

# agenda

## Briefing Session

A BRIEFING SESSION WILL BE HELD IN  
CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP

**ON** TUESDAY, 7 DECEMBER 2010  
**COMMENCING AT** 6.30pm

#### **PUBLIC QUESTION TIME**

Members of the public are requested to lodge questions in writing by close of business on 6 December 2010

Answers to those questions received within that timeframe will, where practicable, be provided in hard copy form at the Briefing Session.

#### **QUESTIONS TO**

[council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

PO Box 21 Joondalup WA 6919

[www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au)

## BRIEFING SESSIONS

The following procedures for the conduct of Briefing Sessions were adopted at the Council meeting held on 17 March 2009:

### INTRODUCTION

The modern role of the Elected Council is to set policy and strategy, and provide goals and targets for the local government (City of Joondalup). The employees, through the Chief Executive Officer (CEO), have the task of implementing the decisions of the Elected Council.

A well-structured decision-making process that has established procedures will:

- ensure that the elected body is fully informed to make the best possible decision for all the residents of the City of Joondalup;
- provide the elected body with the opportunity to:
  - have input into the future strategic direction set by the Council;
  - seek points of clarification;
  - ask questions;
  - be given adequate time to research issues;
  - be given maximum time to debate matters before the Council.

### PURPOSE OF BRIEFING SESSIONS

Briefing Sessions will involve Elected Members, staff, and external advisors (where appropriate) and will be open to the public.

Briefing Sessions will provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next ordinary meeting of Council for formal consideration and decision.

### PROCEDURES FOR BRIEFING SESSIONS

The following procedures will apply to Briefing Sessions that are conducted by the City of Joondalup.

- 1 Briefing Sessions will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.
- 2 Dates and times for Briefing Sessions will be set well in advance where practicable, and appropriate notice given to the public.
- 3 The CEO will ensure timely written notice and an agenda for each Briefing Session will be provided to all Elected Members, Members of the public and external advisors (where appropriate).

- 4 The Mayor is to be the Presiding Member at Briefing Sessions. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Briefing Session. If the Deputy Mayor is unable or unwilling, those Elected Members present may select one from amongst themselves to preside at the Briefing Session.
- 5 There is to be no debate amongst Elected Members on any matters raised during the Briefing Session;
- 6 Relevant employees of the City will be available to make a presentation or respond to questions on matters listed on the agenda for the Briefing Session;
- 7 All Elected Members will be given a fair and equal opportunity to participate in the Briefing Session;
- 8 The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered;
- 9 Elected Members, employees and relevant consultants shall disclose their interests on any matter listed for the Briefing Sessions. When disclosing an interest the following is suggested:
  - 9.1 Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995* and the City's Code of Conduct.
  - 9.2 Elected Members disclosing a financial interest will not participate in that part of the Session relating to the matter to which their interest applies and shall depart the room;
  - 9.3 Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered.
- 10 Elected Members have the opportunity to request matters to be included on the agenda for consideration at a future Briefing Session at Item 10 on the Briefing Session agenda.
- 11 A record shall be kept of all Briefing Sessions. As no decisions are made at a Briefing Session, the record need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the record is to be forwarded to all Elected Members.
- 12 Members of the public may make a deputation to a Briefing Session by making a written request to the Mayor by 4.00pm on the working day immediately prior to the scheduled Briefing Session. Deputations must relate to matters listed on the agenda of the Briefing Session.
- 13 Other requirements for deputations are to be in accordance with the Standing Orders Local Law where it refers to the management of deputations.

## PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time were adopted by Council at its meeting held on 17 March 2009:

### Questions asked verbally

- 1 Members of the public are invited to ask questions at Briefing Sessions. Questions asked at a Briefing Session must relate to a matter contained on the agenda.
- 2 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 3 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per member of the public.
- 4 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 5 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 6 Public question time will be limited to the legislative minimum of 15 minutes. Public question time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of ten minutes, but the total time allocated for public question time is not to exceed 35 minutes in total.
- 7 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
  - accept or reject any question and his/her decision is final;
  - nominate a member of the Council and/or City employee to respond to the question;
  - take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next briefing session.
- 8 Where an Elected Member is of the opinion that a member of the public is:
  - asking a question at a Briefing session that is not relevant to a matter listed on the agenda, or;
  - making a statement during public question time;they may bring it to the attention of the Presiding Member who will make a ruling.
- 9 Questions and any response will be summarised and included in the notes of the Briefing Session.
- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information (FOI) Act 1992*. Where the response to a question(s) would require a substantial commitment of the City's resources, the CEO will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

**Questions in Writing – (Residents and/or ratepayers of the City of Joondalup only).**

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions must relate to a matter contained on the agenda.
- 3 The City will accept a maximum of five written questions per City of Joondalup resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by the close of business on the working day immediately prior to the scheduled Briefing Session will be responded to, where possible, at the Briefing Session. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Briefing Session will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Briefing Session.
- 8 A person who submits written questions may also ask questions at a Briefing Session and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the notes of the Briefing Session.
- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information (FOI) Act 1992*. Where the response to a question(s) would require a substantial commitment of the City's resources, the CEO will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

**DISCLAIMER**

Responses to questions not submitted in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

## PROCEDURES FOR PUBLIC STATEMENT TIME

The following procedures for the conduct of Public Statement Time were adopted by Council at its meeting held on 18 December 2007:

- 1 Members of the public are invited to make statements at Briefing Sessions. Statements made at a Briefing Session must relate to a matter contained on the agenda.
- 2 A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 3 Public statement time will be limited to two minutes per member of the public.
- 4 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 5 Public statement time will be limited to a maximum of 15 minutes. Public statement time is declared closed following the 15 minute allocated time period or earlier if there are no further statements.
- 6 Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- 7 Where an Elected Member is of the opinion that a member of the public is making a statement at a Briefing session, that is not relevant to a matter listed on the draft agenda, they may bring it to the attention of the Presiding Member who will make a ruling.
- 8 A member of the public attending a Briefing Session may present a written statement rather than making the Statement verbally if he or she so wishes.
- 9 Statements will be summarised and included in the notes of the Briefing Session.

## DEPUTATION SESSIONS

Council will conduct an informal session on the same day as the Briefing Session in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup, commencing at 6.30pm where members of the public may present deputations by appointment only. (Please note that deputation requests are to be received by no later than 4.00pm on the Monday prior to a Briefing Session.)

A time period of 15 minutes is set-aside for each deputation, with five minutes for Elected Members' questions. Deputation sessions are open to the public.

\* *Any queries on the agenda, please contact Governance Support on 9400 4369*

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**LATE ITEMS / ADDITIONAL INFORMATION**

In the event that further documentation becomes available prior to this Briefing Session, the following hyperlink will become active:

**[Additional Information 071210.pdf](#)**

## **CITY OF JOONDALUP – BRIEFING SESSION**

To be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday, 7 December 2010** commencing at **6.30pm**

### **ORDER OF BUSINESS**

- 1 OPEN AND WELCOME**
- 2 DEPUTATIONS**
- 3 PUBLIC QUESTION TIME**
- 4 PUBLIC STATEMENT TIME**
- 5 APOLOGIES AND LEAVE OF ABSENCE**

#### **LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Cr Philippa Taylor 9 December to 18 December 2010 inclusive

#### **REQUEST FOR LEAVE OF ABSENCE – CR LIAM GOBBERT [78624]**

Cr Liam Gobbert has requested Leave of Absence from Council duties covering the period 3 to 23 January 2011 inclusive.

#### **RECOMMENDATION**

**That Council APPROVES the Request for Leave of Absence for Cr Liam Gobbert from Council duties covering the period 3 to 23 January 2011 inclusive.**

## **6 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY**

### **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.

### **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.

<b>Name/Position</b>	<b>Mr Garry Hunt</b>
<b>Item No/Subject</b>	Item 15 – West Perth Football Club Inc., Sponsorship Proposal
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	A relative of Mr Hunt is a West Perth Football Player.

## **7 REPORTS**

### **8 REPORT OF THE CHIEF EXECUTIVE OFFICER**

### **9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

### **10 REPORTS/PRESENTATIONS REQUESTED BY ELECTED MEMBERS**

## **ITEM 1                    MONTHLY TOWN PLANNING DELEGATED AUTHORITY REPORT DEVELOPMENT, CODE VARIATIONS AND SUBDIVISION APPLICATIONS - OCTOBER 2010**

**WARD:** All

**RESPONSIBLE:** Ms Dale Page, Director Planning and Development

**FILE NUMBER:** 07032

**ALT FILE NUMBER:** 05961

**ATTACHMENTS:** Attachment 1    October 2010 Decisions Planning Applications  
Attachment 2    October 2010 Decisions Building Applications  
Attachment 3    October 2010 Subdivision Applications Processed

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### **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);
- 3    subdivision applications;

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

**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.

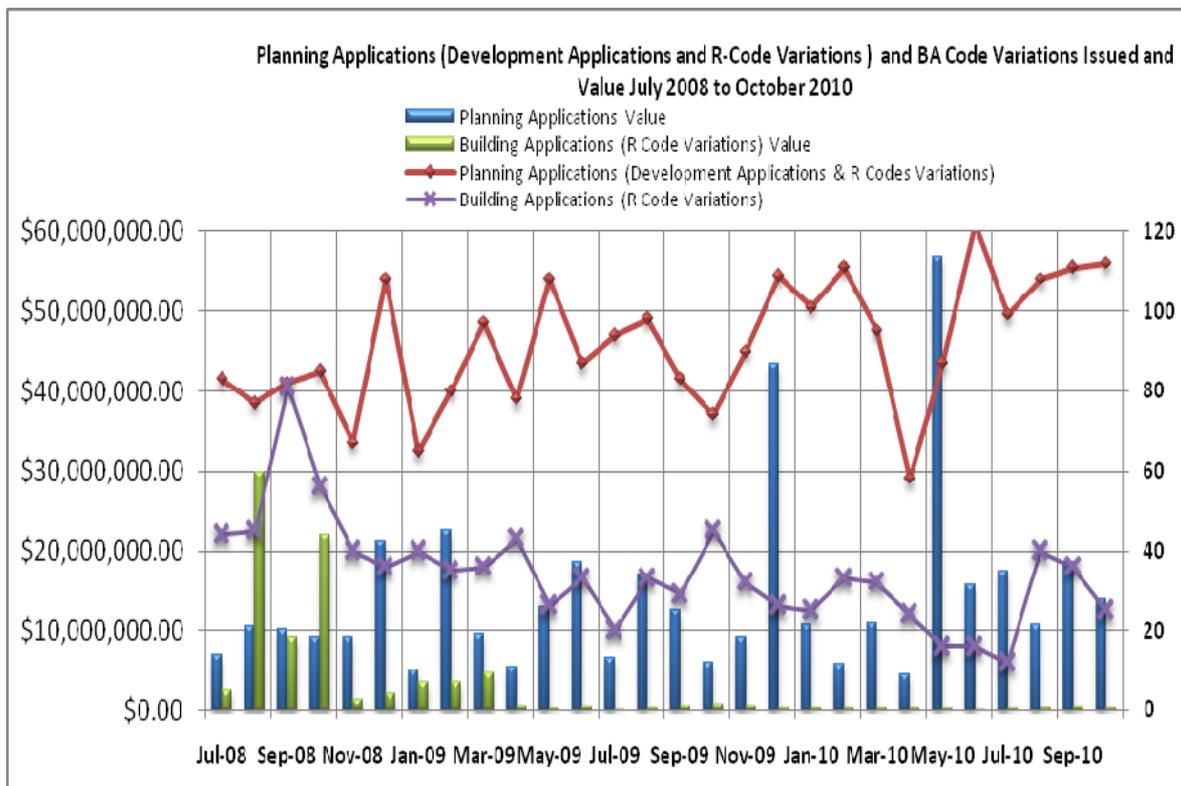
**DETAILS**

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

Approvals determined under delegated authority – October 2010		
Type of Approval	Number	Value (\$)
Planning applications (development applications and R-Codes variations)	112	\$13,767,642
Building applications (R-Codes variations)	25	\$ 282,175
<b>TOTAL</b>	137	\$14,049,817

The number of development applications received during the period for October was 122. (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).

The number of development applications current at the end of October was 167. Of these, 28 were pending additional information from applicants and 63 were being advertised for public comment.



<b>Subdivision approvals processed under delegated authority</b>		
<b>From 1 October to 30 October 2010</b>		
<b>Type of approval</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	3	46
Strata subdivision applications	1	2

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 137 applications were determined for the month of October with a total amount of \$49,662 received as application fees.

All figures quoted in this report are exclusive of GST.

#### **Regional Significance:**

Not Applicable.

#### **Sustainability Implications:**

Not Applicable.

**Consultation:**

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

Of the 112 development applications determined during October 2010, consultation was undertaken for 47 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 four subdivision applications processed during October 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.

**RECOMMENDATION**

**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 this Report during October 2010;**
- 2 Subdivision applications described in Attachment 3 to this Report during October 2010.**

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf071210.pdf](#)*

## **ITEM 2                    LOCAL STRUCTURE PLAN – LOT 500 AND 501 ARAWA PLACE, CRAIGIE (FORMERLY CRAIGIE HIGH SCHOOL)**

**WARD:**                    Central

**RESPONSIBLE:**        Ms Dale Page, Director, Planning and Development

**FILE NUMBER:**        100894

**ATTACHMENTS:**      Attachment 1    Location plan  
Attachment 2    Draft Craigie High School Structure Plan – Part 1  
Attachment 3    Community consultation plan  
Attachment 4    Proposed changes to residential density  
Attachment 5    Structure Plan process flow chart

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### **PURPOSE**

The purpose of this report is for Council to consider a draft Local Structure Plan over the former Craigie High School site, for the purposes of public advertising.

### **EXECUTIVE SUMMARY**

Lot 500 and Lot 501 Arawa Place, Craigie are the lots upon which the former Craigie High School was located. The subject site was zoned to 'Urban Development' to allow for future residential development. A structure plan has been prepared by the applicant to guide the future subdivision and development of the subject site and is submitted to Council for consideration and consent to advertise.

The draft structure plan proposes the development of approximately 175 residential lots ranging in density from R20 to R40, two areas of public open space and the associated road network and drainage system.

It is recommended that the structure plan be adopted for the purpose of public advertising for a period of 28 days, subject to modifications relating to residential density, open space provisions, stormwater drainage and works external to the structure plan area.

Should Council resolve to advertise the structure plan, public consultation will commence in February 2011.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 500 (1) Arawa Place, Craigie Lot 501 (7) Arawa Place, Craigie
<b>Applicant:</b>	Taylor Burrell Barnett
<b>Owner:</b>	Department of Education Lot 501
<b>Zoning:</b>	<b>DPS:</b> Urban Development <b>MRS:</b> Urban Lot 500
<b>Zoning:</b>	<b>DPS:</b> Urban Development <b>MRS:</b> Urban
<b>Site Area:</b>	Lot 501 – 9.9 ha Lot 500 – 0.238 ha
<b>Structure Plan:</b>	Subject of this report

The subject sites comprise the former Craigie High School site located on Camberwarra Drive and Arawa Place, Craigie (refer Attachment 1). The subject site abuts Cawarra Park to the north and Otago Park to the south east. Whitford Catholic Primary School is located across Camberwarra Drive to the west of the site. The remainder of the subject site is surrounded by residential development.

In 2002, the Craigie High School was considered surplus to the requirements of the then Department of Education and Training, and ceased operating in 2003. In 2004, all buildings on the site were demolished. In June 2008, a Metropolitan Region Scheme (MRS) amendment was finalised whereby the reservation for 'Public Purposes – High School' was removed and the subject land was zoned 'Urban'.

At its meeting of 17 February 2009, Council resolved to adopt Amendment No. 40 to DPS2 to rezone Lot 501 and 500 Arawa Place, Craigie to 'Urban Development' and 'Civic and Cultural' respectively. The Minister for Planning granted final approved to the scheme amendment on 21 May 2009.

Lot 500 Arawa Place was excised for the purpose of a community facility that was to be managed by the Department of Child Protection. However, the Department of Child Protection decided not to proceed with the community facility and therefore another scheme amendment was undertaken to rezone the site to 'Urban Development' (which is consistent with the adjoining Lot 501).

At its meeting of 20 July 2010, Council resolved to adopt Amendment No 49 to DPS2 to rezone Lot 500 Arawa Place from 'Civic and Cultural' to 'Urban Development'. The Minister for Planning granted final approved to the scheme amendment on 28 October 2010.

## DETAILS

A draft structure plan has been prepared by the applicant to guide the future subdivision and development of the subject site.

The proposed structure plan consists of two parts, Part 1 and Part 2. Due to the size of the document, including accompanying technical reports, only Part 1 of the structure plan document has been attached to this Council report (refer Attachment 2). Full copies of the structure plan document, including all accompanying technical reports, have been made available in the Councillor's reading room.

Part 1 of the structure plan is the statutory planning section setting out the objectives and development provisions that determine the intended overall form of development on the subject land, particularly where these provisions differ from those required under the Residential Design Codes (R-Codes).

Part 1 of the proposed structure plan proposes to divide the site into the following zones/reserves:

- Residential R20 zone
- Residential R25 zone
- Residential R30 zone
- Residential R40 zone
- Parks and Recreation Reserve
- Public Purpose Drainage Reserve

The proposed structure plan is based on the future development of the following:

- Approximately 175 residential lots ranging in density from R20 to R40;
- Two areas of public open space – a central linear open space spine and an area in the north west of the site dedicated to retaining part of the existing dunal system and remnant vegetation;
- An internal road network based on the *Liveable Neighbourhoods* standards with a 6m wide pavement;
- Two external vehicular access points, the main entrance is onto a proposed roundabout on Camberwarra Drive and a secondary entrance onto Arawa Place;
- Drainage either contained on site or development of a shared drainage swale with the City in Otago Park; and
- Retention of selected vegetation within public open space and along Camberwarra Drive, where possible.

Part 2 of the structure plan document is the explanatory report, which provides the background, description of the site, context, opportunities and constraints, design philosophies and principles. It also includes background information such as traffic, vegetation, infrastructure and geotechnical reports.

#### **Issues and options considered:**

The issues associated with the proposed structure plan include:

- Suitability of the draft structure plan provisions to create an appropriate built form that integrates with the surrounding area.

The options available to Council in considering the draft structure plan are:

- Support the draft structure plan for the purposes of public advertising;
- Determine that the structure plan should not be advertised until specified matters have been included or have been addressed; or
- Not support the initiation of the structure plan for advertising purposes for stated reasons.

## Legislation/Strategic Plan/Policy Implications

### Legislation

Under clause 9.4.1 (a) of DPS2, Council may determine that the structure plan is satisfactory, send a copy to the Western Australian Planning Commission, and advertise it under the provisions of clause 9.5 and 6.7 of DPS2.

Under clause 9.4.1 (b), Council may determine that the structure plan should not be advertised until specified matters have been included in it or have otherwise been attended to by the proponent.

Under clause 9.4.1 (c), Council may determine that the structure plan should not be agreed to for stated reasons.

Should Council determine that the structure plan is satisfactory, the proposal is to be advertised for public comment in accordance with clause 9.5 and 6.7 of DPS2 for a minimum period of 21 days. Upon completion of the public advertising, Council is required to review all submissions within sixty days and proceed to either refuse or adopt the structure plan, with or without further modifications (refer Attachment 3).

*Liveable Neighbourhoods* is an operational policy of the Western Australian Planning Commission and is used for the design and assessment of structure plans and subdivision on both greenfield and large urban infill sites. It provides guidance on urban structure elements such as road layout and widths, lot layout and provision of public open space.

### Strategic Plan

**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

During the subdivision of the site, the following two policies will apply. However, consideration should be given to how the proposed structure plan addresses these policies.

- Council Policy Uniform Fencing – Subdivision states that the City will request the WAPC impose a condition of subdivision that the applicant provides uniform fencing along public open space and major roads.
- Council Policy Subdivision and Development Adjoining area of Public Space states that subdivisions should be designed so that areas of public space are fronted along all boundaries by public roads.

### Risk Management considerations:

The proponent has the right of review against Council's decision in accordance with the State Administrative Tribunal Act 2004 and the Planning and Development Act 2005.

**Financial/Budget Implications:**

The applicant has paid fees of \$9,749.57 (incl GST) to cover all costs associated with assessing the structure plan and public consultation. Advertising costs are estimated to be \$2,340.

**Regional Significance:**

Directions 2031 and draft Outer Metropolitan Perth and Peel Sub-Regional Strategy provide aspirations for the better utilisation of urban land through the establishment of dwelling targets for both greenfield and infill development sites. The proposed redevelopment of the former Craigie High School site, through the adoption and implementation of this structure plan, will provide approximately 175 additional dwellings. These additional dwellings will assist in delivering the aspirations of Directions 2031 and draft Outer Metropolitan Perth and Peel Sub-Regional Strategy for the City of Joondalup.

**Sustainability implications:**Environmental

The proposed structure plan supports the protection of selected vegetation within the public open space and along Camberwarra Drive where possible.

The structure plan includes some specific built form requirements such as north facing lots are permitted to have their outdoor living area within the front setback and eaves must be provided to all habitable rooms with the exception of south facing walls, which will contribute to the development of more energy efficient dwellings.

Additional residents provided by the future subdivision will support the use of existing infrastructure such as bus and rail systems.

Social

The proposed structure plan would facilitate the development of a variety of housing products on lots of variable sizes, ranging from low to medium density, thereby providing living choices to meet the various needs of the community.

The structure plan proposes a multi-activity trail adjacent to the dunes and a central public open space area which will encourage residents to walk and socialise within their community.

