australian Planning Commission endorsed State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region. Any development in Bush Forever sites requires consideration of the SPP.

Other pieces of legislation and regulation that may influence the City's activities in the sanctuary, include the *Wildlife Conservation Regulation 1970* and the *Bushfires Act 1954*.

Strategic Plan

Key Focus Area: The Natural Environment

Objective: 2.1 To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained.

Strategy: 2.1.7 The City protects local biodiversity through effective planning of biodiversity and natural areas.

Objective: 2.2 To engage proactively with the community and other relevant organisations in the preservation of the City's natural environmental assets.

Strategy: 2.2.3 The City undertakes actions to protect and rehabilitate its natural bushland and coastal environment and works closely with Friends and local environmental groups to achieve these outcomes.

The development of a native animal sanctuary in Craigie Bushland is a designated project contained within the City's Annual Plan 2010/11.

Risk Management considerations:

The Study includes a risk analysis of the project (page 44). The most significant risk to the success of the project is that sufficient funds are not available to complete the capital and ongoing maintenance needs of the proposed native animal sanctuary. Therefore, the requirement for the development of a sound business plan is of major importance.

The success of the sanctuary will hinge on the provision of partnerships with organisations who specialise in the skills required to manage a native wildlife sanctuary. This presents a risk to the City if the partnerships are not realised because the operation of a native wildlife sanctuary is not core business to Local Government and the City does not have the resident animal husbandry skills required to provide the service.

Other major risk factors include the potential for devastating bush fires, vandalism and the potential for vandals to breach the perimeter fence, allowing feral animals to enter the reserve or native fauna to exit.

Finally if the sanctuary is developed, stocked with wildlife and then there is a loss of stock due to the actions of the City, then the reputation of the City as a sustainability champion would be tarnished.

Financial/Budget Implications:

The following table includes the actual budget for 2010/11 and the Study's proposed budgets for 2011/12 to 2013/14:

Costs	Year 2010/11	Year 2011/12	Year 2012/13	Year 2013/14	Three year total
Operating costs	\$59,858**	\$387,500*	\$238,000*	\$252,500*	\$937,858*
Capital costs	\$70,000**	\$170,000	\$170,000	\$20,000	\$430,000
Total costs	\$129,858	\$557,500	\$408,000	\$272,500	\$1,367,858

Note: * = Proposed maintenance budget plus proposed operation cost
 ** = Actual budget for 2010/11

The proposed budget for 2011/12 and 2012/13 includes provision for the construction of a Visitor's Centre at a total cost of \$360,000. This would be a cost associated with Option 2 of the report of 28 October 2008 if Council chose to progress to the next stage of the project. In consideration of current building costs in Western Australia it is more likely that the proposed Visitor's Centre cost would be in order of \$500,000 and the total budget would be \$1,507,858 for the three years including provision for Option 2.

The allocation in the 2010/11 budget for \$70,000 is sufficient to provide for the completion of the Business Plan, Sponsorship Plan and Fire and Fire Risk Management Plans. It will also provide for the review of the Craigie Open Space Management Plan 2002.

The City of Joondalup Strategic Financial Plan 2009 to 2029 has made provision of \$2 million for the Craigie Bushland Native Wildlife Sanctuary in 2011/12 financial year. All figures quoted in this report are exclusive of GST.

Regional Significance:

The development of a native animal sanctuary within 25 kilometres of a major Central Business District is regionally significant and is unique in Australia.

The sanctuary is expected to be an attraction to visitors from the Perth metropolitan area, interstate and overseas. It is anticipated that once operational, the Sanctuary will add to the suite of manmade and natural attractions to be found in the City of Joondalup.

Sustainability Implications:

The protection of 43 hectares of urban bushland and the reintroduction of its endemic native fauna is a significant step in the protection of local biodiversity. It is expected that as fauna populations increase within the sanctuary, animals can be translocated to other bushland reserves within the City and possibly further afield.

Consultation:

The author of the Study has consulted widely in the preparation of this study including Friends of Craigie Bushland representatives, Department of Environment and Conservation (DEC) staff, senior managers and staff from existing native fauna sanctuaries both in Western Australia and interstate. A complete list of acknowledgements is included on page 2 of the Study.

Dr Orsini also extensively consulted with City staff.

COMMENT

The Study undertaken by Dr Orsini is comprehensive and affords the City a practical guide to assist in the development and operation of the Craigie Bushland Native Animal Sanctuary.

The Study is supportive of the progression of the sanctuary and the anticipated costs for the first three years are within the provision made in the Strategic Financial Plan 2009 to 2029.