Economic

The proposed structure plan would enable the City to consider future subdivision and development on the site that will provide additional residents to the area who will contribute to supporting the local economy.

**Consultation:**

Clause 9.5 of DPS2 requires structure plan proposals to be advertised in accordance with the provisions of clause 6.7 prior to further consideration by Council. Clause 6.7 of DPS2 requires a minimum advertising period of 21 days, however, advertising for a period of 28 days is recommended in this instance.

Advertising will consist of:

- Written notification to all landowners within a 300 metre radius of the site (470 households). The same catchment was used to notify landowners of Scheme Amendment No.40 which zoned Lot 501 to 'Urban Development'. The notification will include a draft structure plan map, FAQ, and details on where additional information can be obtained,
- Documents being available at the City's Administration Building, and the Whitfords Customer Service Centre.
- Two signs being erected in prominent locations on the site,
- A notice being placed in the Joondalup Community newspaper,
- A notice and documents on the City's website.

In accordance with Council Policy - Community Consultation and Engagement, public consultation is 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). Should Council resolve to advertise the structure plan, public consultation will commence in February 2011.

## **COMMENT**

### Consultation Plan

The applicant has provided a community involvement and consultation plan (Attachment 3) which details public consultation which has occurred in preparation of the structure plan. Consultation undertaken to date includes:

- Public information session.
- Website information and project updates; and
- Media statements.

The applicant will not be conducting any information sessions during the City's consultation period.

### Density

There is currently no density code applicable to the subject site. The structure plan proposes a variety of density codes across the site, ranging from R20 to R40. The surrounding area currently has a density code of R20, however the draft Local Housing Strategy proposes a dual density code of R20/R30 for the surrounding area.

Recommendation 7 of the draft Local Housing Strategy recommends that a policy be adopted to set a minimum density for large opportunity sites. This policy has not yet been drafted, therefore, the structure plan cannot be assessed against it. However, it is considered likely that the policy would propose a density which is higher than the existing predominant density coding of R20 within the City of Joondalup.

The R20 coded land is proposed to be primarily located on the periphery of the site adjacent to the existing residential development. The structure plan states that the proposed R20 will provide a transition to the existing surrounding residential areas. However, *Liveable Neighbourhoods* recommends that density/zoning change along rear boundaries. Therefore it is not considered necessary to maintain R20 coded land adjacent to existing dwellings in some of parts of the structure plan.

*Directions 2031* sets a target of 47% of the required new dwellings in the Perth area to be provided as infill development. However, it does not set a dwelling yield for infill development sites, and only sets a dwelling yield for greenfields development of 15 dwellings per gross urban zoned hectare. The draft structure plan proposes 175 dwellings which equates to a dwelling yield of 17 dwellings per hectare. This is only marginally higher than that recommended for greenfields development in *Directions 2031*. As the site is an infill site, it should have a dwelling yield higher than that proposed for greenfields development and an increase in density is supported.

Therefore, it is recommended that the R20 coded land behind the existing dwellings on Arawa Place be increased to R30 (refer Attachment 4). This is consistent with the proposed density for the surrounding area and will assist to increase dwelling yield over the site. The other R20 coded areas are considered acceptable due to the topography (slope) of the site and the increased development difficulties this may create if smaller lots were proposed in this location.

#### Built form requirements (development provisions)

The draft structure plan proposes a number of variations to the 'acceptable development' requirements of the R-Codes. Structure plans operate such that, where a development provision is included in the structure plan, the corresponding provision in the R-Codes no longer applies.

Some of the variations to the development provisions of the R-Codes are considered acceptable, whilst some could potentially lead to an undesirable built form outcome; these will be discussed in more detail below.

#### *Open Space*

The structure plan proposes to vary the open space requirements of the R-codes as outlined in the following table:

Density Code	R-Codes open space (% of site area)	Draft Structure Plan open space (% of site area)
R20	50%	40%
R25	50%	35%
R30	45%	35%
R40	45%	35%

In addition to the variation in open space provision, the structure plan also proposes to allow an unenclosed balcony with an area of 10m<sup>2</sup> or greater to be included in the open space calculation. This allows a dwelling to cover more of the lot and could result in a situation where a dwelling could cover almost an entire lot if the balcony was large enough. It is recommended that this variation be removed from the structure plan.

The open space variations proposed under the structure plan for R20 and R25 coded lots are not considered acceptable as they could, as a right, result in large houses on small blocks with very little open space provided. No justification has been provided for this proposed variation, and it is not considered an ideal built form outcome.

Rather the existing open space provisions of the R-Codes are considered adequate. Applications for variations are allowed under the performance criteria of the R-Codes and it is considered preferable to assess variations on a case by case basis rather than allowing blanket variations over the entire structure plan area. It is recommended that the structure plan be modified to reflect this.

The structure plan proposes to vary the outdoor living area requirements of the R-codes as outlined in the following table:

Density Code	R-Codes (min. outdoor living area)	Draft Structure Plan (min. outdoor living area)
R20	30 m <sup>2</sup>	24 m <sup>2</sup>
R25	30 m <sup>2</sup>	24 m <sup>2</sup>
R30	24 m <sup>2</sup>	24 m <sup>2</sup>
R40	20 m <sup>2</sup>	20 m <sup>2</sup>

Outdoor living areas of 24 m<sup>2</sup> for R20 and R25 coded properties are not considered adequate. It is recommended that the structure plan be modified to remove these variations and the outdoor living area requirements of the R-Codes be utilised. Under the R-Codes, variations can be assessed on an individual basis rather than allowing blanket variations.

It is considered that the combined open space and outdoor living area variations proposed under the structure plan for R20 and R25 lots will result in a less than desirable built form outcome with dwellings occupying the majority of the lot and minimal open space and outdoor living areas provided for residents. As such, it is recommended that the open space variations proposed be removed from the structure plan, and variations be assessed in accordance with the R-Codes.

#### *Building Height*

The draft structure plan states that the provisions of the City of Joondalup '*Height and Scale of Buildings within Residential Areas*' policy does not apply. For the purpose of single and grouped dwelling development, the structure plan proposes a maximum building height limit of 9.5 metres. The same building height requirement applies to the Burns Beach Structure Plan and is considered appropriate for accommodating two storey developments.

The draft structure plan proposes a maximum height of 13 metres for the development of multiple dwellings in areas coded R30 and R40. This could accommodate three storey development. Whilst a building height of 13 metres is greater than the prevailing residential area, it should be noted that the development of multiple dwellings within the 'Residential' zone is a 'D' discretionary use. As such, it is considered that there is sufficient ability to consider the appropriateness of multiple dwellings within the structure plan area in relation to the building height and the impacts, if any, on adjoining properties.

It is considered that the building height provisions proposed in the structure plan are appropriate.

#### *Sustainability*

The draft structure plan incorporates some sustainable design features within the built form requirements. Provisions include:

- Eaves for major openings (with the exception of south facing walls) to provide protection from direct summer sun,
- Locating boundary walls on the southern or western boundary to maximise opportunities for northern light and/or provide protection from afternoon summer sun, and
- The retention and protection of trees.

Part two of the draft structure plan details the vision for sustainable development in a wider context with respect to social, environmental and economic sustainability.

The draft structure plan assists in delivering sustainable outcomes for the built form. It is important to note that the draft structure plan is one of a number of avenues available or used for addressing sustainability, some of which may be outside the remit of the statutory planning approval process. The City has encouraged the applicant to investigate opportunities for further employing sustainability measures, including addressing the elements that are identified in the City's draft Dual Density Design Code Policy.

The applicant has advised that it has incorporated measures that it feels appropriate within the draft structure plan, noting that further initiatives are being investigated and may be employed by the developer such as incentive programs for residents, conditions on contracts of sale or developer covenants.

### Public Open Space

Approximately 1.8 ha of Public Open Space (POS) has been provided within the structure plan, which equates to 17% of the site area. *Liveable Neighbourhoods* requires that a minimum of 10% of the subdivisible area must be provided as POS at subdivision stage.

There are two areas of POS proposed in the draft structure plan:

- a central linear open space spine that links the dunal system with Otago Park, and
- a passive area of open space in the north west that which will retain part of the existing dunal system.

The open space spine is proposed to be a central focus of the development and incorporates existing terracing. It is primarily intended for passive recreation pursuits with active recreation to occur in the adjoining Otago Park.

The proposed areas of POS are in accordance with *Liveable Neighbourhoods* with respect to size and location in that they are a minimum of 3000m<sup>2</sup> each in area and are located within a 400 metre walk of most dwellings. The proposed POS also provides for conservation and passive recreational uses and the site is adjacent to an active recreational park (Otago Park) which is also in accordance with *Liveable Neighbourhoods*.

*Liveable Neighbourhoods* recommends that perimeter streets be provided around POS, however, where a street is not provided, it must be demonstrated that there are other means of ensuring surveillance of the POS. Both of the proposed POS areas contain sections where lots back directly onto the POS. The built form requirements in Part 1 of the structure plan contain development provisions to ensure overlooking of the POS area, such as providing outdoor living areas adjacent to the POS, and orientating buildings towards the POS. In addition, Council's policy '*Subdivision and Development Adjoining area of Public Space*' requires that fencing along boundaries of lots overlooking public open space must be visually permeable with a maximum solid portion of 750mm in height.

However, the policy also states that subdivision designs which propose lots backing onto areas of public space will generally not be supported. Notwithstanding, in this instance, it is considered that the built form requirements and the visually permeable fencing will provide adequate visual surveillance of the POS.

## Drainage

*Liveable Neighbourhoods* encourages parkland to be provided in conjunction with the drainage system. Portions of POS can be utilised for drainage purpose and still be considered acceptable for this purpose, depending on the extent of any swales and inundation that are likely to occur and provided that the POS remains functional. 'Credits' towards the 10% public open space required for the subject site are allowable in these circumstances

The structure plan proposes two options for the disposal of stormwater:

- Retained on-site and infiltrated through soakwells in the road reserve and infiltrated through drainage basins within the central and south eastern POS areas; or
- Integrated into the public open space in accordance with *Liveable Neighbourhoods* and City requirements.

It is normal practice to assess the details of the drainage design at the subdivision stage, however fundamental drainage issues are best resolved at the structure plan stage. The City does not support soakwells within the road reserve and is not in favour of formal fenced sumps and discourages their provision within new subdivisions. Furthermore, Council, at its meeting held on 18 August 2009, resolved that best practice stormwater management and water sensitive urban design should be incorporated into in any future developments within the City of Joondalup.

The City's preference for stormwater management is to utilise the two nearby drainage sumps located adjacent to Albion Park to the west and Otago Park to the south/east. Further investigation may be required in this regard.

The applicant has advised that if the proposed drainage reserve is not required for onsite stormwater management, the proposed drainage reserve would be used for public open space, rather than additional residential development. In this regard, appropriately landscape public open space would provide a better outcome than a fenced sump.

It is recommended that a preferred drainage strategy be negotiated prior to Council's final consideration of the structure plan. This is necessary as the structure plan may need to be modified to reflect any agreement reached. In addition, as soakwells within the road reserve are not supported by the City, it is recommended that the structure plan be amended to remove reference to this prior to advertising.

## Road Network

The street types have been designed in accordance with *Liveable Neighbourhoods*. The streets are all classified as 'Access Streets' due to the nature of the proposed residential area and the proposed traffic volumes. Road reserve widths vary according to specific parking, path, services and landscaping requirements, but appear to be adequate for the intended use.

## Traffic and Access

Post development traffic modelling indicates that the proposed development will require the widening of the westbound carriageway on Albion Street to cater for an increase in vehicle queuing on Albion Street.

A roundabout is proposed on Camberwarra Drive at the intersection of the entry to the site and the Catholic Church car park. An additional external vehicular access to the site is proposed on Arawa Place west of the existing residential properties on this street.

The proposed modifications to the external road network are supported by the City. However, it will be the developers' responsibility to undertake the works.

### Conclusion

The draft structure plan, together with the provisions of the R-Codes, DPS2 and relevant Council policies will create the planning framework to guide the development of the site. The draft structure plan has been assessed and is considered to be satisfactory for the purposes of public advertising, subject to the modifications previously discussed.

Should Council resolve to initiate the draft structure plan for public advertising, consultation required under DPS2 is undertaken by the City and the outcomes reported to the Council upon closure of the advertising period.

It is recommended that Council support the advertising of the proposed structure plan for a period of 28 days.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

#### **That Council:**

- 1 Pursuant to clause 9.4 of the City of Joondalup District Planning Scheme No. 2 ADOPTS the draft Craigie High School Site Structure Plan (Structure Plan No 13) as shown in Attachment 2 of this Report for the purpose of public advertising and make it available for public comment for 28 days, subject to the following modifications being undertaken prior to the commencement of advertising:**
  - 1.1 increase the residential density from R20 to R30 for the proposed lots behind Arawa Place as shown in Attachment 4 to this Report; and**
  - 1.2 deleting clause 8.2.2 (a) to (d), clause 8.3.2 (a) to (e) of the draft Craigie High School Site Structure Plan relating to private open space requirements.**
  - 1.3 deleting works (pathway links and lookouts) proposed within Otago Park and Cawarra Park as illustrated in figure 20, as this does not form part of the structure plan area.**
  - 1.4 deleting all reference to soakwell infiltration within road reserves as the City does not support this form of stormwater management.**

- 2**     **NOTES that the applicant will need to liaise with the City and resolve the following matters prior to Council’s final consideration of the structure plan:**
- 2.1**     **drainage and stormwater management for the structure plan area. The applicant is advised that the City does not support the use of soak wells within road reserves and fenced drainage sumps. Preference is given to the utilisation of the two nearby drainage sumps located adjacent to Albion Park to the west and Otago Park to the south/east.**
  - 2.2**     **details for the vehicle turning head design, to determine the impact on tree retention.**
  - 2.3**     **the landscape master plan, particularly the vegetative treatment of road reserves. The applicant is advised of the City’s preference for street trees rather than shrubs.**

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf071210.pdf](#)*

### **ITEM 3                    PROPOSED ALTERATIONS AND EXTENSIONS TO THE JOONDALUP RESORT AT LOT 535 (45) COUNTRY CLUB BOULEVARD, CONNOLLY**

**WARD:** North

**RESPONSIBLE:** Ms Dale Page, Director Planning and Development

**FILE NUMBER:** 17076

**ATTACHMENTS:** Attachment 1 Location Plan  
Attachment 2 Development Plans

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#### **PURPOSE**

To request Council's determination of an application for a proposed function hall at the Joondalup Resort, located at 45 Country Club Boulevard, Connolly.

#### **EXECUTIVE SUMMARY**

This application is for a function hall addition to the existing Joondalup Resort. The facility will include two function rooms which can be combined into one room, pre-function areas, function court and courtyard areas and associated kitchen and service areas.

District Planning Scheme No 2 (DPS2) requires 384 bays to be provided on site. There are currently 303 existing car parking bays on site. The application does not propose any additional car parking, resulting in a shortfall of 81 bays (21%).

However an overflow car parking area is also proposed. This area can accommodate a further 151 non-marked bays on an open, grassed area within the south-eastern corner of the site. These bays are not included in the DPS2 calculations as the bays are not marked and sealed. However, inclusion of these bays, in effect, overcomes any potential parking shortfall. In the event that the overflow car park is required to be utilised, it is proposed to be managed by hotel staff through the implementation of a Car Parking and Traffic Management Plan.

The applicant's justification for the proposed shortfall of marked, sealed bays is the underutilisation of the existing 303 car parking bays provided on site. The City previously conducted a survey of the existing car park over a two week time period. The results of that survey indicated the car park is significantly underutilised. The proposed shortfall of marked, sealed car parking bays is therefore considered appropriate in this instance and will not result in any significant adverse effect on adjoining properties, or the surrounding area.

Additionally, the application seeks approval for a side setback variation to the western boundary. The reduced setback is considered to be minor in nature and will not result in any significant adverse effect, as it adjoins the Joondalup Golf Course.

The site is zoned Private Clubs/Recreation under DPS2, with the development falling into the use classes 'Place of Assembly'. This is a discretionary use in this zone. The proposal is considered to meet the objective of the Private Clubs/Recreation zone and is appropriately located as an extension to the existing hotel development. It is recommended that the application be approved with conditions.

## BACKGROUND

**Suburb/Location:** Lot 535 (45) Country Club Boulevard, Connolly  
**Applicant:** James Christou & Partners, Architects  
**Owner:** Joondalup Hotel Investments Pty Ltd  
**Zoning:** **DPS:** Private Clubs/Recreation  
**MRS:** Urban  
**Site Area:** 48,239m<sup>2</sup>  
**Structure Plan:** Not Applicable

The subject site is located at the northern end of Country Club Boulevard, with the Joondalup Resort Hotel site almost entirely surrounded by the Joondalup Resort Golf Course. Adjoining the site to the south-west is the Joondalup Resort Country Club. The closest residential property to the proposed development is located approximately 180 metres to the north (Location Plan – detailed in Attachment 1).

The hotel site is irregular in shape, with the existing hotel located toward the northern part of the site. A staff car parking area is located along the eastern boundary of the site, with a separate visitor car parking area located to the south of the hotel. Tennis courts and an unutilised area of scrub land are located within the south-eastern portion of the site.

The existing hotel infrastructure comprises 70 hotel rooms, an outdoor pool, cafe, restaurant and bar, six function rooms and an outdoor function room. With the exception of the outdoor function room, this development was approved on 9 February 1994, with a requirement to provide 353 car parking bays. City records show a written agreement in April 1994 permitted a reduced provision of 300 car parking bays for the Stage One development, with a requirement that the remaining 53 car parking bays be provided as part of any future development on site *"if it is deemed necessary"*.

The City has since considered five applications for major development approval on the hotel site. The first three have not been implemented and any approvals have since lapsed. These proposals are as follows:

DA4315 - A two storey corporate office block approved September 1994.

DA4656 – Extension of the hotel incorporating an additional 70 hotel rooms, health and child minding facilities, and an underground car park with 70 new car parking bays was submitted in 1995. The City's records show the application was deferred by Council for 30 days to enable the application to be advertised. The application did not proceed.

DA6182 - The addition of 68 serviced apartments, a health club, and basement car park with 132 bays (a shortfall of 76 car parking bays) approved June 1997.

Of note, the City has previously approved a 53 car parking bay shortfall and 76 car parking bay shortfall for the hotel site under applications DA4315 and DA6182, respectively.

At its meeting held on 5 December 2007, Council approved an application for retrospective planning approval of an outdoor function centre. The seating capacity for this addition is 190, requiring an additional 48 bays to be provided. No additional car parking bays were provided as part of this application. The current number of car parking bays provided on the hotel site is therefore 303, in addition to four drop off and pick up bays.

Most recently, Council approved a development application for 50 Hotel Rooms and a function facility on both the subject site and the adjoining site in November 2009. When determining this application, Council determined that the existing 303 car parking bays on site was adequate to service the increased demand, and a 110 parking bay shortfall was approved.

## **DETAILS**

This application is for a function hall addition to the existing Joondalup Resort. The facility has been located to the north of the existing hotel rooms and marquee on site.

The function hall facility design incorporates the following elements:

- Two function rooms which can be amalgamated into one.
- One pre-function area.
- Kitchen and bar area.
- Covered court areas
- Covered deck area.
- Function courtyard.

The facility is intended to cater for conferences, business training, functions and weddings, and has a capacity for up to 420 persons. It is noted that the pre-function, court, deck and function courtyard areas are all to be used in accordance with the function room(s).

The applicant has advised that *“the development of the function facilities will allow the delivery of a more flexible and expansive integrities of spaces to guests or users to optimise the services and hospitality requirements.”*

The proposed building has a setback of nil in lieu of three metres to the side (western) boundary. All other standards and requirements of the City's District Planning Scheme No 2 (DPS2) are satisfied by this development, with the exception of car parking which is discussed below.

### Car Parking:

#### **Existing Development**

It is appropriate to assess the car parking requirement for the proposed addition as part of the overall requirement for car parking on the resort site, and not as a separate addition to the existing infrastructure.

Car parking requirements for the original resort development (Stage One) were calculated using the then Town Planning Scheme No 1 (TPS 1), which required the provision of 353 bays.

Car parking for the existing development (Stage One) using DPS2 is calculated as follows:

Use	Car parking standard	Total No. of bedrooms/area/ seats	Number of bays required
Hotel	One bay per bedroom	70 bedrooms	70
	One bay per 3m <sup>2</sup> of drinking area	259m <sup>2</sup>	86
	One bay per 5m <sup>2</sup> of seating area	283m <sup>2</sup>	56.6
Place of Assembly	One bay per four seats	265 seats	66.3
Place of Assembly (outdoor function room)	One bay per four seats	190 Seats	47.5
<b>Total</b>			<b>326.4 (rounded to 327)</b>

### Proposed Development

The proposed function centre requires an additional 105 car parking bays, as follows:

Use	Car parking standard	Total No. of bedrooms/seats	Number of bays required
PLACE OF ASSEMBLY (including breakout spaces)	One bay per four seats	420 seats	105
<b>Total</b>			<b>105</b>

### Combined Car Parking Requirement

The combined car parking requirement for both the existing and proposed development on the hotel site under the DPS2 is therefore 432. The site currently provides for 303 car parking bays with an additional 151 unmarked and unsealed overflow car parking bays proposed. The proposed shortage of marked, sealed bays is therefore 129.

### 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 City of Joondalup District Planning Scheme No 2

Clause 4.5 of DPS2 gives Council discretion to consider the variations sought to DPS2 standards.

#### 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;*
  - (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;*
  - (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.*

'Place of Assembly' is a Discretionary ('D') use within the Private Clubs/Recreation Zone. 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 subclause 6.6.2."*

Clause 6.6.2 requires that *'The Council, in exercising its discretion as to the approval or refusal of an application for Planning Approval, shall have regard to the provisions of clause 6.8'*. The matters listed under Clause 6.8 require consideration when exercising discretion under Clause 4.5:

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.*

**Strategic Plan**

**Key Focus Area:** The Built Environment.

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

**Policy** Not Applicable.

**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 \$11,301.00 (excluding GST) 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 implications of the development:

*“The extension has been planned around meeting the highest energy efficiency benchmarks. Envelope design will have insulation and glass treatments to exceed the minimum performance requirement of the BCA, whilst the air conditioning units provided for the room will be high efficiency and use environmentally friendly refrigerant which does not harm the ozone layer. Efficiency will also be carried through to water consumption, with low flow tap ware helping to reduce water consumption by up to 20% over standard designs and waste heat from the air conditioning system used to provide domestic hot water.*

*The internal environment will also be a significant improvement over standard design, with low emissions paints and wood products used where possible and the room having access to natural light and ventilation to provide passive cooling. Passive ventilation will be assisted by the mechanical plant, with AC units running on full fresh air when outdoor conditions suit. The air conditioning systems will also be configured to increase fresh air rates when the room has a high population and to reduce them when the air is already of high quality. This will save significant amounts of energy, as well as improving the guest’s amenity.*

*At the same time as providing an excellent internal environment, the site will also be planned to reduce impacts on the surrounding bushland and lake, with lighting design to be focused on reducing light spill. Not only does this reduce the ecological footprint of the site, it also reduces energy consumption and operating costs.*

*Finally, the facility will be planned to minimize waste. Recycling will be a key part of the waste management strategy, with back of house areas planned to have recycling stations as well as streamlining the flow of waste through the area.”*

**Consultation:**

The application was not advertised as the application is sufficiently distanced from surrounding residential properties such that no adverse effect will result. Furthermore, the level of additional traffic generation resulting from the proposed development will not adversely affect users of Country Club Boulevard.

*“The adjoining Joondalup Country Club, Resort Hotel and Golf Course are owned by different companies with the same director.”*

**COMMENT****Car Parking**

A car parking survey conducted in mid-2009, prior to the previous application for this site being considered by Council indicated that the existing car park is significantly underutilised.

**Table 1** Survey of total number of cars parked on site from 08 – 22 July 2009.

<b>Date</b>	<b>Time</b>	<b>Number of cars</b>
Wednesday 08/07	1.30pm	69
Thursday 09/07	9.15am	32
Monday 13/07	3.15pm	27
Thursday 16/07	3.30pm	37
Friday 17/07	4.30pm	22
Sunday 19/07	3.30pm	21
Monday 20/07	2.30pm	18
Tuesday 21/07	3.30pm	31

Council is required to determine whether the 303 bays provided are sufficient to service the development. The options available to Council are:

- 1 Determine that the provision of 303 bays is appropriate; or
- 2 Determine that the provision of 303 bays is not appropriate; or
- 3 Determine that a cash-in-lieu payment of \$3,341,841 is required for the shortfall in parking.

Noting the current utilisation of the car park, the proposed shortfall of 129 parking bays is considered appropriate for a number of reasons, these being:

- In some instances users of the conference facilities will also be staying at the hotel, upon which the car parking demand will be reduced; and
- In the event that the existing car park is fully utilised, the proposed overflow car park is considered to be an appropriate alternative that is easily accessible and able to be controlled by hotel staff.

It is recommended that a condition of development approval will require the applicant to submit a Traffic Management Plan to the City detailing how guests will be directed to the overflow car park and to then park in an orderly fashion. This was a condition of the November 2009 approval, and the plan will be required to be submitted prior to the issue of a Building Licence for the development.

## Noise

As previously mentioned, the hotel site is almost entirely surrounded by the Joondalup Golf Course, with the closest residential property located approximately 180 metres to the north. The applicant has submitted an Acoustic Report to the City demonstrating that the development is able to operate in compliance with relevant noise regulations. Several conditions of approval will ensure that the operation of the function centre will satisfy the noise regulations, and not adversely impact on the amenity of any surrounding landowners.

## Design and Location

The proposed addition is considered to be appropriately located on site and will form an attractive addition to the existing hotel. The applicant has endeavoured to tie the existing and proposed buildings together through the use of similar materials and colour schemes. As indicated on the elevation drawings, the materials that are intended to be used include Donnybrook Stone, glass and Colourbond colour.

The proposed additions have been located with a reduced setback to the side boundary. This nil setback relates only to the stairs leading down to ground level from the decked area. The function room building itself is setback approximately 5.2 metres which satisfies the requirements of DPS2. This nil setback occurs as a result of the angled nature of the property boundary. Additionally, it is noted that the subject boundary is adjoined by the Joondalup Golf Course, which is owned by a different company with the same Directors as the Resort. Practically, there is no physical distinction between the Joondalup Resort Hotel site and surrounding golf course, with the exception of separately marked car parking areas.

## **CONCLUSION**

The proposed development forms a complementary and attractive addition to the existing resort complex. The building has been well designed and relates appropriately to the existing buildings on site. The proposed reduced side building setback is minor in nature and appropriate in this instance.

The proposed car parking bay shortfall is considered to be a technical shortfall only, with the existing car park being adequate to cater for all car parking demand on site. In the event that car parking demand exceeds the existing on-site supply, the proposed overflow car park is considered to be a practical and suitable alternative.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 EXERCISES discretion under Clauses 4.5.1 and 4.8.2 of the City of Joondalup District Planning Scheme No 2 and determines that the following are appropriate in this instance:**
  - 1.1 Car parking provision of 303 marked and sealed bays and 151 unmarked and unsealed bays in lieu of 432 marked and sealed bays;**
  - 1.2 Building side setback of nil in lieu of three metres to the western boundary;**

- 2 APPROVES** the application for planning approval, dated 5 July 2010, submitted by James Christou & Partners Architects on behalf of the owners, Joondalup Hotel Investments Pty Ltd, for a proposed Place of Assembly (function hall) addition to Joondalup Resort at Lot 535 (45) Country Club Boulevard, Connolly, subject to the following conditions:
- 2.1** Any roof mounted or freestanding plant or equipment such as air conditioning units, satellite dishes or radio masts to be located and screened so as not to be visible from adjoining streets and public space;
  - 2.2** A Car Parking and Traffic Management Plan being submitted and approved detailing the use and management of the overflow car parking area, to the satisfaction of the City prior to the issue of the relevant Building Licence;
  - 2.3** The designated 151 grassed overflow car parking area shall be levelled and grassed prior to completion of the development, to the satisfaction of the City, and shall thereafter be maintained and remain available for such use;
  - 2.4** All storm water shall be collected on-site and disposed of in a manner acceptable to the City;
  - 2.5** A detailed landscaping and reticulation plan being submitted and approved prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;
  - 2.6** 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:
    - 2.6.1** the delivery of materials and equipment to the site;
    - 2.6.2** the storage of materials and equipment on the site;
    - 2.6.3** the parking arrangements for the contractors and subcontractors;
    - 2.6.4** other matters likely to impact on the surrounding properties;
  - 2.7** No function involving amplified music to be allowed within the Lakeside Terrace Marquee and/or Function Courtyard should this coincide with a similar function involving amplified music within the proposed Function Hall;
  - 2.8** The sound amplification system for musicians and DJs in the proposed Function Hall to be connected through a sound compressor set up to a maximum internal level of 95dB(A) with special attention to overall level of the lower end frequencies;
  - 2.9** An air lock to be provided to the doors affording access to the deck facing the existing lake.

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf071210.pdf](#)

## **ITEM 4                      PROPOSED AMENDMENT 51 TO DISTRICT PLANNING SCHEME NO 2 TO PERMIT CINEMA COMPLEXES IN THE COMMERCIAL ZONE**

**WARD:** All

**RESPONSIBLE:** Ms Dale Page, Director Planning and Development

**FILE NUMBER:** 101037

**ATTACHMENTS:** Nil.

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### **PURPOSE**

The purpose of this report is for Council to consider submissions received during the public advertising of proposed Amendment 51 to District Planning Scheme No 2 (DPS2) and to decide whether to adopt the amendment.

### **EXECUTIVE SUMMARY**

An application has been received to amend Table 1 of DPS2 to allow the land use 'Cinema Complex' to be a discretionary ('D') land use in the 'Commercial' zone. Currently 'Cinema Complex' is not permitted as a land use in the 'Commercial' zone.

At its meeting held on 17 August 2010, Council resolved to initiate advertising of Amendment No 46 for a period of 42 days. No submissions were received.

It is recommended that Council adopts Amendment No 51 to DPS2 as final without modifications, and forwards the proposal to the Western Australian Planning Commission (WAPC) for determination.

### **BACKGROUND**

**Suburb/Location:** Not Applicable.  
**Applicant:** The Planning Group Pty Ltd  
**Zoning:**       **DPS:** Commercial  
                      **MRS:** Urban  
**Site Area:** Not Applicable.  
**Structure Plan:** Not Applicable.

The applicant has submitted the scheme amendment request on behalf of the owners of Grand Cinemas who own the cinema complexes in Currambine, Joondalup, Warwick and Whitfords. These are the only currently existing cinema complexes (being multi-screen cinemas) in the City of Joondalup. It is noted that a seasonal cinema operates at Edith Cowan University, Joondalup, however, this is a single screen cinema, and is therefore not affected by the proposal.

Currambine, Warwick and Whitfords cinema complexes are located on 'Commercial' zoned land. Joondalup cinema complex is located within the Joondalup City Centre which is currently zoned 'Centre'. Development is controlled by the *Joondalup Development Plan and Manual* under which 'Leisure and Entertainment' is a permitted use in the Central Business District (CBD). Under the draft *Joondalup City Centre Structure Plan*, cinema complexes are permitted in the 'Central Core' and 'City Fringe' zones.

All the existing cinema complexes were approved under the previous Town Planning Scheme No 1. It is unclear why DPS2, which came into force in 2000, made 'Cinema Complex' a prohibited use in the 'Commercial' zone. With the exception of the cinema complex in the Joondalup City Centre which is subject to its own structure plan, the other cinema complexes are now 'non conforming uses'. This means that, although lawfully approved under the previous planning scheme and can continue to operate, any extension or alteration to the use or building requires special consideration and approval by Council.

At its meeting held on 17 August 2010, Council resolved to initiate advertising of Amendment 51 for a period of 42 days (Report CJ131-08/10 refers).

## **DETAILS**

A 'Cinema Complex' is currently an 'X' land use in the 'Commercial' zone, which means that it is not permitted. An application has been received to amend the permissibility of the use class 'Cinema Complex' in Table 1 of DPS2 from 'X' to 'D' in the 'Commercial' zone. A 'D' land use is a use class to which Council may grant approval following the exercise of discretion.

The applicant states that while the amendment will apply to all 'Commercial' zoned land within the City, it is specifically aimed at appropriately updating the zoning table under DPS2 in respect to the established cinema complexes in the 'Commercial' zone.

The applicant also states that the cinema complexes are appropriately located in shopping centres that provide a mix of retail and activities that cater for large numbers of visitors and traffic and are consistent with the objectives of the 'Commercial' zone.

### **Issues and options considered:**

The options available to Council in considering the proposal are:

- Adopt the proposed amendment;
- Adopt the proposed amendment , with modifications; or
- Refuse to adopt the proposed amendment.

In all the above options, the proposal is forwarded to the Western Australian Planning Commission (WAPC) for the Minister for Planning's determination.

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

#### **Legislation**

Part 5 of *Planning and Development Act 2005* enables local government to amend a Local Planning Scheme and sets out the process to be followed. At its meeting held on 17 August 2010, Council supported the initiation of the proposed amendment for the purpose of public advertising. The proposed amendment was then referred to the Environmental Protection Authority (EPA) for its comment. The EPA decided that a formal review of the amendment was not required.

Upon closure of the advertising period, Council is to consider all submissions received during the advertising period and resolve either to adopt the amendment, with or without modifications, or resolve not to adopt the amendment. The decision is then forwarded to the WAPC which makes a recommendation to the Minister for Planning. The Minister can either grant final approval to the amendment, with or without modifications, or refuse to grant approval for the amendment.

**Strategic Plan**

**Key Focus Area:** The built environment

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

**Policy** Not Applicable.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The proposed scheme amendment was advertised for public comment for a period of 42 days closing on 10 November 2010. A notice was placed in the Joondalup Community Newspaper and The West Australian. The amendment was also displayed on the City's website.

No submissions were received.

**COMMENT**

Appropriateness of proposed land use in 'Commercial' zone

The proposed scheme amendment will address an anomaly in the Scheme, whereby the existing cinema complexes have appropriate planning approval and are appropriate within the 'Commercial' zone yet are currently non-conforming uses. These existing cinema complexes are consistent with the objectives of the 'Commercial' zone under DPS2 as they provide an entertainment land use which is consistent with the objectives of the 'Commercial' zone.

It is considered that the proposed scheme amendment is consistent with orderly and proper planning as it will allow consideration of the redevelopment or expansion of the existing cinema complexes within the City. The amendment will also allow new cinema complexes to be developed on 'Commercial' zoned land subject to compliance with the provisions of the scheme.

The proposed scheme amendment is considered to be consistent with the objectives of the 'Commercial' zone. No submissions were received during the public advertising period and it is therefore recommended that Council adopts the amendment without modification and the amending documents be endorsed and submitted to the WAPC for the Minister's determination.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION****That Council:**

- 1 Pursuant to Regulation 17 (2) of the *Town Planning Regulations 1967* ADOPTS Amendment No 51 to the City of Joondalup District Planning Scheme No. 2, as follows:**
  - 1.1 Amends the permissibility of the Use Class ‘Cinema Complex’ in Table 1 (Clause 3.2) – The Zoning Table from ‘X’ to ‘D’ in the ‘Commercial’ zone;**
- 2 AUTHORISES the affixation of the Common Seal and to endorse the signing of the amendment documents;**
- 3 FORWARDS Scheme Amendment No 51 and Council’s decision to the Western Australian Planning Commission for determination.**

## **ITEM 5                      PETITION REGARDING DISUSED MATERIALS AT LOT 499 (5) PERIWINKLE ROAD, MULLALOO**

<b>WARD:</b>	North-Central
<b>RESPONSIBLE:</b>	Ms Dale Page, Director Planning and Development
<b>FILE NUMBER:</b>	69346
<b>ATTACHMENTS:</b>	Attachment 1    Location plan Attachment 2    Notice endorsed by Council (February 2010)

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### **PURPOSE**

For Council to consider concerns raised in a petition from residents of Periwinkle Road, Mullaloo, regarding the appearance of the property at 5 Periwinkle Road.

### **EXECUTIVE SUMMARY**

At its meeting held on 19 October 2010, Council received a petition raising concerns about the appearance of a property at 5 Periwinkle Road, Mullaloo (the subject property).

Specifically the petition raises concerns about disused materials affecting the amenity of the neighbouring properties.

The concerns raised by the petitioners are acknowledged, and it is understood that the property remains in a state that adversely impacts on the amenity of surrounding landowners. The City has been pursuing numerous complaints regarding the state of this property since 2007, and has taken legal action on several occasions in this regard.

The continuation of complaints appears to stem from various disused items being removed from the front setback, as directed by the City, only to be replaced by other visually unappealing items placed on the front setback and verge.

The City, on all occasions, has taken appropriate action in accordance with its statutory requirements and with consideration of legal advice provided to it.

### **BACKGROUND**

<b>Suburb/Location:</b>	Lot 499 (5) Periwinkle Road, Mullaloo
<b>Owner:</b>	Mr Andrew James Hunter
<b>Zoning:</b>	<b>DPS:</b> Residential
	<b>MRS:</b> Urban
<b>SiteArea:</b>	709.48m <sup>2</sup>
<b>Structure Plan:</b>	Not Applicable.

The City has received ongoing complaints since January 2007, initially due to a large sea container located on the property, later removed as directed by the City and as a result of legal proceedings initiated by the City.

During another site inspection of the sea container conducted by the City in December 2007, issues emerged regarding the unsightly and unkempt visual appearance of the front setback area of 5 Periwinkle Road, Mullaloo and unauthorised structures on the property. The issues were promptly raised with the property owner.

In June 2008, the City began to receive complaints, initially from one complainant, that these issues were affecting the amenity of the streetscape.

## **DETAILS**

An on-site meeting with the property owner occurred on 26 June 2008 to discuss the issue of disused items and impact on the amenity of the street. Since this time, the City has conducted a number of site inspections, met and corresponded with the property owner, seeking to address the issue and request removal of the disused items.

After continued and varied attempts to seek remedial action from the property owner with statutory deadlines ignored, the City commenced legal proceedings by way of serving a Notice as per Section 3.25 of the *Local Government Act 1995* to the property owner on 23 November 2009 for the removal of the disused items.

On 18 December 2009, the property owner lodged an objection to the Notice served and requested certain items to remain. The objection was considered by Council at its meeting held on 16 February 2010. At this meeting Council resolved to revoke the initial Notice served and substitute with an amended Notice. Council moved to allow three months for the items to be removed (*CJ008-02/10* refers).

Further inspections by City officers and meetings with the property owner ensued until the Notice was substantially complied with on 31 August 2010. At this time the City noted that additional items had appeared, with a few remaining items from the Notice remaining. The City sent a letter to the property owner advising that the Notice had been substantially complied with and requesting the removal of these items within two weeks of the letter. The items in question still remain.

In addition to issues of amenity, the City is following up matters with regard to verge obstructions, rain water tank on the front setback and unauthorised structures at the subject property.

### **Issues and options considered:**

- Option 1: Note the petition
- Option 2: Note the petition and the actions taken by the City to date, and that the City will continue to take appropriate action. This Option is recommended.
- Option 3: Note the petition and request no further action be taken in relation to the state of the property. This Option is not recommended.

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

**Legislation**                      City of Joondalup District Planning Scheme No 2  
   Planning and Development Act 2005  
   Local Government Act 1995

The City has previously taken action in regard to unauthorised structures, and the appearance of the subject property under the abovementioned legislation. The most appropriate legislation to take action under has varied, depending on the concerns and legal advice has been sought on a several occasions in this regard.

**Strategic Plan**

**Key Focus Area:** Not Applicable

**Objective:** Not Applicable

**Policy** Not Applicable

**Risk Management considerations:**

Should the petitioners not be satisfied with the actions the City has taken to date, a review of the City's actions may be sought through the Ombudsman. The lead petitioner has been made aware of this right.

The City is satisfied that the actions taken to date would be seen as adequate in the event that such a review was sought.

**Financial/Budget Implications:**

A considerable amount of City resources have been expended to date in endeavouring to resolve this issue, particularly in terms of the officer time inspecting the site, and liaising with the landowner and adjoining residents.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Not Applicable.

**Consultation:**

No consultation was undertaken in regard to the contents of the petition although regular communication with complainants occurs.

As outlined below, the actions taken to date, and the actions that are being taken in relation to the appearance of the subject property are in accordance with the City's statutory obligations and legal advice received.

**COMMENT**

The subject site at 5 Periwinkle Road, Mullaloo is considered to be in an unkempt state resulting from a variety of disused goods stored within the front setback area of the property and, at times, the verge. The City has made considerable effort to address the issues with a number of significant improvements resulting; however, it is important to note that any actions taken by the City must be in accordance with statutory requirements. It is noted that the City has offered to meet with complainants to discuss any concerns they may have.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### That Council:

- 1 **NOTES** the actions being taken by the City in relation to the concerns raised in the petition received by Council at its meeting held on 19 October 2010, as detailed in this Report;
- 2 **ADVISES** the lead petitioner that the concerns raised in the petition are understood by the City and that the City will continue to take appropriate action in accordance with its statutory requirements with a view to achieving a desirable outcome for all involved parties.
- 3 **NOTES** the Chief Executive Officer has requested legal advice on the most expeditious manner to ensure offending materials are removed from the property.

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf071210.pdf](#)

## **ITEM 6 CHANGE OF USE FROM SHOWROOM TO RECREATION CENTRE AT LOT 9 (9/15) VANDEN WAY, JOONDALUP**

<b>WARD:</b>	North
<b>RESPONSIBLE:</b>	Ms Dale Page, Director Planning and Development
<b>FILE NUMBER:</b>	67546
<b>ATTACHMENTS:</b>	Attachment 1 Location plan Attachment 2 Development plans

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### **PURPOSE**

The purpose of this report is to seek Council's determination of an application for change of use from a Showroom to a Recreation Centre, and for associated signage.

### **EXECUTIVE SUMMARY**

The applicant is seeking approval for a change of use from a Showroom to a Recreation Centre and for associated signage at Lot 9 (9/15) Vanden Way, Joondalup.

The site is zoned Service Industrial under the City's District Planning Scheme No 2 (DPS2), with a Recreation Centre been a discretionary ("D") use in the zone. Under the draft Joondalup City Centre Structure Plan the site will be located in the Business Support zone, in which Recreation Centre will remain a "D" use.

Council is required to determine this application as the car parking provision for all land uses on site is less than that required under DPS2 by more than 10%.

The application was not advertised as it is considered that the land use and car parking shortfall have no adverse effect on any surrounding properties.

The land use is considered consistent with the objectives of the Service Industrial Zone under DPS2.