The Study also sets out milestones and timelines for each step of the process, however, there is flexibility regarding the start year due to the seasonality of some of the work.

Assuming that Council supports the Craigie Bushland Native Wildlife Sanctuary Feasibility Study and Management Plan – Strategic Options and Directions by November 2010 the City would be in a position to close the feral proof boundary fence by September 2011. This would provide sufficient time to complete the following documents:

- Business Plan
- Sponsorship Plan
- Craigie Open Space Management Plan Review
- Community Engagement Plan
- Fire Management Plan
- Fire Risk Management Plan

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION: That Council:

- 1 SUPPORTS the development of the native wildlife sanctuary including a visitor's facility in Craigie Bushland in accordance with the timetable detailed in Report CJ202 11/10 and at a total cost for the first four years of \$1.5 million;
- 2 REQUESTS that a trial of managed accessibility be conducted during the period prior to the fauna stocking of the native wildlife sanctuary as detailed in this Report;
- 3 NOTES that the review of the 1999 Craigie Open Space Management Plan will include an emphasis on weed control within the Sanctuary; and
- 4 SUPPORTS a strategy that high profile endangered native wildlife are to be catered for in the stocking of the Sanctuary.

MOVED Cr Amphlett, SECONDED Cr Gobbert that Council:

- 1 **SUPPORTS the development of the native wildlife sanctuary including a visitor's facility in Craigie Bushland in accordance with the timetable detailed in Report CJ202-11/10;**
- 2 **NOTES that the Business Plan and Sponsorship Plan to be presented to Council in March 2011 will establish the funding sources and partnerships to fund the \$1.5 million required for the first four years of the project;**
- 3 **REQUESTS that a trial of managed accessibility be conducted during the period prior to the fauna stocking of the native wildlife sanctuary as detailed in Report CJ202-11/10;**
- 4 **NOTES that the review of the 1999 Craigie Open Space Management Plan will include an emphasis on weed control within the Sanctuary;**
- 5 **SUPPORTS a strategy that high profile endangered native wildlife are to be catered for in the stocking of the Sanctuary.**

AMENDMENT MOVED Cr Corr, SECONDED Cr Norman that the word 'development' in part 1 of the motion be amended to read 'concept'.

The Amendment was Put and

LOST (5/7)

In favour of the Amendment: Crs Chester, Corr, Norman, Taylor and Young **Against the Amendment:** Mayor Pickard, Crs Amphlett, Diaz, Fishwick, Gobbert, Hollywood and McLean

The Motion as Moved by Cr Amphlett, Seconded by Cr Gobbert was Put and

CARRIED (9/3)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman **Against the Motion:** Crs Corr, Taylor and Young

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf091110.pdf](#)

CJ203-11/10 LYSANDER DRIVE, HEATHRIDGE – TRAFFIC MANAGEMENT

WARD:	North Central
RESPONSIBLE:	Mr Martyn Glover, Director Infrastructure Services
FILE NUMBER:	45468
ATTACHMENTS:	Attachment 1 Locality plan Attachment 2 Proposed Traffic Management Plan

PURPOSE

To consider traffic management treatments for Lysander Drive, Heathridge.

EXECUTIVE SUMMARY

Lysander Drive, Heathridge connects Caridean Street in the north to Caridean Street in the east as shown on Attachment 1. The residents of Lysander Drive have raised concerns regarding vehicle crashes and excessive traffic speeds. On the basis of these concerns, traffic investigations including a detailed crash analysis, traffic count surveys and a Road Safety Audit have been undertaken to confirm the road safety situation. As a result of these investigations, Lysander Drive is considered to have a “Technical Problem” and therefore requires a traffic management solution to be developed.

The residents and property owners of Lysander Drive were presented with the traffic management plan as shown on Attachment 2 in June 2010 and requested to provide feedback regarding the concept. The majority of respondents supported the proposed traffic management treatments.

It is recommended that Council:

- 1 *APPROVES the concept plan for Lysander Drive, Heathridge as shown on Attachment 2 to Report CJ203-11/10 and as listed in the five year Capital Works program for 2011/12;*
- 2 *ADVISES residents and property owners of Lysander Drive of Council’s decision.*

BACKGROUND

Lysander Drive is approximately 1,300 metres in length and connects Caridean Street in the north to Caridean Street in the east as shown on Attachment 1.

The local community has raised concerns regarding excessive vehicle speeds on Lysander Drive, Heathridge and in particular in the vicinity of Lysander Reserve. Since 2002 there have been a high number of single vehicle crashes recorded for Lysander Drive with speeding considered a contributing factor.