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

### **BACKGROUND**

<b>Suburb/Location:</b>	Lot 9 (9/15) Vanden Way, Joondalup
<b>Applicant:</b>	PC Byfield
<b>Owner:</b>	Strategy Central Holdings Pty Ltd
<b>Zoning:</b>	<b>DPS:</b> Service Industrial
	<b>MRS:</b> Urban
<b>Site Area:</b>	5,672m <sup>2</sup>
<b>Structure Plan:</b>	Draft Joondalup City Centre Structure Plan

The site is located in the Joondalup Business Park, to the west of Joondalup Drive. The subject site consists of ten commercial tenancies, and is adjoined by existing commercial development to the north, south and west.

The units were originally approved as one warehouse and nine showrooms in 1993, with a car parking requirement of 77 bays for the site. Council, in this instance determined that the proposed car parking supply of 72 bays would be adequate. In 1996 the Wacky Warehouse (children's entertainment venue) was approved occupying two of the ten tenancies, with 86 bays required to be provided for the site under the then Town Planning Scheme No 1. Council, in determining that application considered that the existing car parking supply of 72 bays was appropriate in that instance.

In 2004, a change of use application from a showroom to a place of worship was approved under delegated authority for Unit 1, subject to the use operating for a period of 12 months only from the date of the approval. In 2004 the Town Planning Delegations were modified. Due to the car parking considerations involved, the application was required to be determined by Council. In 2006, approval was granted by Council for the change of use from a Showroom to a Place of Worship. This increased the car parking requirement to a total of 101 bays for the site. Council, in determining that application considered that the existing car parking supply of 72 bays for the site was appropriate in that instance also.

The approval included a condition requiring a disabled parking space to be provided. This condition was met by the amalgamation of two car parking spaces into one, resulting in the number of on-site bays being reduced to 71.

## **DETAILS**

The applicant proposes to change the use of the existing Showroom to a Recreation Centre for the purposes of operating Zumba parties; and music, theatre and comedy routine rehearsals. The "Zumba party" is essentially an aerobics or exercise class, based on Latin dance moves and music. The party atmosphere is provided by music, disco lighting and the lack of beat-counting.

Details of the manner in which the Centre is proposed to operate are as follows:

- Hours of operation for Zumba parties are between 5.30pm to 8.30pm, Monday to Friday and between 8.30am to 9.30pm Saturdays and Sundays;
- Hours of operation for rehearsal venue hire are between 8.30am to 4.30pm Monday to Friday and within any other available timeslots on Saturdays and Sundays;
- There will be a maximum of three staff in attendance on a daily basis; and
- There will be a maximum of 35 people on-site at any one time, including staff.

Council is required to determine the application as the car parking provided on site is less than the amount required under DPS2 by more than 10%. For the purpose of strata developments car parking is calculated in relation to the overall site, not just the subject tenancy.

The table below sets out the car parking requirement for the site based on approved uses:

Tenancy	Land Use	Car parking required under DPS2	Number of bays required
Unit 1 (302m <sup>2</sup> )	Place of Worship	One bay per four seats	25
Unit 2 (221m <sup>2</sup> )	Showroom	1/30m <sup>2</sup>	7.36
Unit 3 (221m <sup>2</sup> )	Showroom	1/30m <sup>2</sup>	7.36
Unit 4 (221m <sup>2</sup> )	Showroom	1/30m <sup>2</sup>	7.36
Unit 5 (208m <sup>2</sup> )	Showroom	1/30m <sup>2</sup>	6.93
Unit 6 and 7 (429m <sup>2</sup> )	Children's Entertainment Centre	1 bay per 4 seats	25
Unit 8 (221m <sup>2</sup> )	Warehouse	1/50m <sup>2</sup>	4.42
Unit 9 (221m <sup>2</sup> )	Recreation Centre (subject of this application)	One bay per 2.5 persons	14
Unit 10 (284m <sup>2</sup> )	Showroom	1/30m <sup>2</sup>	9.46
<b>TOTAL bays required for approved uses</b>			106.89 (107)
<b>TOTAL bays currently on-site</b>			71

As shown, there is a car parking shortfall of 36 bays, or 34% of bays for the site for approved uses.

It is noted that the uses of several tenancies within the complex have changed, and are not in accordance with the above approved uses. The table below sets out the car parking requirements for the site based on land uses operating on site.

Tenancy	Land Use	Car parking required under DPS2	Number of bays required
Unit 1 (302m <sup>2</sup> )	Place of Worship	1 bay per 4 seats	25
Unit 2 (221m <sup>2</sup> )	Showroom	1/30m <sup>2</sup>	7.36
Unit 3 (221m <sup>2</sup> )	Office	1/30m <sup>2</sup>	7.36
Unit 4 (221m <sup>2</sup> )	Office	1/30m <sup>2</sup>	7.36
Unit 5 (208m <sup>2</sup> )	Showroom	1/30m <sup>2</sup>	6.93
Unit 6 (208m <sup>2</sup> )	Showroom	1/30m <sup>2</sup>	6.93
Unit 7 (221m <sup>2</sup> )	Office	1/30m <sup>2</sup>	7.36
Unit 8 (221m <sup>2</sup> )	Warehouse	1/50m <sup>2</sup>	4.42
Unit 9 (221m <sup>2</sup> )	Recreation Centre (subject of this approval)	One bay per 2.5 persons	14
Unit 10 (284m <sup>2</sup> )	Office	1/30m <sup>2</sup>	9.46
<b>TOTAL bays required for existing uses</b>			96.18 (97)
<b>TOTAL bays currently on-site</b>			71

As shown, there is a car parking shortfall of 26 bays, or 27% of bays for the site for existing uses.

Upon adoption of the draft Joondalup Structure Plan, offices, which are currently an “X” use within the Business Support Zone will become a “D” (Discretionary) use. It is anticipated that retrospective approval will be sought for these uses at that point in time.

### 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

#### City of Joondalup District Planning Scheme No.2

‘Recreation Centre’ is a discretionary (“D”) use within the Service Industrial Zone. 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 subclause 6.6.2.”*

Clause 6.6.2 requires that Council in exercising discretion to approve or refuse an application shall have regard to the provisions of clause 6.8.

#### 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 proposed use is a “D” use, the additional matters identified in Clause 6.8.2 also require Council consideration in relation to this application for planning approval.

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;*
  - *the nature of the roads giving access to the subject land;*
  - *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.*

#### 4.8 CAR PARKING STANDARDS

4.8.1 *The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS 2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the Council.*

4.8.2 *The number of on-site car parking bays to be provided for specified development shall be in accordance with Table 2. Where development is not specified in Table 2 the Council shall determine the parking standard. The Council may also determine that a general car parking standard shall apply irrespective of the development proposed in cases where it considers this to be appropriate.*

Clause 4.5 of DPS2 allows for the development standards of the Scheme to be varied:

#### 4.5 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

- *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.*

- *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.*

## **Strategic Plan**

**Key Focus Area:** Community Wellbeing

**Objective:** To facilitate healthy lifestyles within the community  
To facilitate culture, the arts and knowledge within the community

**Policy** Council Policy – Signs

The objectives of the policy are:

- 1 To provide guidance on the design and placement of signs located within the City of Joondalup.
- 2 To protect the quality of the streetscape and the amenity of adjoining and nearby residents by minimising the visual impact of signs.
- 3 To encourage signs that are well designed and positioned, appropriate to their location, which enhance the visual quality, amenity and safety of the City of Joondalup.
- 4 To facilitate a reasonable degree of signage to support business activities within the City of Joondalup
- 5 To complement the provisions for signs as specified in the City of Joondalup's Signs Local law (1999).

## **Risk Management considerations:**

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

**Financial/Budget Implications:**

The applicant has paid fees of \$270 (excluding GST) to cover all costs associated with assessing the proposal.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Not Applicable.

**Consultation:**

Clause 6.7.2 of DPS2 allows public consultation to be undertaken prior to the consideration of an application for planning approval where this is considered necessary or appropriate. In this instance there is no impact or loss of amenity to the surrounding area as a result of this land use, and the business is consistent with the DPS2 objectives for the Service Industrial zone.

As such, the proposal was not advertised for comment.

**COMMENT**Land Use

Recreation Centre is a discretionary (“D”) use in the Service Industrial Zone under DPS2. The land use will remain discretionary when the draft Joondalup City Centre Structure Plan is certified by the Western Australian Planning Commission.

Under Clause 3.10.1 of DPS2 there are a set of objectives which should be taken into account in considering applications in the Service Industrial Zone. These relate to both built form and appropriateness of land uses. As there are no external changes as part of this application, the relevant objective of the Service Industrial Zone states:

*“(to) accommodate a range of light industries, showrooms, entertainment and recreational facilities, and complementary business services which, by way of their nature, would not detrimentally affect the amenity of surrounding areas.”*

In this instance it is considered that the operation of the business will occur in a manner which does not detrimentally affect the amenity of the surrounding areas, and is consistent with the objectives of the zone.

Car Parking

In accordance with DPS2, a total of 107 bays are required to service the approved and proposed land uses, including the Recreation Centre, which is the subject of this application. Under the draft Joondalup City Centre Structure Plan, the car parking requirement will not alter.

The intent of the car parking standard for Recreation Centre is to allow for sufficient car parking when tenancies are utilised at their maximum capacity. The car parking requirement is based on the maximum number of people that will be accommodated at any one time in the tenancy. This is considered to satisfy the purpose and intent of the car parking standard, and result in a reliable calculation.

There are presently 71 car bays on-site. DPS2 allows Council to determine whether the existing 71 bays are sufficient to service the existing land uses, including the Recreation Centre. The options available to Council are:

1. Determine that the provision of 71 car parking bays currently provided on-site is appropriate; or
2. Determine that the provision of 71 car parking bays currently provided on-site is not appropriate and refuse the application; or
3. Determine that a cash-in-lieu payment of \$933,444, (being \$25,929 per car bay) is required for the shortfall in car parking.

It is noted that in 2006, Council considered that a car parking supply of 71 bays in lieu of 101 bays required under DPS2 was sufficient for the existing Place of Assembly to operate from Lot (1/15) Vanden Way, Joondalup.

The peak hours of operation of the Recreation Centre will be after business hours Monday to Friday (5.30pm to 8.30pm) and 8.30am to 9.30pm Saturdays and Sundays. By comparison, the peak trading hours of many of the businesses within the complex are within business hours of 9.00am to 5.00pm and are not considered to be affected by the proposed hours of operation of the Recreation Centre. The Place of Assembly which currently operates out of Lot 1 (1/15) Vanden Way does also operate after business hours, with peak numbers reached on a Sunday morning between 9.30am and 10.30am at which time it is anticipated car parking for the complex will be mostly utilised.

A site inspection undertaken by a City officer on a Sunday morning indicated that the car parking supply is sufficient for the land uses to operate concurrently. The peak utilisation of the car parking was less than 20 bays. Furthermore, the City has not received any complaints in relation to car parking at the site.

Given the above, it is considered that the provision of 71 car bays is sufficient for the site.

### Signage

Council Policy Signs permits wall signs to a maximum of 25% of the facade within the Service Industrial Zone. The proposed wall sign incorporates the name of the business "Studio 9 Entertainment" and is considered to be consistent with the objectives and design requirements of the Policy, contributing to 4.2% of the facade.

### Conclusion

The land use 'Recreation Centre' is considered to meet the objectives of the Service Industrial Zone and is supported, with the car parking supply on-site considered to be sufficient for the complex.

On this basis, it is recommended that the application be approved subject to conditions.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### 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 car parking provision of 71 bays is appropriate in this instance;
- 2 **DETERMINES** that the land use 'Recreation Centre' under Clause 6.8.2 of the City of Joondalup District Planning Scheme No.2 is appropriate;
- 3 **APPROVES** the application for planning approval dated 29 September 2010 submitted by PC Byfield, the applicant, on behalf of the owner, Strategy Central Holdings Pty Ltd, for Recreation Centre (change of use from showroom) at Lot 9 (9/15) Vanden Way, Joondalup, subject to a maximum of 35 people (including employees) being permitted on the premises at any given time.

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf071210.pdf](#)

## **ITEM 7                      PROPOSED HOSPITAL, OFFICES AND SHOP AT LOT 1 (113) GRAND BOULEVARD, JOONDALUP**

**WARD:** North

**RESPONSIBLE** Ms Dale Page, Director Planning and Development

**FILE NUMBER:** 47996

**ATTACHMENTS:** Attachment 1 Location plan  
Attachment 2 Development plans  
Attachment 3 Building perspectives  
Attachment 4 Minutes of Joondalup Design Reference Panel

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### **PURPOSE**

To request Council's determination of an application for a proposed Hospital, Office and Shop at Lot 1 (113) Grand Boulevard, Joondalup.

### **EXECUTIVE SUMMARY**

The applicant proposes to construct a seven storey building. The predominant land use will be a private psychiatric hospital (including consultation suites). This will be accompanied by other commercial land uses including offices and a pharmacy.

The site is located on the eastern side of Grand Boulevard between Reid Promenade and Shenton Avenue, with Central Walk at the rear.

The application is required to be assessed against the Joondalup City Centre Development Plan and Manual (JCCDPM). In accordance with the City of Joondalup District Planning Scheme No.2 (DPS2), regard must also be given to the draft Joondalup City Centre Structure Plan (JCCSP) as a "seriously entertained planning proposal".

The proposal is considered to meet all relevant requirements of the JCCDPM, with the exception of building height, pedestrian shelter to Central Walk, and car parking. In relation to the draft JCCSP, the proposed development does not meet in part, the required setbacks from the street and side boundaries, the pedestrian shelter to Grand Boulevard exceeds the maximum height of 4.0 metre, and a variation to the car parking requirement is being sought.

The proposal has not been advertised as it is not considered to result in any adverse effect on the surrounding locality, and the scale of the development is considered appropriate for the City Centre.

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

## BACKGROUND

<b>Suburb/Location:</b>	Lot 1 (113) Grand Boulevard, Joondalup
<b>Applicant:</b>	Meyer Shircore & Associates
<b>Owner:</b>	Sentiens Joondalup Hospital Pty Ltd
<b>Zoning:</b>	<b>DPS:</b> Centre
	<b>MRS:</b> Central City Area
<b>Site Area:</b>	2,000m <sup>2</sup>
<b>Structure Plan:</b>	Joondalup City Centre Development Plan and Manual (JCCDPM) and draft Joondalup City Centre Structure Plan (JCCSP)

The site is located on the eastern side of Grand Boulevard, between Reid Promenade and Shenton Avenue. Two storey developments are located on both adjoining sites to the north and south. It is noted that a four storey development was recently approved on the northern adjoining site (CJ269-12/09 refers). The location of the site is indicated in Attachment 1.

On 20 November 2007 Council resolved to recommend to the Department of Regional Development and Lands that it supports the closure of a portion of the 0.1 metre wide pedestrian access way (PAW) adjacent to Lot 1 (113) Grand Boulevard, Joondalup and amalgamation into the adjoining road reserve (CJ253-11/07 refers). That process allows for vehicular access to be provided into the site from Grand Boulevard. As part of this resolution, Council also advised that should the closure be supported, a payment to the City of \$6,500 is required for the loss of one car bay and a street tree.

Whilst a seven storey mixed use development was approved for the site in April 2008 (CJ064-04/08 refers), no development at the site has occurred. As a result, the closure of the PAW was not finalised, despite it being supported by the Department of Regional Development and Lands. It is noted that the proposed location of the crossover for this current development is consistent with the location of the PAW closure, and that the dedication of the PAW into the road reserve will need to be formalised prior to any construction works commencing. As the closure of the PAW relates to a separate resolution of Council, the matter is not subject of this application, but will be included as an advice note to the applicant.

The proposal was referred to the Joondalup Design Reference Panel on 18 November 2010. The minutes of this meeting are provided in Attachment 4, and are discussed further in the comments section of this report.

## DETAILS

The proposed building is comprised of seven storeys, with an undercroft. The following table provides a breakdown of the uses on each level.

Level	Proposed Use
Ground	Car and bicycle parking. Pharmacy (100m <sup>2</sup> NLA). Pathology (57m <sup>2</sup> NLA). Hospital reception.
First	Car parking. Offices (432m <sup>2</sup> NLA).
Second, third and fourth	Each floor contains a consulting suite with 11 rooms, and a hospital ward each with 30 beds.
Fifth	Allied Health Suite with nine rooms. Hospital central facilities – kitchen, dining, therapy and activity rooms.
Sixth	ECT Suite. Hospital general administration. Hospital group therapy rooms.

The ground floor of the development has a nil setback to all boundaries with awnings provided along Grand Boulevard to a depth of 2.5 metre. The first to fourth levels of the development is also proposed to be setback nil to Grand Boulevard, with the exception of the north corner which is setback 4.2 metre for 3.0 metre of the frontage. The fifth and sixth levels have been setback six metres from Grand Boulevard as required under the draft JCCSP.

A nil setback is maintained to Central Walk with white aluminium louvers proposed to screen the ground floor car parking, and also to balconies on the upper floors.

Whilst a portion of the development will have a nil setback to the side boundaries, the majority of the development is setback three metres from both side boundaries.

The development plans are provided in Attachment 2. A large copy of the development plans as well as building perspectives have also been provided in the Councillor's reading room.

The areas of non compliance with the JCCDPM are:

- Projection through the 60 degree recession plane;
- Car parking shortfall of 43 car bays (see below); and
- Awnings not provided to Central Walk.

The areas of non compliance with the draft JCCSP are:

- Northern portion of the first to fourth storeys are set back 4.2 metres for three metres of the street boundary in lieu of the nil setback required;
- Portion of the first three storeys having a maximum setback of 3.0 metres from the side boundaries in lieu of the nil setback required;
- Portion of the pedestrian shelter along Grand Boulevard having a maximum height of 5.1 metres in lieu of 4.0 metres;
- Car parking shortfall of 31 car bays (see below).

The areas of non-compliance with the JCCDPM and draft JCCSP are discussed further in the comments section of this report.

### Building Design

In support of the application, the applicant has provided a design philosophy which is summarised below:

- The proposed development has been designed in recognition of the dominance it will have on the landscape of Joondalup for probably quite some time. Accordingly context, visibility (all around), quality and architectural language have influenced the design.
- The building is to be constructed with a facade treatment consisting of high quality elements, predominantly Alucobond (black and white) and glass. Where possible external painting is kept to a minimum to reduce maintenance. Prefinished materials proposed are much more robust and long lasting.
- The colours and materials provide a context, as well as some of the design elements, in terms of this building's proximity and architectural association with Shenton House (and Grace House which is to be painted white and has black glass). Shenton House is to be constructed of the same materials and so provides a contextual association.
- The association is further reinforced in the architectural language we have developed for the design. Much of Joondalup gains its cohesive qualities in the architecture, colours and materials and scale. Earthy brick with reds, stone and beige paint make up a significant amount of Joondalup.
- The architectural language which also predominated Joondalup is somewhat classical in nature with string courses, capitals, columns and arches featuring predominantly. More recent architecture breaks away from this and will continue to do so.
- As with Shenton House, the architectural language for 113 Grand Boulevard is modern. Rather than stand out from its immediate (and only) neighbour of substantial size we have "borrowed" aspects of the architectural language and reinterpreted these in the new building. The "Greek cross" form seen in the digiglass panels of Shenton House are found on the north and south facades of this building, forming a large pattern. This pattern is then broken by the imposition of the internal spatial arrangement requiring windows to be positioned to form another layer of pattern which is seemingly random. The pattern itself appears as building blocks and the notion of building blocks is explored further on the western end (and front facade) where they become considerably larger and present a much more formal arrangement. On the front facade the awning is a gentle "sampling" of the Shenton House north facade element and awning further linking the two new buildings.

- The use of same colours and materials and reference of language, together with general scale, will ensure that Shenton House and 113 Grand Boulevard sit together, while each maintains its own essential aesthetic. Such a consideration was identified very early in the process as of prime importance due to the very scale of these buildings in relation to surrounding streetscape.

Further to the above, the applicant has also provided information regarding the proposed development and its interaction with Central Walk:

- Council's aspirations to have developments provide an "active frontage" to Central Walk are recognised, however in the context of this particular proposal such a consideration poses several irreconcilable issues.
- Notwithstanding general project planning issues such as security, servicing access and levels etc. the fundamental challenge facing such a consideration is that of leasing. The context of the proposed development and surrounding properties is a "pattern" of development along Central Walk where "activation" exists on properties where Central Walk crosses a street, along an active street frontage to wrap around along Centre Walk for a certain depth. Between those there is little "activation" and more likely blank facades and car parking areas between streets.
- We have identified an area which could, in the future, be utilised for an "active" use such as a lunch bar, cafe or small restaurant, or even a small medical tenancy (given the proximity to the Health Campus). This would necessitate some future negotiation regarding modifications of levels in the Central Walk reserve between the building and footpath. In the meantime such a "tenancy" would be virtually impossible to lease for the foreseeable future.

### Car Parking

For the purposes of calculating car parking for the hospital component, it is considered reasonable to apply the car parking standard for hospital prescribed in Table 2 of DPS2 (1 per three patients plus one space for each staff member on duty). This is for the following reasons:

- The operation of the hospital is not akin to the operation of a commercial business and therefore it is not considered relevant to apply the commercial standard of one per 30m<sup>2</sup> net lettable area (NLA) set out in the JCCDPM and Council Policy - Joondalup City Centre Car Parking for Commercial Development; and
- The application of the hospital car parking standard prescribed in DPS2 is consistent with the car parking assessment undertaken for the additions approved at the Joondalup Health Campus.

Given that the offices and pharmacy operate independently of the hospital, the commercial standard has been applied to these portions of the development.

The following table summarises the parking requirements for the proposed development.

<b>Land Use Class</b>	<b>Parking Standard</b>	<b>Car bays required</b>
Hospital	one per three patients plus one space for each staff member on duty (as prescribed in DPS2)	50 + 100
Commercial (pharmacy, pathology and office)	one per 30m <sup>2</sup> NLA (as prescribed in JCCDPM)	17.73
<b>Total bays required</b>		168
<b>Total bays provided</b>		125

Under the draft JCCSP, car parking for commercial components of the development is only required for the ground floor (such as pharmacy and pathology). Therefore a total of 156 bays would be required in accordance with the draft JCCSP.

It is noted that the car parking demand for the development would be greater should the whole development be calculated at the commercial standard of one per 30m<sup>2</sup> NLA.

#### **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**

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

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

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

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

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

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

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) *Interest of proper and orderly 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 and wishes of any objectors to or supporters of the application;*
- (i) *The comments and wishes of any objectors to or supporters of the application;*
- (j) *Any previous decision made by 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.*

**Strategic Plan**

**Key Focus Area:** The Built Environment

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

**Key Focus Area:** Economic Prosperity and Growth

**Objective:** To increase employment opportunities within the City.

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

The objective of this policy is to provide guidance to the provision of private and public car parking to ensure the Joondalup City Centre attains its position as the second major city in metropolitan Perth, and to achieve an appropriate balance between private and public car parking.

The overall parking requirement of one bay per 30m<sup>2</sup> NLA set out in this policy has been applied to the office and pharmacy component of the development only, as set out in the details section of this report.

**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 has paid \$31,350 to cover all costs associated with assessing the application. Furthermore, a payment of \$6,500 is required prior to the commencement of construction for the loss of a car embayment and street tree to facilitate vehicle access as detailed in the background section of this report.

**Regional Significance:**

The proposal is considered to have a regional impact, as it will provide private mental health services for northern suburbs residents within and beyond the City's boundaries.

**Sustainability implications:**

The applicant advises that the building will achieve a 4.5 star NABERS (National Australian Built Environment Rating System) rating based on design guidelines for public hospitals which are due to be released in early 2011. The applicant has demonstrated that this will be achieved through the following (amongst other measures):

- The building is a purpose built structure with the owner/developer also being the end user. In this respect the building "life-cycle" is considered already allowed for. However, the building could be readily adapted for short-term accommodation or offices or several other uses, should the need arise.
- The building structure is of "post and beam" construction generally with all internal walls (except lifts, fire stair ducts and the like) being constructed in light weight materials. All external materials are prefinished, robust and high quality materials which will endure the lifespan of the building.

- A highly energy efficient variable air volume Mechanical Air Conditioning System and similar design for electrical services will be used, which will be controlled and monitored via a Building Management System. Waste and water management systems will be incorporated to ensure efficiency where possible.
- Most of the rooms will be fitted with movement sensors which can switch off lighting and air-conditioning when rooms are not in use. The hospital will integrate where possible, state of the art, energy saving devices and equipment.

### End of Trip Facilities

The applicant has indicated bicycle storage within the ground floor, with provision for 14 bicycle parking bays. Whilst the draft JCCSP requires end of trip facilities to be provided, it does not specify a standard which should apply. To provide guidance, reference has been made to the City of Perth's Bicycle Parking Policy. Under this Policy, they consider that bicycle parking at a rate of one bay per 500m<sup>2</sup> is sufficient to service the development. Based on this standard, the development would require approximately 17 bicycle bays. The City of Perth Policy also requires shower facilities to be provided at a rate of four showers (two male, and two female) for the first ten bicycle bays, and two for every ten bicycle bays thereafter. Using this ratio a total of six showers will be required. The applicant has indicated both male and female end of trip facilities on the ground floor which will incorporate a series of lockers and a shower in each room.

### Existing Vegetation

It is noted that there is existing native vegetation predominantly to the rear of the site. Should the proposal be approved, it is recommended that the applicant be encouraged to liaise with the City in regard to the potential for relocation of vegetation and/or seed collection prior to clearing the site.

### **Consultation:**

The proposal has not been advertised as it is not considered to result in any adverse effect on the surrounding locality, and the scale of the development is considered appropriate for the City Centre.

### **COMMENT**

#### Building Height Projection

The western elevation of the development projects through the 60 degree recession plane set out in the JCCDPM. The projection through the recession plane will not have an adverse effect on adjoining existing developments, or upon the future development of the locality. The height will contribute to the City Centre environment where development is encouraged to be of large scale. Furthermore, the development meets the minimum five storey height requirement prescribed in the draft JCCSP. On this basis, the projection through the recession plane is supported.

#### Design

Notwithstanding the setback variations proposed to the draft JCCSP the overall design of the building is generally considered appropriate for the site for a number of reasons:

- The contemporary design of the building, proposed materials, and manner in which the proposed development articulates other aspects of adjoining development (in particular 57 Shenton Avenue) are considered to enhance the overall appearance of the Joondalup City Centre.

- The design of the development still provides a strong interface and interaction with Grand Boulevard, providing a clear entrance into the development, whilst ensuring that vehicle sightlines for both the subject and adjoining site are maintained.
- The amount of clear glazing to the ground floor, and surveillance offered from the upper storeys of the development encourage street activation along Grand Boulevard. Whilst there is limited interaction to the ground floor being provided along Central Walk, an area has been identified for future development on the ground floor which can incorporate tenancies (however modification to the paving levels of Central Walk would be required).

### Pedestrian Shelter

In accordance with the draft JCCSP, pedestrian shelters are to have a minimum height of 3.0m and maximum height of four metres along street boundaries. The awnings proposed will have a maximum height of 5.1 metres. It is noted that the JCCDPM requires a minimum height clearance of 2.75 metres, with no maximum requirement.

The applicant has justified that the design of the awnings is a gentle “sampling” of the Shenton House north facade (being Shenton Avenue) including both architectural feature and awnings. The design of the awnings as part of this development will therefore assist in creating a consistency of urban form within the locality.

The JCCDPM requires awnings to be provided to Central Walk, but no awnings are proposed as part of this application. At present, the Central Walk path is setback 4.0 metres from the boundary to the development site, with shrubbery between the path and property boundary. The applicant has indicated extending paving from the Central Walk path to the rear doors (fire exits), with the remainder to remain as landscaping.

The intent of awnings is to protect pedestrians using Central Walk. As the paving does not extend to the property boundary it is considered that shelter is not necessary at this time. Rather it is considered appropriate that in the event that the development is retrofitted to provide tenancies fronting Central Walk, it would be appropriate that awnings be incorporated at that stage.

### Car parking

Based on the car parking assessment provided in the details section of the report, there will be a shortfall of 43 bays for the site. Whilst it is considered appropriate to apply the hospital car parking standard prescribed in DPS2, it is also recognised that this standard does not take into account other alternative modes of transport and public car parking that are available in the City Centre.

DPS2 allows Council to determine whether the proposed 125 bays to be provided on-site are sufficient to service the development. The options available to Council are:

1. Determine that the provision of 125 car parking bays is appropriate; or
2. Determine that the provision of 125 car parking bays is not appropriate; or
3. Determine that a cash-in-lieu payment of \$1,475,889 (being \$34,323 per car bay) is required for the shortfall in car parking.

Given the location of the development there is considered to be a high level of accessibility to public transport. This includes a CAT bus stop located within a 100 metres of the front entrance (80 metres from the Central Walk exit), and being approximately 600 metres from the Joondalup Train Station. Furthermore there are numerous areas of public car parking in the immediate vicinity.

Taking the above into account, it is considered that the car parking provision of 125 bays will be adequate to service the development.

#### Joondalup Design Reference Panel

The Joondalup Design Reference Panel met on 18 November 2010 to discuss the proposal. The minutes of this Meeting are provided in Attachment 4. As a result of this meeting, the Panel raised the following matters:

1. The appropriateness of the building, noting that the facade is bland in design, and that the elevations are relying on facade treatment and pattern, rather than articulation.
2. The lack of interaction with Central Walk.
3. How the signage for future tenancies will relate to the front facade and if not sensitively designed, that it may change the front design of the building.
4. Servicing of the building and the potential loss of car bays which could result in the undercroft to allow for large service vehicles turning.
5. The overall energy consumption of the building and its lack of ventilation, and the sustainability measures are marginal.

In response to the feedback provided by the Panel, the applicant has provided the following additional information:

#### Applicant response to Item 1:

*“We have reviewed carefully the design of the building as a whole, rather than just the Grand Boulevard facade and in our opinion the building as a whole is well articulated on every facade.”*

*The front portion of the building consists of large “building blocks” of white composite aluminium panels separated by panels of glass and black composite aluminium. These “building blocks” will be further broken down into smaller panels to suit available sheet sizes (maximum sheet is 4 metres x 1.4 metres) during design development. This will add another layer of pattern to the building which will become visible as one approaches the building.*

*Signage will add further “articulation” and softening. It should be pointed out that the design intent is to present a “strong” aesthetic which is rich in pattern rather than a “soft” one.”*

#### City response to Item 1:

Refer to comments section of this report.

#### Applicant response to Item 2:

*“Central Walk path is located centrally to the reserve with landscaping either side. We propose that landscaping be considered for the length of the subject lot boundary with Central Walk. This would be undertaken at the cost of the development to City of Joondalup standards and approval along with paving to exits facing Central Walk.”*

*We have indicated an area of the rear of the property, on the Ground Floor level, which may include a tenancy to Central Walk in the future. If and when this eventuates we would suggest this would be an appropriate time to construct an awning with paving as well.”*

City response to Item 2:

It is considered that the “future proofing” of the development such that future tenancies could be provided to Central Walk is appropriate. As suggested above, the provision for awnings is not considered relevant at this stage.

Applicant response to Item 3:

*As requested we have located tentative major signage locations on revised drawings for your consideration. These may require further refinement”*

City response to Item 3:

The signage indicates is considered to be of an appropriate scale and well integrated with the building design. However, as the signage indicated is tentative only, should approval be granted for the development, an advice note will be included advising the applicant that any signage for the development will be subject to future development applications. These future applications will be assessed in accordance with City Policy – Signs.

Applicant response to Item 4:

*“We have amended our drawings to accommodate appropriate servicing as follows:*

- a) *Ground to first floor height increased by 800mm. The floor to floor height is now 4400mm and allows for a minimum clearance of 3500mm which will accommodate delivery vehicles, small rubbish trucks (3500mm required) and ambulances.*
- b) *In response to advice regarding ambulance bay we have now relocated the ambulance bay on-site.*
- c) *We have relocated the bin storage area to the rear of the development in order to incorporate a bin wash-down area as required by the Department of Health.*
- d) *Refuse management has been considered. As most of the waste generated will be food waste, bins will be emptied daily and it is anticipated that the following will be required:*
  - i. *Clinical waste – 1 x 240L*
  - ii. *Kitchen waste – 4 x 240L*
  - iii. *Paper – 1 x 240L*
  - iv. *General – 1 x 240L*

*In addition to this the lockable “sharps” bin will be provided for separate removal. We have allowed for significantly more space than necessary to accommodate up to 15 x 240L bins. Additional bins will be required by proposed pharmacy, pathology and office. It is also anticipated that additional recycling can be considered. The larger bins compound also allows for future possible development facing Central Walk.*

- e) *Linen service will most likely be carried out between the hours of 6.00am and 7.00am which will allow for kitchen and general deliveries to be made during work hours. All such deliveries will be coordinated so as to minimise disruption to staff, patients and the general public. Please note that we have used AutoTurn 2011 software to generate turning and access paths of appropriate vehicles to ensure that all servicing requirements can be met on-site as discussed above.”*

#### City response to Item 4:

It is considered that the details in which the applicant has provided is sufficient to demonstrate that servicing of the development is adequate. It is recommended that, should the development be approved, a condition will be imposed requiring a refuse management plan to be submitted to the City for approval prior to the commencement of construction.

#### Applicant Response to Item 5:

*The development will exceed minimum provisions of the BCA energy efficiency requirements. NABERS is currently developing a hospital rating program for environmental performance for public hospitals. This is due for release in early 2011. When released we will be able to determine whether the hospital can be rated with this tool, however it is our expectation that it will be able to.*

*Notwithstanding this, our services consultants are targeting a 4.5 star rating for the design from the onset. Energy efficient VAV mechanical air conditioning systems and electrical services will be installed and controlled through a BMS (Building Management System).*

*Monitoring and controlling of all areas through movement sensors, time switches and the like will ensure that rooms, which not in use (such as ward, bedrooms during daytimes, offices and training/therapy room after hours), are in 'sleep' mode and air conditioning and lighting are switched off"*

#### City response to Item 5:

It is considered that the information provided by the applicant is sufficient given the stage of the development process.

#### Approval period

Should the development be supported, a longer period in which the development should be substantially commenced is considered appropriate, rather than the two years which is generally granted for smaller scale development. It is recommended that development approval be granted for four years should the development be approved.

#### Conclusion

As discussed above, the proposed variations to both the JCCDPM and draft JCCSP are considered appropriate. The car parking for the site is considered sufficient given the availability of public car parking and transport which is available.

The hospital will provide a regional service to northern suburbs residents and reinforces Joondalup as a key regional centre. Notwithstanding the aspects of the building design which do not meet the standards of the JCCDPM or the draft JCCSP, the proposed development is considered to be a positive addition to the City Centre. Whilst the scale of the building will be a lot greater than the surrounding development, it has incorporated aspects of these developments to assist in integrating in with the streetscape.

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

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### That Council

- 1 **EXERCISES** discretion in relation to Clauses 4.5 and 4.8.1 of the City's District Planning Scheme No.2, and determines that the following are appropriate in this instance:
  - 1.1 Parking provision of 125 bays in lieu of 168 bays;
  - 1.2 The projection through the 60 degree recession plane;
- 2 **NOTES** that the proposal does not meet the requirements of the draft Joondalup City Centre Structure Plan in relation to:
  - 2.1 Awnings (Grand Boulevard) with a maximum height of 5.1 metres in lieu of 4.0 metres;
  - 2.2 Portion of building with a setback of three metres to Grand Boulevard in lieu of nil;
  - 2.3 Setback of three metres from side boundaries in lieu of nil for the first three storeys;
  - 2.4 Parking provision of 125 bays in lieu of 156 bays;
- 3 **APPROVES** the application for planning approval dated 27 August 2010, submitted by Meyer Shircore and Associates, on behalf of the owners Sentiens Hospital Joondalup Pty Ltd, for proposed hospital, office and shop at Lot 1 (113) Grand Boulevard, Joondalup, subject to the following conditions:
  - 3.1 This decision constitutes planning approval only and is valid for a period of four years from the date of the decision letter. If the subject development is not substantially commenced within the four year period, the approval shall lapse and be of no further effect;
  - 3.2 A Traffic Impact Study is required to be submitted to the City prior to the commencement of construction. Any recommendations shall be implemented at the discretion of the City, and at the expense of the applicant prior to the development first being occupied;
  - 3.3 A Construction Management Plan being submitted and approved prior to the commencement of construction. The management plan shall detail how it is proposed to manage:
    - 3.3.1 all forward works for the site;
    - 3.3.2 the delivery of materials and equipment to the site;
    - 3.3.3 the storage of materials and equipment on the site;
    - 3.3.4 the parking arrangements for the contractors and subcontractors;
    - 3.3.5 other matters likely to impact on the surrounding properties;

- 3.4 A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to the commencement of construction;
  - 3.5 The lodging of detailed landscaping plans, to the satisfaction of the City, for the development site prior to the commencement of the construction work. For the purpose of this condition, a detailed landscaping plan shall be drawn to a scale of 1:100. All details relating to paving and treatment of verges are to be shown on the landscaping plan;
  - 3.6 Landscaping, reticulation and all verge treatments, based on water sensitive urban design principles, are to be established in accordance with the approved plans prior to the development first being occupied and thereafter maintained to a high standard to the satisfaction of the City;
  - 3.7 Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of construction;
  - 3.8 An onsite stormwater drainage system with the capacity to contain a 1:100 year storm of 24 hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be provided to the City and approved prior to the commencement of construction;
  - 3.9 With the exception of awnings, all construction works shall be contained within the property boundaries;
  - 3.10 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;
  - 3.11 Obscured or reflective glazing shall not be used on the ground floor building facades facing Grand Boulevard;
  - 3.12 The brick paved footpaths along Central Walk (where indicated) and Grand Boulevard shall be continued to the property boundary in a pattern to match the existing paving, at a grade of 2%, at the applicant's expense and to the satisfaction of the City;
- 4 ADVISES the applicant that at its meeting held on 20 November 2007 (CJ253-11/07), Council resolved that a payment of \$6,500 is required for the loss of a car embayment and street tree. This payment is required prior to the commencement of construction;
  - 5 ENCOURAGES the applicant to liaise with the City in regard to the potential for relocation of existing vegetation and seed collection prior to clearing the site;

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf071210.pdf](#)

## **ITEM 8                      PROPOSED SKATE PARK - MIRROR PARK, OCEAN REEF**

<b>WARD:</b>	North Central
<b>RESPONSIBLE:</b>	Mr Garry Hunt, Chief Executive Officer
<b>FILE NUMBER:</b>	08096, 51156
<b>ATTACHMENTS:</b>	Attachment 1    Summary of Consultation Findings Attachment 2    Representation of Responses within one kilometre Radius

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### **PURPOSE**

To provide the outcomes from the community consultation undertaken on a proposal to include a skate park in the overall upgrade of Mirror Park, Ocean Reef and to seek approval to commence a design phase in conjunction with a Working Group of young people and City staff.

### **EXECUTIVE SUMMARY**

A petition signed by 858 persons was received requesting consideration of the provision of a skate park facility in the Ocean Reef/Mullaloo area either at Mirror Park, Ocean Reef or another suitable location.

Council resolved to undertake consultation to explore the issues around including a skate park in the overall upgrade of Mirror Park, Ocean Reef.

The outcomes from the community consultation are presented for consideration. Overall the findings of the community consultation were mixed in terms of support and opposition to the skate park proposal. The advantages and disadvantages identified by residents are in line with what would commonly be expected from a consultation about establishment of a skate park.

After considering a range of options, the City's view is that despite the differences of community opinion, negative issues associated with the establishment of a skate park at Mirror Park are manageable and that a design phase should be initiated for a permanent skate park at Mirror Park, in conjunction with a Working Group of young people.

*That Council:*

- 1    NOTES the summary of the community consultation findings on the inclusion of a skate park in the upgrade of Mirror Park, Ocean Reef as detailed in Attachment 1;*
- 2    REQUESTS the administration to design a permanent skate park for inclusion at Mirror Park, Ocean Reef;*
- 3    AUTHORISES the Chief Executive Officer to appoint a Working Group of a maximum of 12 people comprising of young people (at least two of whom were involved in the petition) and City staff to provide input on the design and location of the skate park taking into account the feedback received through the community consultation;*

- 4 *LISTS for consideration in the 2011/12 budget deliberations an appropriate allocation for the construction of a skate park at Mirror Park, Ocean Reef;*
- 5 *REQUESTS that the final design and the proposed location of the skate park within Mirror Park, Ocean Reef be referred to Council for endorsement prior to any construction taking place;*
- 6 *ADVISES the lead petitioner of the proposals outlined in parts 2 to 5 above.*

## **BACKGROUND**

At its meeting on 18 August 2009, Council received a petition signed by 858 persons requesting consideration of the provision of a skate park facility in the Ocean Reef/Mullaloo area either at Mirror Park, Ocean Reef or another suitable location.

In December 2009, it was resolved (CJ270-12/09 refers), in part, as follows:

*“That Council:*

- 1 *AGREES to undertake consultation to explore the issues around including a skate park in the overall upgrade of Mirror Park, Ocean Reef.*
- 2 *REVIEWS the proposal once the community consultation has been undertaken.”*

A consultation process was subsequently initiated to explore the issues around including a skate park at Mirror Park, Ocean Reef.

As skate parks can be a controversial facility to consult on, particularly in relation to local residents, the decision was made to send a Resident Feedback Form and a Youth Feedback Form together with a Frequently Asked Questions document to 2,741 residents, owners and non-resident owners within a one kilometre radius of Mirror Park. The Community Consultation package contained two distinct Feedback Forms for those over 25 years of age and those under 25 years of age to explore the issues from the perspective of different age groups. The package was also made available online.

Given the nature of the facility, the Community Consultation package was reviewed by an independent Market Research organisation to establish the validity of the process. While minor changes were made as a result of the review, the independent organisation was satisfied with the validity of the community consultation process and the questions asked.

The community consultation commenced the week beginning 23 August 2010 and closed on 24 September 2010.

## **DETAILS**

### **Issues and options considered:**

In line with Council resolution CJ270-12/09, the community consultation focused on exploring the issues of including a skate park at Mirror Park, Ocean Reef. As such, the consultation was conducted on a qualitative basis rather than a quantitative basis.

The consultation focused on two questions:

- 1 What do you think may be the advantages of building a new skate park at Mirror Park?
- 2 What do you think may be the disadvantages?

The opportunity was also provided for community members (over 25 years of age and under 25 years of age) to express an interest in being involved in a Community Reference Group should the proposal proceed.

An overview of the detail of the responses and the themes from the responses are provided below.

### Response Detail

Residents living within one kilometre of Mirror Park made 382 individual submissions with respect to the advantages and disadvantages of the proposal to develop a skate park in that locality. Of that number, 92 submissions were received from young people and 290 from adults (that is those over 25 years).

A total of 226 people outside the one kilometre area also made individual submissions. Of that number, 175 were from young people and 51 from adults.

In total 608 valid submissions were received. Duplicate submissions from individuals, multiple submissions from individual households and submissions received without full names and addresses were noted for the record and hard copies retained on file however there were not included in the total valid submissions.