Traffic and Transport Solutions was commissioned in November 2006 to undertake a Road Safety Audit of Lysander Drive to confirm the road safety situation. A number of issues were identified as part of the Road Safety Audit findings which include recommendations to relocate two power poles, install advanced warning signage and provide traffic treatments on Lysander Drive.

To gauge the level of support, residents and property owners of Lysander Drive were consulted in June 2010 regarding the proposed traffic management treatments. The results of the consultation are included later in the report.

DETAILS

A technical assessment of Lysander Drive has been undertaken to determine the extent of the traffic issue. The analysis includes a review of the traffic volumes, traffic speeds, crash history, and road environment.

Existing Situation

Lysander Drive is classified as an Access Road in the Perth Metropolitan Area Functional Road Hierarchy and provides a local connection to the immediate residential area and Lysander Reserve. The road provides direct access to approximately 78 residential properties and also connects to ten residential streets in the area. The horizontal road alignment is a combination of straights and curves and the urban speed limit of 50km/h applies.

To confirm the road safety situation, a detailed Road Safety Audit was undertaken in November 2006. The Road Safety Audit recommendations include the following:

Road Safety Audit Recommendations	Current Status
<p>2.1 Power poles Consider requesting Western Power to relocate the wooden power poles outside 21A and 27 Lysander Drive to the other side of the footpath away from the kerb line.</p>	Power Poles have since been relocated
<p>2.2 Curves adjacent to Lysander Reserve Consider the installation of curve warning signs with 40Km/h drop tags on the western and eastern approach to both curves.</p>	Request to Main Roads WA for advanced warning signs was actioned. However, this request was not supported.
<p>2.3 Vehicle Speeds Consider road treatments on Lysander Drive in the vicinity of Lysander Reserve and the curves at the eastern end of the reserve to encourage lower vehicle operating speeds.</p>	Traffic management scheme proposed

Traffic Speed and Volumes

Seven day traffic count surveys for Lysander Drive were undertaken in March 2005 and July 2009. The results of the most recent traffic count survey carried out in July 2009 at three locations on Lysander Drive include the following:

Road	Site Location	Average Week Day Traffic (vpd)	85 th Percentile Speed (km/h)
Lysander Drive	East of Caridean Street (North)	951	46
Lysander Drive	West of Roamer Street (vicinity of Lysander Reserve)	722	58
Lysander Drive	North of Caridean Street (East)	775	44

The industry standard for traffic assessments uses the 85th percentile travel speed (this is the speed at which 85% of vehicles are travelling at or below) and traffic volumes measured over seven days as the criteria for evaluating traffic, as prescribed in the Australian Standard AS1742.4 1999 (Manual of Uniform Traffic Control Devices, Part 4: Speed Controls).

An analysis of the 2009 traffic count data for Lysander Drive confirmed that traffic volumes range between 722 vehicles per day (vpd) and 951vpd which is within acceptable limits for a road of this type. The 85th percentile traffic speeds range between 44km/h and 58km/h. An analysis of the traffic speeds revealed that west of Roamer Street or in the vicinity of Lysander Reserve, a high percentage of drivers are speeding with the maximum recorded speed being 124km/h over the survey period.

Crash History

An analysis of the January 2002 to December 2009 Main Roads WA crash data revealed that 11 reported crashes had occurred on Lysander Drive in the eight year period with the majority of these crashes (nine) occurring since January 2005.

Of the 11 crashes which occurred, the following types of crashes were significant:

- Two crashes were injury-related.
- Five crashes occurred at night.
- Six crashes were single vehicle off-road crashes, five of these involved a vehicle hitting an object including two Western Power poles.
- Four involved the road alignment as a causal factor.

Proposal

To improve the road safety situation for residents and road users, the City has developed a traffic treatment plan for Lysander Drive as shown on Attachment 2. The design elements of the plan include the following features:

- Clearly defined traffic lanes and central median treatment that separates opposing traffic flows.
- Narrow traffic lanes that will limit the potential for high traffic speeds.
- Intersection and median islands at specific locations to control traffic movements and improve pedestrian access. The islands to be located to allow full access to residential driveways.

The proposed intersection islands and median treatment are intended to separate traffic flows, reduce overall vehicle speeds and improve safety for all road users on Lysander Drive. Similar traffic treatments within the City have been successful in reducing traffic speeds without obstructing vehicle access to properties.