### Response Themes

In analysing the data, commonly recurrent themes concerning the advantages and disadvantages of the proposal were identified from submissions. The process of analysis included categorisation of submissions into adult/youth, then sub-categorisation into adults/youth within one kilometre of the site and adults/youth outside one kilometre area.

Using software for qualitative data analysis, key words and phrases indicative of community values, attitudes and beliefs concerning the proposal were coded and reviewed to identify themes. All available information with respect to advantages and disadvantages was then coded and linked.

To present the findings, tables were compiled that identify:

- The theme.
- Explanatory notes.
- Direct quotations from submissions that best illustrate the theme.

It should be noted that themes reported on are those with the most attributable comments.

Recognising that those most directly affected by the proposal reside within one kilometre of Mirror Park, the tables have been presented in the following order.

*Residents within one kilometre of Mirror Park*

- Advantages – Adult Perspective.
- Advantages – Youth Perspective.
- Disadvantages – Adult Perspective.
- Disadvantages – Youth Perspective.

*Residents outside one kilometre of Mirror Park*

- Advantages – Adult Perspective.
- Advantages – Youth Perspective.

As there were only three surveys returned from this group in which disadvantages had been identified, this provided insufficient data for development of themes.

The tables presenting the findings are included as Attachment 1. Included as Attachment 2 is a spatial depiction of where the responses were received from residences within the one kilometre radius of Mirror Park.

Community Reference Group

In response to expressions of interest for participation in a Community Reference Group, 50 people from the 25 years and over age group and 14 from the under 25 years age group expressed an interest in participating should the project proceed.

Petition

A 328 signature petition opposing a skate park at Mirror Park was received by Council at its September 2010 meeting. This was considered outside the scope of the community consultation and has not been included in the findings. The rationale for this approach is that the petition reflected the comments made in individual survey responses about the disadvantages of a skate park in Mirror Park and may give more weight to the opinions expressed than is appropriate. A number of the signatories to the petition also completed individual surveys.

Other precedents where the City has not included petitions into submission results include the Beach Management Plan and the Ocean Reef Marina.

Consultation Findings

In relation to the findings, the major advantages and disadvantages identified were:

*Advantages of a Skate Park at Mirror Park from an Adult Perspective*

- 1 Encourages healthy outdoor activities in local area.
- 2 Somewhere to go, something to do.
- 3 A safe place.
- 4 Meeting a need.

These are the advantages identified by residents both within the one kilometre radius and outside the one kilometre radius.

*Advantages of a Skate Park at Mirror Park from a Youth Perspective*

- 1 Making friends.
- 2 Close to home.
- 3 Fun and enjoyment.
- 4 Meeting a need.

These are the advantages identified by residents both within the one kilometre radius and outside the one kilometre radius.

*Disadvantages of a Skate Park at Mirror Park from an Adult Perspective*

- 1 Skate parks attract anti-social behaviour.
- 2 Skate parks will attract teenagers, undesirable elements, outsiders.
- 3 Skate parks are unsightly places.

These are the disadvantages identified by residents only within the one kilometre radius.

*Disadvantages of a Skate Park at Mirror Park from a Youth Perspective*

- 1 Mirror Park with a skate park could be unsafe for younger children.

These are the disadvantages identified by residents only within the one kilometre radius.

It is noted that most youth responding to the survey identified a skate park as a 'safe place' and a solution to anti-social behaviour, rather than as a cause of it. On the other hand, most adults seemed to believe that the introduction of youth – via a skate park - into a 'family' park would inevitably result in antisocial and potentially criminal behaviours. There was considerable emphasis in the 'disadvantages' comments about youth and their propensity for anti-social behaviour.

Given that the findings from the community consultation are mixed in terms of support and opposition to the skate park proposal, the following options have been identified by the City:

- 1 Undertake a Feasibility Study for a skate park at Mirror Park to determine if the site is optimal. Given that it is known that factors such as natural surveillance, distance from local residences (particularly on the north-west side of the site), access to a bus route, access to existing amenities (such as toilets, bins, lighting), proximity to the beach with synergies between surf and skate culture, and the existence of a bmx facility already utilised by young people, mean that Mirror Park already meets a number of the requirements for a well-located skate park facility, a Feasibility Study may be costly and unnecessary, and will delay any final decision on a new facility for a further 3 to 6 months.

- 2 Proceed to designing a permanent skate park at Mirror Park in consultation with a Community Reference Group. Anecdotal feedback is that a permanent, concrete skate park is what young people are seeking. The City has experience in managing a permanent “in-ground” concrete facility and has the knowledge and experience to implement appropriate management practices to address the disadvantages raised in the community consultation. Given the divergence of opinion on the advantages and disadvantages of locating a skate park at Mirror Park, it is unlikely that agreement will be reached within a Community Reference Group that includes both opponents and supporters. This could result in a stalemate and no agreement on an appropriate design for a skate park.

If a Working Group comprising young people and City staff was formed, this would be considered “best practice” in terms of youth engagement and also allow professional input from City staff on how the disadvantages identified by residents can be addressed. This should result in a skate park design that meets the needs of young people and identifies management options for addressing the issues identified by surrounding residents who were opposed to a skate park at Mirror Park..

- 3 Proceed to designing a modular, mobile skate facility for initial location at Mirror Park. Anecdotal feedback from young people indicates this type of facility is unlikely to meet user expectations. It is also likely that this type of facility will result in undue noise (due to the modular structures being made of steel or steel with a concrete layer) and subject to vandalism (due to the potentially moveable nature of the modular structures).

A modular skate park facility that does not meet the needs of young people and is likely to cause unnecessary residential amenity impacts is considered an inappropriate option.

- 4 Determine not to proceed with a skate park at Mirror Park and research alternative sites. Given that Mirror Park meets a number of the favourable factors for a skate park location and that young people have been expressing the need for another skate park in the City for the past nine years, researching alternative sites will delay the development of any new facility and an identified community need will continue to be unmet.

#### **Legislation/Strategic Plan/Policy Implications:**

Australian Standards will be utilised when planning any wheeled sports facilities within the City as will any requirements from the City’s insurers.

#### **Strategic Plan**

**Key Focus Area:** Engage proactively with the community.

**Objective:** Ensure the City’s facilities and services are of a high quality and accessible to everyone.

**Risk Management Considerations:**

It should be acknowledged that in pursuing any of the options for establishing a new skate park within the City, there are risks involved in balancing the needs and interests of residents and potential users. Regardless of the option selected, certain groups and individuals are likely to be adversely affected by the decision and there is a responsibility to ensure that any adverse affects are as limited as is feasible.

**Financial/Budget Implications:**

There is \$15,000 in the 2010/11 budget that can be applied to producing a Design Concept. There is currently no provision in the Five Year Capital Works Program for construction of a new skate park. The only source of funding that has been identified to date for a new skate park is Lotterywest and indications are that they are only keen on funding Regional Skate Parks in the metropolitan area (as opposed to local skate parks). It is anticipated that the cost of a skate park (depending on the size and design) will range from \$250,000 to \$400,000.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Community consultation undertaken as per process described in the Background section.

**COMMENT**

Overall the findings of the community consultation were mixed in terms of support and opposition to the skate park proposal. The advantages and disadvantages identified by residents are in line with what would commonly be expected from a consultation about establishment of a skate park.

The need for a skate park facility is one of the issues highlighted by both under and over 25s in the community consultation. To some extent this is to be expected given that over the past nine years the City has received numerous requests for similar facilities to be developed in various suburbs including Ocean Reef and Mullaloo.

The City currently has one “in ground” major skate park facility at MacNaughton Park in Kinross and a small facility with moveable ramps at the Craigie Leisure Centre. Since the upgrade of the Kinross Skate Park there has been increased use of the facility by young people and a reduction in the number of complaints received from surrounding residents. Valuable lessons have been learnt in relation to the upgrade and management of Kinross Skate Park which are transferable to any new skate park that may be developed within the City.

The youth demographics of Ocean Reef and surrounding areas demonstrates the higher percentage of young people in these suburbs and is reflective of the need for a skate facility as expressed in the community consultation. The following shows the demographics of the existing 12 to 17 year olds and the next generation of potential users in the five to 11 year olds:

<b>Suburb</b>	<b>Total Youth Population (12 to 17 Years)</b>	<b>% Total Youth Population (12 to 17 Years)</b>
Ocean Reef	1,022	12.9%
Mullaloo	595	10.4%
Heathridge	593	9.9%
Beldon	399	8.9%
<b>Whole City</b>	<b>15,543</b>	<b>10.6%</b>

<b>Suburb</b>	<b>Total Youth Population (5 to 11 Years)</b>	<b>% Total Youth Population (5 to 11 Years)</b>
Ocean Reef	842	10.6%
Mullaloo	575	10.0%
Heathridge	670	10.0%
Beldon	362	9.0%
<b>Whole City</b>	<b>14,414</b>	<b>9.8%</b>

Despite the differences of opinion emanating from the community consultation, the City is of the view that negative issues associated with the establishment of a skate park in Mirror Park are manageable and evidence from the Kinross Skate Park proves this is achievable.

Should Council agree to pursue this project, the City will ensure that appropriate management practices are put in place to address the concerns raised by residents in relation to disadvantages such as anti-social behaviour from undesirable elements and skate parks being unsightly places.

Management practices that will be considered include City Watch patrols, urban art murals, graffiti removal, provision of bins, rubbish removal, lockage fencing, CCTV cameras, presence of the City's Youth Services team and reporting mechanisms for anti-social behaviour, graffiti removal and site clean-ups.

Because of the factors highlighted above, it is recommended that the City proceed to designing a skate park facility for location within Mirror Park, Ocean Reef and that a Working Group comprising young people (including at least two would were involved in the petition) and City staff work on the design and location of the facility taking account of the issues identified by residents who opposed the skate park proposal at Mirror Park in the community consultation process.

## **VOTING REQUIREMENTS**

Simple Majority.

## RECOMMENDATION

### That Council:

- 1 **NOTES** the summary of the community consultation findings on the inclusion of a skate park in the upgrade of Mirror Park, Ocean Reef as detailed in Attachment 1 to this Report;
- 2 **REQUESTS** the administration to design a permanent skate park for inclusion at Mirror Park, Ocean Reef;
- 3 **AUTHORISES** the Chief Executive Officer to appoint a Working Group of a maximum of 12 people comprising of young people (at least two of whom were involved in the petition) and City staff to provide input on the design and location of the skate park taking into account the feedback received through the community consultation;
- 4 **LISTS** for consideration in the 2011/12 budget deliberations an appropriate allocation for the construction of a skate park at Mirror Park, Ocean Reef;
- 5 **REQUESTS** that the final design and the proposed location of the skate park within Mirror Park, Ocean Reef be referred to Council for endorsement prior to any construction taking place;
- 6 **ADVISES** the lead petitioner of the proposals outlined in parts 2 to 5 above.

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf071210.pdf](#)

**ITEM 9                      YOUTH FORUM 2010**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Garry Hunt, Chief Executive Officer
<b>FILE NUMBER:</b>	38245
<b>ATTACHMENTS:</b>	Attachment 1 - Final Report “Speak Out” Youth Forum

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**PURPOSE**

To present the Final Report and recommendations from the “Speak Out” Youth Forum held on 17 September 2010 for consideration.

**EXECUTIVE SUMMARY**

The Youth Forum Final Report provides information and analysis from the “Speak Out” Youth Forum held on Friday 17 September 2010. Attending the Youth Forum were 68 young people from nine secondary schools and one alternative education program in the City of Joondalup. The Forum was aimed at gathering the ideas and perspectives of young people within the City in order to strengthen the services being provided and allow for new initiatives for youth in the community to be identified.

Recommendations, strategies, justifications and key performance indicators have been included in the Youth Forum Final Report and have been developed by the City’s Youth Services team based on input from the participants.

While preliminary research has commenced on some of the recommendations contained in the Youth Forum Final Report, it is considered appropriate that further investigation be undertaken into the feasibility of implementing these recommendations and identifying the resources that may be required.

*It is recommended that Council:*

- 1        *NOTES the Youth Forum Report as shown as Attachment 1 to this Report;*
- 2        *ENDORSES for further investigation the following recommendations from the Youth Forum Report:*
  - 2.1      *Create, in collaboration with young people, an accessible, interactive and informative youth website developed by a specialist website company;*
  - 2.2      *Develop, in collaboration with young people, a Facebook page detailing events and programs offered to the City’s young people;*
  - 2.3      *Creation of marketing campaign to promote the services of City Watch and make them more accessible to young people;*
  - 2.4      *Listing in the 2011/12 budget for consideration, the establishment of a new role in the Youth Services team to liaise with young people in schools to raise awareness of the programs and services offered by the City of Joondalup to increase participation by young people;*

- 2.5 *Research the need to offer a holistic health service that promotes the mental, physical and emotional needs of young people aged 12 to 25 years;*
- 3 *REQUESTS that following investigation on the feasibility of implementing the recommendations from the Youth Forum Report, a further report be submitted for Council consideration;*
- 4 *REQUESTS that the report is sent to all high schools and alternative education programs within the City for information indicating that further investigation of the recommendations will be undertaken and reported back to a future Council meeting prior to implementation.*

## **BACKGROUND**

In 2006 Council resolved to disband the Youth Advisory Committee and identify alternative methods for engaging with young people in the future (CJ 107 – 06/06 refers). The first Youth Forum was held in March 2007. Council received reports in September and December 2007 (CJ 203 – 09/07 and CJ 293 – 12/07 refer).

The recommendations from the 2007 Youth Forum were largely implemented, with the exception of the recommendation relating to the utilisation of youth-friendly technology. While considerable research has been undertaken in relation to the City's potential use of youth-friendly technology including social media, further identification of the risks and risk mitigation strategies for having a City presence on social media sites is required. The level of engagement with residents, including young people, which is possible through social media sites also requires further consideration.

Funds were allocated in the 2009/2010 budget for another Youth Forum to be conducted and on 17 September 2010 a Youth Forum entitled "Speak Out" was held at Craigie Leisure Centre.

The Final Report generated from the Forum is included as Attachment 1. The Final Report is predominantly a record of the proceedings of the Forum and many of the comments are attributable to participants. The recommendations, strategies, justifications and key performance indicators have been developed by the City's Youth Services team based on the participants' input.

## **DETAILS**

The 2010 Forum was held at Craigie Leisure Centre and involved 68 representatives from nine secondary schools and one alternative education program in the City of Joondalup. Participants chose from five breakout sessions and were involved in two of these throughout the day. Staff members from different parts of the City presented information and facilitated discussion with the young people relating to their topic.

The same questions were asked for each breakout session within the Forum to determine issues and gaps in the service provision of the City to young people. The themes, recommendations, strategies and key performance indicators are included in the Final Report. The Final Report includes references to some research into the use of technology conducted by the Youth Services team in September 2010. The research identifies how other local governments in Australia have used social media to engage with young people and defines the successes and challenges.

The information provided by the young people was then collated and analysed by City staff before being compiled into a report with five recommendations. The recommendations were drawn from the most important points made by the greatest numbers of young people at the Forum.

### **Issues and options considered:**

The recommendations from the Forum, together with a commentary from City staff, are outlined below:

#### **RECOMMENDATION 1:**

Create, in collaboration with young people, an accessible, interactive and informative youth website developed by a specialist website company.

*Commentary: The City's 5 Year Information Technology Plan provides for some form of youth-friendly interface to be developed in 2010/11. The focus and tools for this interface require further discussion and consideration prior to implementation. It is anticipated that young people will be involved in the development of the interface to ensure that it will meet the needs of this demographic.*

#### **RECOMMENDATION 2:**

Develop, in collaboration with young people, a Facebook page detailing events and programs offered to the City's young people.

*Commentary: As previously mentioned considerable research has been undertaken in relation to the City's potential use of youth-friendly technology including social media sites such as Facebook. Further identification of the risks and risk mitigation strategies for having a City presence on social media sites is required, together with analysis of the level of engagement that is possible with young people through social media. Research with other Local Governments on their use of social media has taken place and requires further analysis to identify the advantages and disadvantages of utilising this media.*

#### **RECOMMENDATION 3:**

Creation of marketing campaign to promote the services of City Watch and make them more accessible to young people.

*Commentary: It is acknowledged that young people identified that City Watch needed to be more accessible, responsive and youth-friendly. The creation of marketing campaign will require further investigation to ensure that what is developed and delivered addresses the concerns raised by young people. While it is anticipated that the marketing campaign may be able to be delivered through existing City resources, additional resources may be required to ensure that the needs of the young people can be adequately accommodated.*

#### **RECOMMENDATION 4:**

List in the 2011/12 budget for consideration, the establishment of a new role in the Youth Services team to liaise with young people in schools to raise awareness of the programs and services offered by the City of Joondalup to increase participation by young people.

*Commentary: The City's current School Liaison Officer predominantly focuses on interaction between the City and primary schools with limited work being undertaken with secondary schools. Having this role within the City has proven effective in ensuring teachers and students are aware of the range of programs and services offered by the City and engaging younger children in these activities.*

*Interaction with young people through the secondary school system (both government and private) is seen as a viable option. A business case to increase the staff establishment to include a new role to liaise with young people in secondary schools to raise awareness of the programs and services offered by the City can be developed as part of the 2011/12 budget process.*

#### **RECOMMENDATION 5:**

Research the need to offer a holistic health service that promotes the mental, physical and emotional need of young people aged 12 to 25 years.

*Commentary: While the City does not deliver primary health services, it does play a role in identifying service gaps and advocating for new services for young people if a need is identified within the community. Undertaking research is the first stage in this process and can be accommodated within the City's existing resources. Once this research is undertaken, a further report can be provided to Council which identifies the role the City may play in advocating for a holistic health service for young people if this need is confirmed.*

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

**Legislation** Not Applicable.

#### **Strategic Plan**

**Key Focus Area:** Community Wellbeing/Engage Proactively with the Community

**Objective:** Ensure the City's facilities and services are of a high quality and accessible to everyone. Facilitate healthy lifestyles within the community.

**Policy:** Not Applicable.

#### **Risk Management considerations:**

Further investigation is required on the feasibility of implementing the recommendations contained in the Youth Forum Final Report, particularly in relation to the City having a presence on social media sites, whether the recommendations reflect the role of the City in youth services, and the resources that may be required to implement the recommendations.

#### **Financial/Budget Implications:**

The financial resource implications of the recommendations contained in the Youth Forum Final Report are unknown at this point in time and are potentially significant. It is suggested that as part of the further investigation into the feasibility of implementing the recommendations, the budget implications be considered.

#### **Regional Significance:**

Not Applicable.

#### **Sustainability Implications:**

These will be identified once further investigation on the feasibility of implementing the recommendations has been undertaken.

#### **Consultation:**

The Youth Forum was a process of consultation with young people from the community.

## COMMENT

The “Speak Out” Youth Forum was successful in engaging with young people and gathering their ideas and perspectives in order to strengthen the services currently provided by the City as well as allowing for new initiatives for youth to be identified.

One of the key themes of the feedback from young people is their lack of awareness of the varied programs and services currently being provided by the City. The consensus opinion of the participants was that improved engagement with young people can be achieved through the use of youth-friendly technology and direct contact through schools.

While preliminary research has commenced on some of the recommendations contained in the Youth Forum Final Report, it is considered appropriate that further investigation be undertaken into the feasibility of implementing these recommendations and identifying the resources that may be required.

Once these investigations have been undertaken on the five recommendations from the Youth Forum, a further report will be presented to Council prior to implementation.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### That Council:

- 1 NOTES the Youth Forum Report, as detailed in Attachment 1 to this Report;**
- 2 ENDORSES for further investigation the following recommendations from the Youth Forum Report:**
  - 2.1 Create, in collaboration with young people, an accessible, interactive and informative youth website developed by a specialist website company;**
  - 2.2 Develop, in collaboration with young people, a Facebook page detailing events and programs offered to the City’s young people;**
  - 2.3 Creation of marketing campaign to promote the services of City Watch and make them more accessible to young people;**
  - 2.4 Listing in the 2011/12 budget for consideration, the establishment of a new role in the Youth Services team to liaise with young people in schools to raise awareness of the programs and services offered by the City of Joondalup to increase participation by young people;**
  - 2.5 Research the need to offer a holistic health service that promotes the mental, physical and emotional needs of young people aged 12 to 25 years;**
- 3 REQUESTS that following investigation on the feasibility of implementing the recommendations from the Youth Forum Report, a further report be submitted for Council consideration;**

- 4 REQUESTS that the report is sent to all high schools and alternative education programs within the City for information indicating that further investigation of the recommendations will be undertaken and reported back to a future Council meeting prior to implementation.**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf071210.pdf](#)*

**ITEM 10                      PROPOSED CURRAMBINE COMMUNITY CENTRE**

<b>WARD:</b>	North
<b>RESPONSIBLE</b>	Mr Garry Hunt, Chief Executive Officer
<b>FILE NUMBER:</b>	59011
<b>ATTACHMENTS:</b>	Attachment 1 – Site Map Attachment 2 – Preliminary Concept Design Attachment 3 – Community Consultation and Communication Plan

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**PURPOSE**

Seek approval to proceed to community consultation on the preliminary Concept Design for the development of a Community Centre on the site known as Lot 1594 (52) Delamere Avenue, Currambine in accordance with the Community Consultation and Communication Plan outlined in Attachment 3.

**EXECUTIVE SUMMARY**

Plans for the development of a community facility in Currambine have been on the City's records since 1995. The parcel of land on Lot 1594 Delamere Avenue, Currambine that the City owns was set aside for community use and has a WA Planning Commission covenant restricting the use of the site to accommodating community facilities.

A Currambine Community Centre Feasibility Study was completed in October 2009 and further research into the development of such a Community Centre has been ongoing since the report was completed.