The proposed traffic treatment plan will also include features that will improve the appearance of Lysander Drive by using red textured asphalt as the basis for the central median treatment. To cater for property access, the red median treatment will be level with the existing bitumen surface of the road.

Issues and options considered:

Council has the option to:

- Resolve to approve the traffic management plan for Lysander Drive as listed in the five year Capital Works Program for 2011/12. This is the recommended option.
- Resolve to retain Lysander Drive in its current form. On the basis of the traffic investigation, this option is not recommended.

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

Not Applicable.

Strategic Plan City of Joondalup Strategic Plan 2008 - 2011

Key Focus Area: 5.0 Community wellbeing

Objective: 5.4 To work collaboratively with stakeholders to increase community safety and respond to emergencies effectively.

Strategy: 5.4.4 The City develops and implements a comprehensive Road Safety Program.

Policy

Not Applicable.

Risk Management considerations:

The City receives many requests to construct traffic management measures on local roads and therefore follows a system of prioritising these requests based on various factors, including traffic volumes, (85th percentile) travel speeds, crash data, road geometry, proximity to major traffic generators, percentage of heavy vehicles and percentage of non-local through traffic.

Financial/Budget Implications:

The cost to install traffic treatments on Lysander Drive as shown on Attachment 2 is approximately \$105,000. It is proposed this project will be fully funded by municipal funds.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

To gauge the level of support, 80 residents and property owners of Lysander Drive were consulted in June 2010 regarding the proposed traffic treatment plan. A total of 17 feedback responses were received. Of the 17 responses, 15 supported the proposed traffic treatments, three requested speed humps in addition to the median treatment and two did not support the proposal.

Three residents requested the City install speed humps in addition to the proposed traffic management treatments. The City's experience with the installation of speed humps has shown that they can enable other potential problems to occur such as noise issues. The installation of speed humps may also have a limited effect on modifying hoon driver behaviour by presenting a challenge for hoon drivers. In this instance the 85th percentile travel speed is not excessive and the proposed treatment is considered appropriate. Therefore, the City does not support the addition of speed humps to the proposed traffic management treatments.

Two requests to modify traffic island locations for property access purposes were received as part of the community feedback for the proposal. Both requests were minor in nature with changes to the traffic island locations opposite house numbers 90 Lysander Drive and 94 Caridean Street being supported. The traffic treatment plan as show on Attachment 2 reflects these changes.

COMMENT

On the basis of the investigations including crash analysis, traffic count surveys and Road Safety Audit recommendations it is considered appropriate to develop traffic management responses for this road.

Further to the investigations, an analysis of the City's Traffic Management Investigation and Intervention Guidelines confirmed a high Action Priority Score for Lysander Drive. The guidelines use a method of scoring traffic parameters within various ranges from low to high. The higher the score received, the greater likelihood there is for remedial works to be considered. The factors used to calculate a score include: speed, traffic volumes, road crashes, various elements of the road topography, vulnerable road users, traffic volume generators and factors in the traffic mix that affect the amenity of other road users. In the case of Lysander Drive, the Action Priority Score of 59 was determined. Under the guidelines, an Action Priority Score of more than 50 denotes a road with a technical problem which requires a traffic management solution to be considered.

The proposed flush red asphalt median treatments for Lysander Drive is considered the most appropriate treatments to limit traffic speeds and control traffic movements without having a negative impact on residents' amenity. Full access to residential crossovers will be maintained as part of the traffic treatments.

The linemarking and road signage associated with Lysander Drive proposed traffic treatments are subject to Main Roads WA approval. This approval is required as part of the design phase to enable the project to proceed.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Amphlett, SECONDED Cr Hollywood that Council:

- 1 APPROVES the concept plan for Lysander Drive, Heathridge as shown on Attachment 2 to Report CJ203-11/10 and as listed in the five year Capital Works program for 2011/12;**
- 2 ADVISES residents and property owners of Lysander Drive of Council's decision.**

The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of Item C60-11/10, Page 114 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf091110.pdf](#)

CJ204-11/10 TRAILWOOD PARK, WOODVALE - RELOCATION OF PLAYGROUND

WARD: Central

RESPONSIBLE: Mr Martyn Glover, Director Infrastructure Services

FILE NUMBER: 42918

ATTACHMENTS: Attachment 1 Locality Plan - Trailwood Park, Woodvale
Attachment 2 Locality Plan - Timbercrest Park, Woodvale
Attachment 3 Photograph of proposed new playground site - Timbercrest Park

PURPOSE

The purpose of this report is to seek approval for relocation of the playground at Trailwood Park, Woodvale to Timbercrest Park, Woodvale.