Prior to undertaking any further work on the project, Council approval is sought to proceed to community consultation on the preliminary Concept Design for the development of a Community Centre in Currambine. It is proposed that the community consultation will take place in February 2011 in accordance with the attached Community Consultation and Communication Plan.

It is recommended that Council:

1. *APPROVES proceeding to community consultation on the preliminary Concept Design for the development of a Community Centre on Lot 1594 Delamere Avenue, Currambine outlined in Attachment 2 of this report.*
2. *UNDERTAKES the community consultation and communication on the preliminary Concept Design for the proposed Currambine Community Centre in accordance with the Community Consultation and Communication Plan outlined in Attachment 3 to this report.*
3. *REQUESTS that the outcomes from the community consultation be reported back to Council at a future meeting prior to the project proceeding.*

## BACKGROUND

<b>Suburb/Location:</b>	Lot 1594 (52) Delamere Avenue, Currambine
<b>Applicant:</b>	N/A
<b>Owner:</b>	City of Joondalup
<b>Zoning: DPS:</b>	Civic and Community Purposes (WAPC Covenant 1989274)
<b>Site Area:</b>	2 hectares
<b>Structure Plan:</b>	Currambine District Centre Structure Plan

Plans for the development of a community facility in Currambine have been on the City's records since 1995. The parcel of land on Lot 1594 Delamere Avenue, Currambine that the City owns was set aside for community use and has a WA Planning Commission covenant restricting the use of the site to accommodating community facilities.

Needs assessments for a proposed Community Centre were conducted in 2000 and 2005 and architectural concept plans were drawn up in 2002. All these documents were considered out of date and a new Feasibility Study was commissioned. The Feasibility Study was completed in October 2009 and since that time preliminary work on the concept has been undertaken.

## DETAILS

The conclusions from the Feasibility Study for a Community Centre to be developed in Currambine include the following:

### Level of Demand

The outcomes of the Feasibility Study and the "supply demand analysis" confirms that there is a shortage of a range of community centre facilities, services and programs in the study area (such as Joondalup, Kinross, Currambine, Iluka, Burns Beach and Connolly).

Nearly all existing community centre facilities are heavily utilised and while there is some spare capacity, this is in non-peak periods. Existing facilities do not have the capacity to meet future demand that will be generated from further residential development in Burns Beach and Iluka.

The level of demand would justify the construction of a medium size or "district" level Community Centre and also indicates that the likely demand will generate reasonably high usage rates.

### Site Location

The proposed "community purpose" site in Delamere Avenue is considered a favourable location for a Community Centre and is central to the catchment, accessible by public transport and is in a prominent position.

With the adjacent commercial/shopping area, this site also offers the opportunity to create a vibrant "community hub" and civic space by engaging interaction and synergies with the commercial/shopping area, as well as the adjacent medium density housing site.

### Internal Spaces and Facilities

Based on the level and nature of demand the following internal spaces and facilities were suggested for the Community Centre:

- Gym/fitness area.
- Function room/main hall with sprung floor.
- Stage and back stage facilities.
- Large meeting room.
- Small meeting room.
- Multipurpose activity area.
- Café and lounge area.
- Youth space/games room.
- Office space.
- Children's activity space.
- Kitchen and amenities.
- Foyer and common areas.
- Storage.

The suggested area of internal space is in the vicinity of 1,100 to 1,200m<sup>2</sup>.

### Young People as a Priority

The lack of facilities, activities and programs for young people was a consistent theme to emerge from consultation with community organisations, government agencies, households and young people themselves. Young people make up a significant proportion of the population.

Facilities for young people to utilise are considered an important focus from both an internal space and external space perspective.

### Impacts on Residential Amenity

Some concerns were expressed from surrounding residents about the potential impact a Community Centre could have on their residential amenity. Impacts identified mainly related to noise, traffic and young people. There was a perception that if programs and facilities were provided for young people, this would result in young people gathering at the Centre and also wandering the streets, engaging in vandalism, crime and anti-social behaviour.

While the vast majority of young people do not engage in these activities, any negative impacts that a Community Centre may have on surrounding residents should be monitored and managed effectively to minimise any undesirable impacts.

**Issues and options considered:**

Based on the outcomes of the Feasibility Study, a preliminary Concept Design for a Community Centre on Lot 1594 Delamere Avenue, Currambine has been developed. The Concept Design is based on the internal spaces and facilities identified as being required in the Feasibility Study by community organisations, government agencies, households and young people. The preliminary Concept Design is included as Attachment 2. The proposed Centre is 1,540m<sup>2</sup> in size (exc. courtyard) and preliminary estimates of the building (only) cost is \$3.1 million.

A site map showing the proposed location of the Community Centre is included as Attachment 1. Discussions with developers of the surrounding land have been held to ensure that the Community Centre can form part of the “community hub” as identified in the Feasibility Study. It is anticipated that this will be achieved with the Community Centre facing onto a town square.

The preliminary Concept Design has been undertaken utilising CPTED (Crime Prevention through Environment Design) principles to minimise the issues raised in relation to residential amenity. The location of the Community Centre facing into the commercial/shopping area also ensures that the development is located as far away from residences as possible.

It is anticipated that based on the current preliminary Concept Design approximately 15% of the site will be utilised for the Community Centre. A Master Plan for the remainder of the site is under development and will be available for consideration in March/April 2011.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                      Appropriate development approvals will be sought.

**Strategic Plan**

**Key Focus Area:**              Community Wellbeing

**Objective:**                      Ensure the City's facilities and services are of a high quality and accessible to everyone. Facilitate healthy lifestyles within the community.

**Policies:**                        Community Consultation and Engagement Policy – Community Consultation and Communication Plan developed in accordance with this Policy.  
Master Planning Process – Feasibility Study and Project Plan correlate with Stages 1 and 2 being undertaken.

**Risk Management Considerations:**

Not providing a Community Centre in Currambine could be seen by residents as not meeting an identified need for community facilities in Currambine, Joondalup, Burns Beach, Iluka, Kinross and Connolly.

This risk needs to be balanced in terms of programs operating from the Centre to ensure an appropriate level of usage, together with recognising the creation of a new City asset that will require management and potentially replacement in future.

**Financial/Budget Implications:**

There is \$120,000 allocated in the 2010/11 Consultancy Budget to fund preliminary concept designs, community consultation and architectural drawings.

On 30 April 2008 land in Kinross was sold for \$526,180 and the proceeds were set aside in a reserve for a community facility in Kinross/Currambine. As part of the 2010/11 budget, the existing Community Facilities Reserve and the Kinross/Currambine Community Centre Reserve were merged to create a single reserve for the purpose of funding the development of a Community Centre in the Currambine/Kinross Community area. The balance of this reserve is \$944,793.

An amount of \$4.5m is allocated for consideration as part of the 2011/12 Capital Works Program. It is anticipated that funding will also be sought from external sources such as LotteryWest should the project proceed.

**Regional Significance:**

It is anticipated that a Community Centre in Currambine will predominantly draw its catchment from Currambine, Joondalup, Burns Beach, Iluka, Kinross and Connolly.

**Sustainability Implications:**

Community Centres provide a focal point for the delivery of programs, activities and services within local communities. The Feasibility Study has identified that in the study area there is a shortage of facilities and programs for young people, a shortage of programs and activities for active seniors and frail older people, a need to offer kitchen facilities and cooking programs that promote healthy eating, and a facility that provides for the delivery of cultural activities such as drama, dance, music performances and art exhibitions. The social benefits from Community Centres include creating a community hub/meeting place; providing opportunities for community socialisation and engagement through the delivery of programs, activities and services; and a facility from which a range of community services can be made available.

The preliminary Concept Design provides for environmentally friendly features such as water tanks, photovoltaic panels, the use of natural lighting and provision of shade. The design will also include end-of-journey facilities such as shower facilities and a bike rack. Natural surveillance and other CPTED principles have also been incorporated into the design.

Should the new Community Centre proceed, it will become a new City asset and as such will require ongoing management in accordance with the City's Asset Management Strategy. While some income will be generated from facility hire, it is unlikely that this will fully cover the cost of the Centre's operation and management and the deficit will require funding through the City's budget.

**Consultation:**

As part of the Feasibility Study, the following consultation was undertaken:

- Discussions with 18 external stakeholders including community service organisations, government agencies, residents and ratepayers associations, and local politicians.
- Discussions with internal stakeholders including elected members and City staff.
- Community survey utilising an invitation to participate sent to a random selection of 900 households in the study area (such as Currambine, Joondalup, Burns Beach, Iluka, Kinross and Connolly) with a response rate of 9%.

- A youth survey conducted by the City's Youth Services staff with input from 44 young people between the ages of 11 and 16 years within the study area.

Given that a preliminary Concept Design based on the Feasibility Study has now been developed, it is recommended that further community consultation take place in accordance with the Community Consultation and Communication Plan (as detailed in Attachment 3).

## COMMENT

Based on the conclusions from the Currambine Community Centre Feasibility Study, it is recommended that Council give approval to proceed with community consultation on a preliminary Concept Design for the development of a Community Centre on Lot 1594 Delamere Avenue, Currambine.

The preliminary Concept Design has been developed based on the needs identified by the various stakeholders consulted as part of the Feasibility Study and now requires further input from the community in the study area (i.e. Currambine, Joondalup, Burns Beach, Iluka, Kinross and Connolly) prior to the project proceeding.

Following community input on the preliminary Concept Design, it is proposed to provide a further report to Council outlining the feedback, prior to progressing to the next steps that will include the production of architectural drawings and seeking funding from external sources.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### That Council:

1. **APPROVES** proceeding to community consultation on the preliminary Concept Design for the development of a Community Centre on Lot 1594 Delamere Avenue, Currambine as detailed in Attachment 2 of this Report.
2. **UNDERTAKES** community consultation and communication on the preliminary Concept Design for the proposed Currambine Community Centre in accordance with the Community Consultation and Communication Plan as detailed in Attachment 3 to this Report.
3. **REQUESTS** that the outcomes from the community consultation be detailed in a Report to a future meeting of Council prior to the project proceeding.

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf071210.pdf](#)

## **ITEM 11                    MINUTES OF EXTERNAL COMMITTEES**

**WARD:** All

**RESPONSIBLE:** Mr Jamie Parry, Director Governance and Strategy

**FILE NUMBER:** 09151, 48543

**ATTACHMENTS:** Attachment 1 - Minutes of the Local Emergency Management Committee Meeting held on 4 November 2010

*(Please Note: These minutes are only available electronically)*

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### **PURPOSE**

To submit minutes of external committees to Council for information.

### **EXECUTIVE SUMMARY**

The following minutes are provided:

- Meeting of the Local Emergency Management Committee held on 4 November 2010.

It should be noted that in accordance with State Emergency Management Committee Policy Statement 2.5, Cr John Chester has been appointed as the Chairman of this Committee until the next Local Government Elections to be held in October 2011.

As Chairman of the Local Emergency Management Committee (LEMC), Cr Chester also attends the District Emergency Management Committee (DEMC) meetings.

Both the LEMC and DEMC meetings are held quarterly in February, May, August and November of each year.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That Council NOTES the minutes of the Local Emergency Management Committee Meeting held on 4 November 2010 forming Attachment 1 to this Report.**

To access this attachment on electronic document, click here: [externalminutes071210.pdf](#)

## ITEM 12 EXECUTION OF DOCUMENTS

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Jamie Parry, Director Governance and Strategy
<b>FILE NUMBER:</b>	15876
<b>ATTACHMENTS:</b>	Nil

### PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 5 October 2010 to 16 November 2010.

### EXECUTIVE SUMMARY

The City of Joondalup enters various agreements by affixing its Common Seal. The *Local Government Act 1995* states that the City is a body corporate with perpetual succession and a common seal. Those documents that are to be executed by affixing the Common Seal or signed by the Mayor and the Chief Executive Officer (CEO) are reported to the Council for information on a regular basis.

### BACKGROUND

Nil.

### DETAILS

The following documents have been executed by affixing the Common Seal:

<b>Document:</b>	Section 70A Execution
<b>Parties:</b>	City of Joondalup and Paul M and Caroline J Williams
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling at Lot 116 (21) Tallow Ramble, Edgewater.
<b>Date:</b>	05.10.10
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Execution
<b>Parties:</b>	City of Joondalup and J K Paul and H Kaur
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 771 (15) Marco Polo News, Currambine
<b>Date:</b>	19.10.10
<b>Signed/Sealed:</b>	Sealed  <i>Note: This document was required to be resubmitted for signing and sealing as the incorrect landowner details had been listed – See entry for 9 November 2010.</i>

<b>Document:</b>	Section 70A Execution
<b>Parties:</b>	City of Joondalup and M L and M K Waters
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 426 (11) La Grange Loop Currambine.
<b>Date:</b>	19.10.10
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Execution
<b>Parties:</b>	City of Joondalup and A J B Pike and M Pike
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupiers of main dwelling at Lot 71 (8) Whiley Road, Marmion.
<b>Date:</b>	02.11.10
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Execution
<b>Parties:</b>	City of Joondalup and APG Homes Pty Ltd
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupiers of main dwelling on land at Lot 1620 (7) Romano Crescent, Iluka.
<b>Date:</b>	02.11.10
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Execution
<b>Parties:</b>	City of Joondalup and K S and S F Gallacher
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupiers of main dwelling on land at Lot 78 (138) Moolanda Boulevard, Kingsley.
<b>Date:</b>	02.11.10
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Execution
<b>Parties:</b>	City of Joondalup and J K Paul and H Kaur
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 771 on Plan 19471 (15 Marco Polo Mews, Currambine).
<b>Date:</b>	09.11.10
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Execution
<b>Parties:</b>	City of Joondalup and P W and H J Sandell
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 583 (7) Seabreeze Avenue, Burns Beach
<b>Date:</b>	16.11.10
<b>Signed/Sealed:</b>	Sealed

**Issues and options considered:**

Not Applicable.

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

Sub-sections (2) and (3) of Section 2.5 of the Local Government Act 1995 state:

- (2) The local government is a body corporate with perpetual succession and a common seal.
- (3) The local government has the legal capacity of a natural person.

**Strategic Plan**

**Key Focus Area:** Some of the documents executed by affixing the common seal may have a link to the Strategic Plan on an individual basis.

**Policy**

Nil.

**Risk Management considerations:**

Nil.

**Financial/Budget Implications:**

Some of the documents executed by the City may have financial and budget implications.

**Regional Significance:**

Nil.

**Sustainability Implications:**

Nil.

**Consultation:**

Nil.

**COMMENT**

The various documents that have been executed by affixing the Common Seal of the City of Joondalup are submitted to the Council for information.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the schedule of documents covering the period 5 October 2010 to 16 November 2010 executed by means of affixing the Common Seal.**

## **ITEM 13                    OVERVIEW OF THE OFFICIAL VISIT TO SHANGHAI AND JINAN, CHINA BY THE JOONDALUP DELEGATION IN SEPTEMBER 2010**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Jamie Parry, Director Governance and Strategy
<b>FILE NUMBER:</b>	52469
<b>ATTACHMENTS:</b>	Nil

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### **PURPOSE**

To provide an overview, and highlight the outcomes, of the visit by the City of Joondalup Delegation to the Shanghai Expo, *Better City, Better Life*, and to the City of Jinan, Shandong Province, China in September 2010.

### **EXECUTIVE SUMMARY**

A City of Joondalup Delegation attended the Shanghai Expo, *Better Cities, Better Life*, and the City of Jinan from 23 to 28 September 2010. The Delegation was led by Mayor Troy Pickard and included City of Joondalup representatives and representatives from Edith Cowan University, and West Coast Institute of Technology.

The City issued formal invitations to key stakeholders and individuals previously involved in outbound delegations to Jinan or who have a role to play in the ongoing Sister City Relationship and the key areas of the Relationship Plan namely, social-cultural exchange, environmental exchange, and economic exchange.

The invitation was accepted by Edith Cowan University and West Coast Institute of Training and representatives from both organisations formed part of the official Delegation to Shanghai and Jinan.

### **BACKGROUND**

The City of Joondalup has a Sister City Relationship with the Jinan Municipal People's Government.

The Sister City Relationship began in 2000. The signing of a Memorandum of Understanding, which was endorsed by the Council at its meeting held on 25 July 2000, marked the beginning of the Sister City Relationship.

At its meeting held on August 2006, Council endorsed a long term Relationship Plan to assist in guiding the growth and continuity of the Jinan-Joondalup Sister City Relationship (*CJ224 – 11/05 refers*).

The Plan highlighted four key focus areas for the relationship:

- 1        Relationship Management.
- 2        Social-Cultural Exchange.
- 3        Environmental Exchange.
- 4        Economic Exchange.

The Sister City Relationship has included a number of inbound and outbound Delegations including:

Year	Details
<b>2000</b>	The Jinan Municipal People's Parliament sent four delegates to visit ECU and was also given a formal reception by the City of Joondalup on 29 June. During the visit, the Jinan Delegation, led by Ms Wang Baoling, Vice Chairman of the Standing Committee of the Jinan People's Congress presented the City of Joondalup with a Memorandum of Understanding which Council subsequently approved on 25 July.
<b>2001</b>	A Delegation from Joondalup led by the former Mayor John Bombak attended the Jinan Autumn Trade Fair on 21 to 26 September.
<b>2002</b>	A Delegation led by Mr Sun Changyin, Chairman of the Jinan Municipal People's Consultative Committee led a nine-strong Delegation to Joondalup leading to the signing of a <i>Memorandum of Friendly Talks</i> .
<b>2004</b>	<p>In September the former Chairman of Commissioners, Mr John Paterson led a Delegation of key industry partners from Joondalup to Jinan including representatives from ECU, Joondalup Business Association, Joondalup Health Campus, Joondalup Resort Hotel, Sunset Coast Tourism Association, Western Australian Police Service, West Coast College of TAFE (now West Coast Institute of Training), ING Real Estate, and the International Institute of Business and Technology. The primary purpose of the Delegation was to sign a protocol agreement forming a Sister City Relationship between the two Cities. The Delegation was given the brief of strengthening the ties that were developing between the Cities and to provide further opportunities for the Joondalup region to promote its exportable services.</p> <p>During November a Delegation of the Standing Committee of Jinan's People Congress was received by the City of Joondalup. During this visit the two Cities signed another official protocol agreement formalising the Sister City Relations between the two Cities.</p>
<b>2005</b>	<p>A Delegation from Jinan visited Joondalup in August 2005. The Delegation comprised eight representatives from Government and key industry sectors.</p> <p>The Jinan Municipal Public Security Bureau selected 20 police officers to travel to the WA Police Academy situated in Joondalup to engage in a three month training program on modern police practices</p>

Year	Details
<b>2006</b>	<p>During January, the Jinan Municipal Government sent 18 senior public servants to the City of Joondalup to undertake a six month training program to focus on how Australian Government systems operate.</p> <p>The Woodvale Senior High School entered into a formal Sister City School Relationship with Jinan Number 9 School in January.</p> <p>The City of Joondalup acted in the role of liaison between Jinan officials and the Woodvale SHS and as a result a Sister School Protocol was signed between Woodvale SHS and Jinan Number 9 Middle School to form a Sister School Relationship.</p> <p>The formation of the Sister School Relationship between Woodvale SHS and Jinan Number 9 Middle School provides a strategic link for the Secondary School sector. Woodvale SHS hosts students from Jinan and students from Woodvale have visited Jinan. Woodvale SHS has included Chinese cultural studies into its year eight curriculum.</p> <p>In August, the Council endorsed a long term Relationship Plan to assist in guiding the growth and continuity of the Jinan-Joondalup Sister City Relationship.</p>
<b>2007</b>	<p>During September 2007 a Delegation led by Mayor Pickard travelled to Jinan as a result of an invitation received from the Jinan Foreign Affairs Office to attend the Jinan International Tourism Fair. The Delegates also conducted a series of meetings with relevant officials of the Jinan Government to assist in the stimulation of more economic and cultural exchange programs. The Delegation included representatives from the West Coast Institute of Training, Edith Cowan University, and Joondalup Business Association.</p> <p>A Delegation of senior women officials from Jinan Municipal People's Government visited Joondalup for three days during November. The purpose of the visit was to further identify exchange opportunities between the City of Jinan and the City of Joondalup with respect to the Sister City Relationship.</p>
<b>2009</b>	<p>An Inbound Delegation from Jinan was received in March led by the Deputy Mayor, Gong Xianqun. The Delegation attended the Joondalup Festival to view the Jinan Acrobats and met with the Consultants designing the Sister City Garden, and visited Kings Park to view native plants. A memorandum was signed to acknowledge the importance of the Sister City Relationship and the 5<sup>th</sup> anniversary of the Sister City Relationship between Jinan and Joondalup.</p>
<b>2010</b>	<p>The City received a high level inbound delegation from Jinan on 12 and 13 May led by Mayor Zhang Jianguo, and comprising the Secretary General of Jinan Municipal People's Government, Director of Jinan Foreign Affairs Office, Director of Jinan Finance Bureau, Director of Jinan Commerce Bureau, Director of Jinan Horticulture Bureau, Vice Director of General Office of Jinan Municipal People's Government, Chairman of the Council, University of Jinan, and the President of Qilu Bank Co., Ltd. The Delegation visited ECU, West Coast Institute of Training and Woodvale Senior High School, and the site of the proposed Jinan Garden.</p> <p>The City of Joondalup sent a Delegation comprising the Mayor and Deputy Mayor, Councillors, a representative of the Chief Executive officer, and representatives from Edith Cowan University and West Coast Institute of Training to Jinan from 26 to 28 September.</p>

## **DETAILS**

Since the adoption of the Relationship Plan in 2006 the following Key Achievements across the four focus areas include:

### **Relationship Management**

- Positive feedback from all stakeholders involved on civic events and delegation hosting.
- Mayoral outbound visit in September 2007.
- Extensive promotion of the Sister City Relationship.
- The City has provided sponsorship to Woodvale Senior High School to assist with the Sister School Relationship with Jinan Number 9 Middle School.