EXECUTIVE SUMMARY

Site inspections and an investigation by City Officers identified a history of community safety issues in relation to the playground at Trailwood Park, Woodvale. These safety issues relate to vandalism and anti-social behaviour in and around the playground area and the nearby underpass. The vandalism and anti-social behavioural issues resulted in the City considering relocating the playground from its current location of Trailwood Park, Woodvale.

Residents were consulted regarding a new location for the playground and Timbercrest Park, Woodvale, was identified to be the preferred location. The proposed new location of Timbercrest Park will provide greater visibility, passive surveillance and increased safety for the children using it. This is likely to reduce the incidence of vandalism and anti-social behaviour around the playground.

It is recommended that Council:

- 1 *APPROVES the relocation of the playground currently located at Trailwood Park in Trailwood Drive, Woodvale, to Timbercrest Park in Trailwood Drive, Woodvale;*
- 2 *ADVISES residents of Council's decision.*

BACKGROUND

At its meeting held on 5 August 2008, Council approved the upgrade of the playground in Trailwood Park as part of the Woodvale Special Area Control Funding:

"4 *The playground in Trailwood Park be upgraded as part of the Woodvale Special Area Control Funding;*"

At this meeting Council also approved the introduction of an area wide parking restriction and the provision of two parking embayments (with one hour limitations) in the verge adjacent to the children's playground and near the underpass. The two parking bays have subsequently been installed. The purpose of the two parking embayments is to accommodate the drop-off of passengers using the underpass as well as park users.

Site inspections and an investigation by City Officers identified a history of community safety issues in relation to the playground at Trailwood Park, Woodvale. These safety issues relate to vandalism and anti-social behaviour in and around the playground area and the nearby underpass.

The current location of the playground in Trailwood Park is semi-secluded and screened by trees and bushes which result in low visibility and an associated lack of passive surveillance from neighbouring residences (as detailed in Attachment 1). In addition, the playground is situated next to the dual use footpath leading to underpass 11 connecting Trailwood Drive to Whitfords Train Station and bus terminus, which passes under Whitfords Avenue. The anti-social behaviour prevalent around the playground, underpass and neighbouring residences is exacerbated by the playground's current location which serves as a meeting place and a target for anti-social behaviour.

City Watch Records identified 39 complaints relating to anti-social behaviour for the period 1 January 2007 to 24 May 2008, 19 incidents from 5 August 2008 to 8 August 2009 and 22 complaints for the period 12 September 2009 to 6 October 2010. The issues raised include abuse of passers-by, alcohol consumption, breaking of lights, burn-outs, damage to footpaths and residents' property, drug-taking, lighting fires, use of fire-crackers, loitering, loud music, obstruction of traffic and hitting vehicles, steeling plants, upturning of bins and rubbish strewn around, stone throwing at City Watch vehicles and threatening City Watch officers.

DETAILS

The vandalism and anti-social behavioural issues relating to the playground's current location resulted in the City considering relocating the playground from its current location of Trailwood Park, Woodvale. Residents were consulted regarding a proposed new location for the playground and presented with three options, as follows:

- Option 1: Replace the playground equipment and retain the existing location.
- Option 2: Replace the playground equipment and relocate it opposite its existing location on the western side of the pathway to the underpass.
- Option 3: Replace the playground equipment and relocate it further east along Trailwood Drive in Timbercrest Park.

Trailwood Park

Trailwood Park is a City controlled reserve of approximately 10,859m². It is located between Trailwood Drive, the Mitchell Freeway and Whitfords Avenue (as detailed in Attachment 1) and classed as 'local open space'. Local Open Space areas are not used for active sport and recreation and accommodate the needs of the surrounding streets.

Trailwood Park has residential properties to the north side of the road and a drainage site which borders Trailwood Drive. The City has introduced resident parking permits due to the high volume of commuter parking in the nearby streets.

The south side of the park runs along Whitfords Avenue and narrows on the east side to become a wide verge leading to Timbercrest Park. There is natural native bush screening between Trailwood Drive and Whitfords Avenue.

The west side of the park runs along the off-ramp from the Mitchell Freeway, which provides access to Whitfords Train and Bus Stations as well as Whitfords Avenue and the new extended car park for commuters. On the east side of the park the natural bush continues to merge into a wide verge.

Timbercrest Park

Timbercrest Park is classified in the newly adopted parks and public open spaces classification framework as a 'neighbourhood open space' of approximately 5,827m² located between Trailwood Drive to the north, Timbercrest Drive to the east and Whitfords Avenue to the south. The park has irrigated turf with the northern part of the park containing a flat area surrounded by trees. This is separated from the southern part of the park by a drainage swale.

Neighbourhood Open Space areas are small open areas not used for active sport and recreation.

Residents identified Timbercrest Park, Woodvale (Option 3) to be the preferred location of the playground. The proposed new location of Timbercrest Park will provide greater visibility, passive surveillance and facilitate increased safety for the children using it. This is likely to reduce the incidence of vandalism and anti-social behaviour around the playground. In addition, this location has more room to develop the play space and surrounding park amenities (Attachments 2 and 3 refer).

Legislation/Strategic Plan/Policy Implications

Legislation The applicable Australian Standards are AS 4685.1-6 (amended 2006 and 2008) and ongoing standards AS/NZS 4422 1996 (amended 1999). The standards are not retrospective or law but will apply to new equipment that is supplied and installed.

Strategic Plan

Key Focus Area: Community Wellbeing

Objective: 5.2 To facilitate healthy lifestyles within the community

Policy City Policy - Asset Management
City Policy - Access and Equity

Risk Management considerations:

The City has a duty-of-care to provide playground facilities in a safe environment. The playground and play equipment in its current location of Trailwood Park is not considered to be a safe environment for children or their parents that may wish to use it. Relocation of the playground to a more suitable location will facilitate in mitigating risk associated with vandalism and anti-social behaviour.

Financial/Budget Implications:

Funding will be provided via the Woodvale Special Area Control Funding as per Council's resolution of 5 August 2008, as carried forward into 2010/11. A small additional cost of approximately \$1,500 will be incurred relating to irrigation adjustments in relocating the playground from Trailwood Park to Timbercrest Park. The playground equipment and associated facilities have been ordered at a cost of \$25,686 and is expected to be available for installation at either site in November 2010.

Account No:	W1068
Budget Item:	Woodvale Special Area Control Funding
Budget Amount:	\$ 113,974
Amount Spent To Date:	\$ 81,195
Proposed Cost:	\$ 27,186
Balance:	\$ 5,593

All figures quoted in this report are exclusive of GST.

Sustainability Implications:

Maintenance costs are likely to decrease in the long term in the event of the playground being relocated to a more suitable location that is subjected to less vandalism and anti-social behaviour. In addition, the City will not be required to conduct bush-clearing around the existing play equipment and thereby facilitate the protection of the City's natural assets.

Community Consultation

The City consulted with 356 residents via a survey carried out in September 2010. Residents were provided with three options (indicated below) in relation to a proposed new location for the playground.

- Option 1: Replace the playground equipment and retain the existing location.
- Option 2: Replace the playground equipment and relocate it opposite its existing location on the western side of the pathway to the underpass.
- Option 3: Replace the playground equipment and relocate it further east along Trailwood Drive in Timbercrest Park.

Residents that were consulted included those immediately adjacent to Trailwood Park and Timbercrest Park, Woodvale, and included the Timbercrest Retirement Village.

A summary of the community consultation results is outlined below:

Option	Number of residents
Preference for Option 1	7
Preference for Option 2	27
Preference for Option 3	46
Responded with no preferred option indicated	1

A total of 81 residents responded to the survey with the largest number of residents (46 or 57%) indicating Timbercrest Park (Option 3) to be their preferred location of the playground. 275 residents did not respond to the survey.

Issues and options considered:

Three options for the relocation of the playground were considered, as follows:

Option 1: Replace the playground equipment and retain the existing location

Advantages	Disadvantages
Small cost saving of \$1,500 on irrigation adjustments	Continuation of vandalism to park and playground assets
	Continuation of anti-social behaviour in playground and surrounding area
	Potential for less utilisation of playground and facilities due to ongoing community safety related issues

This option is not recommended as it fails to address the issues of vandalism and anti-social behaviour currently being experienced by residents.

Option 2: Replace the playground equipment and relocate it opposite its existing location on the western side of the pathway to the underpass

Advantages	Disadvantages
More visible for passive surveillance	This location is still close to the underpass and therefore vandalism and anti-social behaviour in and around the park is likely to continue
Playground amenity remains in the same park closer to any existing users	A small cost of \$1,500 will be incurred for irrigation upon removal of the playground from Trailwood Drive
	Potential for less utilisation of the playground and facilities due to ongoing community safety related issues

This option is not recommended as it also fails to address the issues of vandalism and anti-social behaviour currently being experienced by residents.

Option 3: Replace the playground equipment and relocate it further east along Trailwood Drive in Timbercrest Park

Advantages	Disadvantages
The playground is more visible for passive surveillance	Small cost of \$1,500 will be incurred for irrigation upon removal of the play equipment from Trailwood Park
Facilitate better safety for children and parents	Closer proximity to the retirement village may also be disadvantageous to some retirees concerned with noise and possible anti-social behaviour associated with playgrounds
There will be more turf for children to play on	
There is more space available to further develop park amenities at a later date	
Closer proximity to the retirement village for grandparents to take grandchildren to the playground	
Potential for greater utilisation of the playground and its facilities as the community safety issues should decrease	

This is the recommended option based on the issues of vandalism and anti-social behaviour being addressed.

COMMENT

The Community Consultation results indicate a definite preference for relocating the playground from its current location of Trailwood Park, Woodvale to Timbercrest Park, Woodvale. City Officers therefore recommend the playground be relocated to Timbercrest Park.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION: That Council:

- 1 APPROVES the relocation of the playground currently located at Trailwood Park in Trailwood Drive, Woodvale, to Timbercrest Park in Trailwood Drive, Woodvale;
- 2 ADVISES residents of Council's decision.

MOVED Cr Gobbert, SECONDED Cr Amphlett that Council:

- 1 **APPROVES** the installation of mountable kerbing on Trailwood Drive in close proximity to the playground site (Option 3) to accommodate vehicles accessing the verge for the purposes of parking;
- 2 **APPROVES** the relocation of the playground currently located at Trailwood Park in Trailwood Drive, Woodvale, to Timbercrest Park in Trailwood Drive, Woodvale;
- 3 **ADVISES** residents of Council's decision.

The Motion was Put and

CARRIED 12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf091110.pdf](#)

C60-11/10 COUNCIL DECISION – EN BLOC RESOLUTION - [02154] [08122]

MOVED Cr Amphlett, SECONDED Cr Hollywood that pursuant to the Standing Orders Local Law 2005 – Clause 48 - Adoption of Recommendations En Bloc, Council ADOPTS Items CJ187-11/10, CJ191-11/10, CJ192-11/10, CJ195-11/10, CJ196-11/10, CJ197-11/10, CJ198-11/10, CJ200-11/10, CJ201-11/10 and CJ203-11/10.

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

C61-11/10 NOTICE OF URGENT MOTION - [02154] [08122]

MOVED Mayor Pickard, SECONDED Cr Amphlett that Council AGREES, BY AN ABSOLUTE MAJORITY, to dispense with the requirement to give notice of a motion in accordance with Clause 26 (4)(a) of the City's Standing Orders Local Law 2005 as the motion is a matter of urgency and the motion could not reasonably be dealt with at the next ordinary meeting of the Council.

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

C62-11/10 ANNUAL FEES PAYABLE BY SCHOOLS IN RELATION TO FOOD ENFORCEMENT ACTIVITIES - [23039]

MOVED Mayor Pickard, SECONDED Cr Fishwick that Council:

- 1 APPROVES, BY AN ABSOLUTE MAJORITY, the payment of a donation of \$242 (excluding GST) per school, which equates to the annual figure paid by Schools for fees associated with food enforcement activities;**
- 2 REVIEWS its position on the application of the fees as detailed in part 1 above, as part of the 2011/12 budget deliberations.**

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

REPORT OF THE CHIEF EXECUTIVE OFFICER

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**C63-11/10 NOTICE OF MOTION NO 1 – CR LIAM GOBBERT – CITY TO COMMISSION VARIOUS ARTWORKS DEPICTING ICONIC LANDMARKS WITHIN THE CITY OF JOONDALUP – [14158]**

In accordance with Clause 26 of the Standing Orders Local Law 2005, Cr Liam Gobbert gave notice of his intention to move the following Motion at the Council meeting to be held on Tuesday, 16 November 2010:

“That Council REQUESTS a report detailing the possibility for the City to commission various artworks depicting iconic landmarks within the City of Joondalup.”

REASONS FOR MOTION

Cr Gobbert submitted the following comments in support of his Notice of Motion:

“The City of Joondalup currently has an art collection with in excess of 200 pieces at an estimated value of \$350,000 to \$400,000. Its primary focus of the collection is of Western Australian contemporary artists and a secondary focus on artists and artwork relevant to the City of Joondalup. Artworks span over a wide range of media, over half the collection is comprised of painting, with the other mediums including sculptures, drawings, ceramics, print works, photography, textiles and one glasswork.

A majority of the pieces have been acquired via the annual acquisition prize from the City’s Invitation Art Award, or via purchases at either of the two art awards (invitation or community). This somewhat limits the ability of the City to influence the style and medium of the artwork it acquires as it is currently based on the outcome of the art award or the pieces available for purchase within the restricted annual budget of \$25,000.

I am seeking a report of the possibility of the City commissioning artwork reflective of the City.”

OFFICER’S COMMENT

A report can be prepared.

MOVED Cr Gobbert, SECONDED Cr Young that Council REQUESTS a report detailing the possibility for the City to commission various artworks depicting iconic landmarks within the City of Joondalup.

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

C64-11/10

NOTICE OF MOTION NO 2 – MAYOR TROY PICKARD – CALL FOR REPORTS - [24069, 09135, 100619, 76613]

In accordance with Clause 26 of the Standing Orders Local Law 2005, Mayor Troy Pickard gave notice of his intention to move the following Motion at the Council meeting to be held on Tuesday, 16 November 2010:

"That Council REQUESTS the Chief Executive Officer to prepare a report for consideration at a future Council meeting on:

- ***The development of a City of Joondalup Walk Plan.***
- ***The City hosting an annual Multicultural Festival in the City Centre.***
- ***The City of Joondalup holding a Youth Music Series in select parks.***
- ***Replace all references of “older person” in the City of Joondalup’s Positive Ageing Plan to “senior citizen”.***

REASONS FOR MOTION

Mayor Pickard submitted the following comments in support of his Notice of Motion:

“The City of Joondalup recently adopted a Bike Plan that guides the management and investment of the City’s bicycle network. A recent trend amongst larger local governments nationally is the creation of a Walk Plan, providing a strategic guide to the management and investment of the walking network. The Walk Plan would ensure - particularly in catchments that surround regional open space, shopping centres, schools and public transport networks - footpath usability, appropriate signage, adequate standard, efficient and effective linkages of footpaths and dual use paths and pedestrian, wheel chair and pram friendly crossing points.

More than forty percent of the City of Joondalup’s population were born overseas, reflecting the cultural diversity of our residents. The City currently holds the Joondalup Festival in March each year, bringing over fifty thousand residents and visitors to the City Centre in celebration of what the City has to offer. With such a diverse and extensive multicultural community, a Multicultural Festival held at the beginning of summer would complement the Joondalup Festival and provide an opportunity for residents and visitors to celebrate multiculturalism within our City and more broadly in our State. The Multicultural Festival could celebrate food, fashion, music, dance and design as well as our Sister City relationship with the City of Jinan in China.

The City of Joondalup has historically held a joint youth concert with the City of Stirling, hosted for many years at Carine Open Space, providing an opportunity for young people to enjoy music in a safe and secure environment. This concert has waned in popularity over the years and lacks attendance to justify continued investment. It is suggested that rather than host one large concert with the associated infrastructure demands, that a series of youth musical events be held in appropriately selected suburbs within the locality, providing an opportunity for young people from the City of Joondalup to come together for a small scale musical event in a safe and secure environment.

On 21 July 2009 the Council adopted the Positive Ageing Plan. The term “older person” was used throughout the Plan and as a consequence the City is using this terminology in all documents and communications. A number of senior groups within the City have objected to the use of the term older person and prefer the socially accepted term senior citizen. A recent request by a group for the City to change the use of this term was rejected based on the terminology used in the Positive Ageing Plan. It was not the intention of Council to offend senior citizens within the City and accordingly the use of the term older person should be replaced in the City’s vocabulary.”

OFFICER'S COMMENT

A report can be prepared.

MOVED Mayor Pickard, SECONDED Cr Gobbert that Council REQUESTS the Chief Executive Officer to prepare a report for consideration at a future Council meeting on:

- **The development of a City of Joondalup Walk Plan.**
- **The City hosting an annual Multicultural Festival in the City Centre.**
- **The City of Joondalup holding a Youth Music Series in select parks.**
- **Replace all references of “older person” in the City of Joondalup’s Positive Ageing Plan to “senior citizen”.**

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Diaz, Fishwick, Gobbert, Hollywood, McLean, Norman, Taylor and Young

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 8.28 pm; the following Elected Members being present at that time:

MAYOR T PICKARD
Cr K HOLLYWOOD
Cr T McLEAN
Cr P TAYLOR
Cr T YOUNG
Cr L GOBBERT
Cr G AMPHLETT
Cr J CHESTER
Cr B CORR
Cr M NORMAN
Cr R FISHWICK
Cr F DIAZ