### **Socio-Cultural Exchange**

- Development of a Public Service Training Programme in March 2008 (in conjunction with Edith Cowan University and West Coast Institute of Training).
- Publication of the updated Joondalup - Jinan booklet was completed in 2007.
- A Women's Cultural Delegation from Jinan in November 2007 was hosted by the City.
- Jinan Delegation visited Joondalup in 2009 and the itinerary included a visit to Woodvale SHS, West Coast Institute of Training Hospitality and Tourism Centre, and the WA Institute of Sport to watch the Jinan Acrobatic Troupe train with elite gymnasts.
- Jinan Acrobatic Troupe performed at the Joondalup Festival 2009.
- Woodvale SHS attendance at the Jinan Children's Festival in 2009.
- Woodvale SHS hosts a Delegation comprising education officials from Jinan in 2010;
- Woodvale SHS attends Jinan Children's Festival in 2010.

### **Environmental Exchange**

- Discussions between Jinan University and Edith Cowan University to establish courses and research projects.
- Development of Jinan Sister City Garden Project.
- Construction of Joondalup Garden in Jinan in the 7<sup>th</sup> China (Jinan) International Garden and Flower Expo.
- Plans to construct the Jinan Garden within the Performing Arts and Cultural Facility in Joondalup.

### **Economic Exchange**

- Visit by West Coast Institute of Training Delegation to Jinan in March 2008 followed by a Jinan Delegation visit in May 2008.
- The City's representation at the Tourism Fair in Jinan, with the Mayor and Chief Executive Officer involved in the official party for the opening.
- Visit by Joondalup Business Association President to Jinan as part of the Mayoral Delegation in September 2007 initiated the development of a Trade Desk for local businesses. The Trade Desk was launched at the Joondalup Business Centre in August 2008.

- West Coast Institute of Training Hospitality and Tourism Centre attend Jinan regularly to provide training and students from Jinan attend the Centre.
- Jinan Delegation visited West Coast Institute of Training Hospitality and Tourism Centre in 2009 and 2010.
- Joondalup Delegation led by Mayor Troy Pickard in September 2010 included official meetings with the Jinan Commerce Bureau.

The Sister City Relationship has provided significant benefits particularly for West Coast Institute of Training and Edith Cowan University and a number of initiatives have been progressed to develop cooperation in vocational education and training programs of benefit to students in Jinan and Joondalup. West Coast Institute of Training recently signed an Agreement with Jinan Vocational College to deliver WCIT information technology and financial services courses in Jinan. This Agreement builds upon the original Agreement on Co-operative Education signed in 2007 for hospitality and tourism, and Edith Cowan University continues to attract high numbers of overseas students including significant numbers from China.

At its meeting held on 17 August 2010 (*CJ139-08/10 refers*), Council resolved to inter alia:

- “1 *ACCEPT the invitation from the Jinan Municipal People’s Government to send a Delegation to Jinan to further the Sister City Relationship between the City of Joondalup and the Jinan Municipal People’s Government and to view the recently constructed Joondalup Garden;*
2. *APPROVE the attendance of the Delegation at the Better City, Better Life Expo in Shanghai for one full day en route to Jinan;”*

The Delegation’s visit to Shanghai en route to Jinan provided an opportunity for members to visit the major Shanghai Expo, *Better Cities Better Life*. The Expo included pavilions from around the world showcasing better practice in managing the challenges of urbanisation in a sustainable manner. The Expo attracted over 73 million visitors, and members of the Delegation visited pavilions from a number of countries. The Delegation was able to meet with Ms Lyndall Sachs, Commissioner General to Australia, Shanghai World Expo and was provided with a tour of the Australian Pavilion.

The Mayor also met with Mr B J Zhuang, Regional Director of the Western Australian Trade Office in China when the Delegation was in Shanghai. The meeting focussed on the business ties between Western Australia and the Shandong Province (Jinan is located in the Shandong Province) and opportunities to use the Sister City Relationship between Joondalup and Jinan to create and build stronger economic ties with Jinan.

The Delegation’s visit to Jinan provided an opportunity for the City of Joondalup to significantly progress the Sister City Relationship with Jinan. The Delegation was accompanied by Mr Gao Bin, Deputy Director of Jinan Foreign Affairs Office, and the Itinerary included:

- Official welcome and banquet by Mayor Zhang Jianguo attended by officials from the Jinan Municipal People’s Government including officials who had previously visited Joondalup.
- Visits to the 7<sup>th</sup> China (Jinan) International Garden and Flower Expo which includes the Joondalup Garden.
- Visit to and meetings with representatives from the Jinan Vocational College.
- Visit to and meetings with representatives from Jinan Number 9 School.

- A meeting between the representative from Edith Cowan University and the Jinan University.
- A tour of the Long'ao Building and the Jinan Olympic Sports Centre which was only in the planning stages during the last delegation to Jinan.
- Formal meetings with the Jinan Commerce Bureau and the Urban Administrative Bureau chaired by the Secretary General, Mr Geng Jianxin to discuss opportunities for strengthening economic development exchanges, and environmental exchanges particularly in the area of waste management.
- A visit to the Public Service Hotline and the opportunity to meet and speak with workers from the Hotline.
- *Visit to the* Baotu Spring and Quancheng Square – places of great importance to the Jinan Municipal People's Government and tourist attractions.
- Farewell luncheon hosted by Mr Xu Huadong, Director of Jinan People's Congress, and attended by Mr Zhu Xinhai, Secretary General, Ms Li Min Director of Jinan Foreign Affairs Office and other high ranking officials.

#### **Issues and options considered:**

This report includes details of the Joondalup Delegation's visit to the Shanghai Expo and to Jinan in September 2010 and opportunities to progress economic ties between Western Australia and the Shandong Province.

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

**Legislation**                      Not Applicable.

#### **Strategic Plan**

**Key Focus Area:**            This item has a general link to the Strategic Plan across the Key Focus Areas of Economic Prosperity and Growth, the Natural Environment, and Community Wellbeing.

#### **Policy**

Not Applicable.

#### **Risk Management considerations:**

Not Applicable.

#### **Financial/Budget Implications:**

A budget allocation of \$14,000 was allocated in the 2010/11 Budget for the Sister City Relationship. The costs associated with the Outbound Delegation including airfares, accommodation, gifts, transport, visa applications and the like was \$11,341 (excluding GST).

<b>Account No:</b>	532.A5302.3346.5003
<b>Budget Item:</b>	Jinan Sister City Relationship
<b>Budget Amount:</b>	\$14,000
<b>Amount Spent To Date:</b>	\$11,341
<b>Balance:</b>	\$ 2,659

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Ongoing discussions on opportunities for strengthening economic relationships may have regional significance.

**Sustainability Implications:**

The Sister City Relationship between the City of Joondalup and the Jinan Municipal People's Government has been developed with the intent of achieving positive social/cultural, economic, and environmental exchange opportunities.

**Consultation:**

Not Applicable.

**COMMENT**

The Sister City Relationship between the City of Joondalup and the Jinan Municipal People's Government commenced in 2000 with the signing of a Memorandum of Understanding on 25 July 2000. Since this time, the City has led four delegations to Jinan (2001, 2004, 2007, and 2010) to progress the Joondalup-Jinan Relationship Plan 2006 – 2016.

The Sister City Relationship has been highly successful. A number of key achievements have been delivered supporting the Relationship Plan including:

- The delivery of a three month police training program with twenty officers from the Jinan Police Bureau receiving training at the WA Police Academy in Joondalup in criminal investigation, governance and security management.
- The development of a long term Relationship Plan.
- The delivery of a six month public servant training program delivered in Joondalup for eighteen senior officers from Jinan.
- A number of business initiatives including China-Link.
- The formation of a Sister School Relationship between Woodvale Senior High School and Jinan Number 9 School.
- West Coast Institute of Training has a Sino-Australian Agreement of Co-operation with Jinan Vocational College for Hospitality and Tourism courses and has students enrolled in its Diploma of Hospitality and Tourism under an auspicing agreement. A West Coast Institute of Training lecturer visits Jinan Vocational College each year to deliver specific components of the course. Students from Jinan Vocational College attend the West Coast Institute of Training campus to enhance their studies.
- The development of the Sister City Garden Project resulted in the successful construction of the Joondalup Garden in Jinan.
- Plans to construct a Jinan Sister City Garden within the City's Performing Arts and Cultural Facility.
- A number of inbound and outbound Delegations providing opportunities for delegates to further opportunities for cultural/social, economic, and environmental exchanges.
- Preliminary discussions with the Western Australian Trade Office, China on opportunities for growing business ties and economic development, particularly related to trade and investment.

The most recent Delegation to Jinan has resulted in a significant strengthening of ties between the City of Joondalup and the Jinan Municipal People's Government including learning more about Jinan, enhancing friendships, communication, cultural awareness, cooperation, and developing partnership opportunities particularly in the area of economic development.

The most recent Delegation has resulted in a clear recognition from both parties for the need to advance the relationship and build on and enhance economic opportunities particularly related to trade and investment, and agreement for both Cities to exchange information on economic development and waste management approaches.

Discussions have been held with Mr B J Zhuang, Regional Director of the Western Australian Trade Office in China on the possibility of the City of Joondalup working with the Western Australian Government to facilitate a Sister City Relationship between Western Australia and the Shandong Province. The discussions, at this stage, are preliminary and Mr Zhuang has highlighted the importance of the relationship between Jinan and Joondalup in terms of trade and investment and has suggested that discussions are progressed with the Department of State Development's International Trade and Investment section.

Preliminary discussions have also been held on research opportunities in partnership with Edith Cowan University within the next 12 months for local Joondalup businesses to engage with Chinese businesses in the Shandong Province particularly in relation to the export of expertise and consulting in the areas of finance, insurance, education, waste management, environment, and service industries particularly aged care.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 NOTES the report on the City of Joondalup Delegations visit to the Shanghai Expo and Jinan in September 2010;**
- 2 SUPPORTS the ongoing development of the Sister City Relationship with Jinan including ongoing discussions with the Department of State Development encouraging the development of a Sister City Relationship between the State Government and the Shandong Province;**
- 3 AGREES to incorporate the Jinan Garden in the design of the City's Performing Arts and Cultural Facility.**

## **ITEM 14                    SMALL BUSINESS CENTRE NORTH WEST METRO REQUEST FOR FUNDING 2010/11**

**WARD:** All

**RESPONSIBLE:** Mr Jamie Parry, Director Governance and Strategy

**FILE NUMBER:** 35563, 43458

**ATTACHMENTS:** Attachment 1      Small Business Centre North West Metro Annual  
Report 2009/10  
Attachment 2      Small Business Centre North West Metro Service  
Delivery Plan 2010/11

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### **PURPOSE**

To consider funding support for the Small Business Centre (North West Metro) Inc for the 2010/11 financial year.

### **EXECUTIVE SUMMARY**

The Small Business Centre (North West Metro) Inc (SBCNWM) had a three year Agreement to 2009/10 with the Cities of Joondalup and Wanneroo and the Small Business Development Corporation (SBDC). The SBDC provided 52% of the funding and the Cities of Joondalup and Wanneroo each contributed 24% of the funding for the SBCNWM. The Agreement expired on 30 June 2010, and the SBCNWM has provided the City with its Annual Report and Audited Accounts for 2009/10, as required by the Agreement of 2007/10.

The Small Business Centre (North West Metro) Inc is also seeking funding support from the City for the current financial year (2010/11). The Centre has provided the City with a Service Delivery Plan for the period 1 July 2010 to 30 June 2011 setting out Key Performance Indicators and monthly and quarterly targets for 2010/11.

A triennial funding agreement between the Small Business Centre (North West Metro) Inc and the Small Business Development Corporation has been agreed to and signed for the period 1 July 2010 to 30 June 2013. Under this agreement the SBCNWM will receive \$130,381 (excluding GST) from the SBDC. The City of Joondalup has received a request for funding for 2010/11 of \$59,799.94 (excluding GST). A request for the same amount has been provided to the City of Wanneroo.

At its meeting held on 15 December 2009 (*Item CJ271 – 12/09 refers*), Council agreed to initiate, in partnership with the City of Wanneroo and the SBDC, a review of funding options for the provision of small business services to the North West Corridor for beyond June 2010. This review has been undertaken and has resulted in discussions on the option of locating the SBCNWM in the ECU Business and Innovation Centre to create a synergy between small business organisations and allow a consolidation of services and advice to small business in the one location.

From 1 July 2011, Edith Cowan University will take over the Joondalup Business Centre located at 15 Barron Parade Joondalup and develop it into the ECU Business and Innovation Centre. The Centre will focus on the commercialisation of ECU's research activities as well as the incubation of small business.

## BACKGROUND

The City of Joondalup first entered into an agreement in 2004 to fund the Small Business Centre (North West Metro) Inc from 2004 to 2007. At its meeting held on 27 February 2007, (*Item CJ005-02/07- Funding Support for the Small Business Centre (North West Metro) Inc refers*), Council resolved as follows:

- “1 *NOTES the Annual Report submitted by the Small Business Centre (North West Metro) Inc. for the financial year July 2006 to June 2007;*
- 2 *ENDORSES the Small Business Centre Business Plan (1 July 2007 – 30 June 2010) submitted by the Small Business Centre (North West Metro) Inc forming Attachment 2 to Report CJ009-02/08;*
- 3 *AGREES to contribute \$55,000 net GST to the Small Business Centre (North West Metro) Inc. for the 2007/08 financial year to support small business development within the City of Joondalup, subject to an annual review in accordance with the approved business plan;*
- 4 *REQUIRES the Small Business Centre (North West Metro) Inc. to submit annual reviews of its achievements against the Business Plan for the 2007/08, 2008/09 and 2009/10 financial years;*
- 5 *AGREES to contribute funding to the Small Business Centre (North West Metro) Inc. for the 2008/09 and 2009/10 financial years SUBJECT to an annual review to the Chief Executive Officer’s satisfaction. Assuming satisfaction the funding for 2008/09 will be \$55,000 net GST plus CPI (for 2007/08) and for 2009/10 will be the 2008/09 amount plus CPI (for 2008/09);*
- 6 *REQUIRES the Small Business Centre to recognise the sponsorship of the City of Joondalup, City of Wanneroo and the Small Business Development Centre on all of its marketing documentation.”*

The City of Joondalup signed a Letter of Agreement with the Small Business Centre (North West Metro) Inc on 27 March 2008 outlining the terms and conditions for the provision of a financial grant paid in three annual instalments to assist the delivery of small business support services as outlined in the Small Business Centre (North West Metro) Business Plan 2007 to 2010.

The Agreement expired in 2009/10 and was subject to annual reviews demonstrating the performance of the Centre in accordance with the Centre’s Business Plan to the satisfaction of the Chief Executive Officer.

At its meeting held on 15 December 2009, (*Item CJ271-12/09 Funding Support for the Small Business Centre (North West Metro) Inc refers*), Council resolved as follows:

- “1 *NOTES the Annual Report submitted by the Small Business Centre (North West Metro) Inc. for the financial year July 2008 to June 2009 forming Attachment 1 to Report CJ271 - 12/09;*
- 2 *AGREES to contribute \$57,772 to the Small Business Centre (North West Metro) Inc. for the 2009/10 financial year to support small business development within the City of Joondalup;*

- 3 *AGREES that as this is the last year of the three year Agreement with the Small Business Centre the City will initiate in the first quarter of 2010, in partnership with the City of Wanneroo and the Small Business Development Corporation, a review of funding options for the provision of small business services to the North West Corridor for beyond 30 June 2010.”*

The payments made by the City under the three year Agreement, commencing 1 July 2007 through to 30 June 2010, are detailed below.

<b>Financial Year</b>	<b>Conditions of Funding</b>	<b>Amount Paid (excluding GST)</b>
2007/08	Letter of Agreement	\$ 55,000
2008/09	Annual report for 2007/08 to the satisfaction of the Chief Executive Officer	\$ 56,980
2009/10	Annual report for 2008/09 to the satisfaction of the Chief Executive Officer	\$ 57,772
<b>Total</b>		<b>\$169,752</b>

The SBCNWM has historically held three year agreements for funding with the SBDC. The SBDC provided 52% of the funding for the Small Business Centre and the Cities of Joondalup and Wanneroo have each contributed 24% of the funding for the Centre for the period 2007/10.

#### **DETAILS**

The SBCNWM has provided the City, as per the Agreement 2007 - 2010, with its Annual Report and Audited Accounts for 2009/10 along with the request for funding of \$59,799.94 (excluding GST) for 2010/11. A request for the same amount has been provided to the City of Wanneroo. The table below summarises the funding requested by the SBCNWM 2010/11 from the Cities of Joondalup and Wanneroo, and the SBDC.

<b>Organisation</b>	<b>Funding Requested</b>	<b>%</b>
Small Business Development Corporation	\$130,381.00	52%
City of Wanneroo	\$ 59,799.94	24%
City of Joondalup	\$ 59,799.94	24%
<b>Total</b>	<b>\$249,980.88</b>	<b>100%</b>

The SBCNWM has also provided the City with a Service Delivery Plan 2010/11. The same Service Delivery Plan has been formally accepted by the SBDC as part of the contractual requirements for funding. The *Service Delivery Plan 2010 – 2011* is shown as Attachment 2.

The focus for the 2010/11 Service Delivery Plan is to work with existing business and assist them to expand or maintain their market presence. The SBCNWM will work with local stakeholders to promote, encourage and support the economic development of the region by facilitating the establishment of small businesses and supporting their ongoing growth.

The table below summarises the Key Performance Indicators and 2010/11 targets outlined in the Service Delivery Plan 2010/11. These are the same Key Performance Indicators agreed to and included in the contract between the SBCNWM and the SBDC.

Statistic Type	Definition	2010/11 Target	
		Annual	Monthly
New Businesses Assists (>30 mins )	Means an in depth appointment, onsite visit, email exchange or telephone session of not less than 30 minutes duration, involving a comprehensive exchange of information with those clients intending to commence in business or self employment and those clients operating a newly established business (less than six months in business)	381	32
New Businesses Assists (<30 mins )	As above but of a duration less than 30 minutes.	787	66
Existing Business Assists (>30 mins)	Means an in depth appointment, onsite visit, email exchange or telephone session of not less than 30 minutes duration, involving a comprehensive exchange of information with those clients with an existing business seeking assistance to survive, expand, export, diversify or consolidate.	217	18
Existing Business Assists (<30 mins)	As above but of a duration less than 30 minutes.	581	49
New Business Start Ups	Means the number of new businesses that actually commenced following input from the Centre.	122	11
Jobs Created	Means the number of jobs (FTE and PTE) that are created by clients following input from the Centre.	244	21
Workshop/seminar Participants	Means the number of participants who have attended a workshop or seminar conducted or co-hosted by the Centre.	195	17

#### Issues and options considered:

The SBCNWM has provided the City, as per the 2007/10 Agreement, with its Annual Report and Audited Accounts for 2009/10 shown as *Attachment 1*. The financial statements for 2009/10 indicate a retained profit (Total Assets minus Total Liabilities) of \$140,811.82 to 30 June 2010.

The table below summarises the Key Performance Indicators and outcomes achieved by the SBCNWM in 2009/2010. The Small Business Centre has exceeded the contracted targets in workshop participants, jobs created and short duration sessions however new and existing business client sessions and new business start ups have been below the 2009/10 targets established in the 2009/10 Service Delivery Plan.

Type of Statistic	Forecast for 2009/10	Actual 2009/10	% Achieved Against Annual Target
New Business Client Sessions 30 Mins+	370	307	83%
Existing Business Client Sessions 30 Mins+	240	143	60%
Short Duration Sessions <30 Mins	1200	1627	136%
New Business Start-ups	140	130	93%
Jobs Created	360	502	139%
Workshop Participants	210	971	462%

Source: Annual Report Small Business Centre North West Metro 2009/10.

The Small Business Centre North West Metro Annual Report 2009/10 and audited financial statements were a requirement of the previous funding Agreement which expired on 30 June 2010.

The SBCNWM has requested further funding for 2010/11, and has provided a Service Delivery Plan outlining core services to be delivered and Key Performance Indicators with targets.

The core services of the SBCNWM, as outlined in the Service Delivery Plan 2010/11 will continue to focus on supporting and facilitating small business development on a free-of-charge basis. As outlined in the Service Delivery Plan, this will be achieved by assisting new and existing small businesses with practical assistance on range of business related issues including:

- Practical business coaching
- Reference to Specialist Advisors;
- Assistance with accessing Government Departments and regulations;
- Marketing;
- Financial management;
- Legal structures,
- Business licences;
- Business planning.

The Service Delivery Plan 2010/11 sets out a number of objectives and activities for the SBCNWM including the following:

- Provision of free or low cost business seminars aimed at clients who want to establish businesses, or newly established businesses.
- Provision of and increased number of low cost training services to assist existing business operators to sustain and grow their business.
- Working closely with the Cities of Joondalup and Wanneroo, Edith Cowan University, West Coast Institute of Training, Government Departments, Industry Associations, Developers, Registered Training Organisations, and High Schools to support the planning and provision of personal and business development opportunities within the Region.

- Continue to work with and liaise with the Economic Development Teams in the City of Joondalup and City of Wanneroo to foster high performing industries targeted in the Cities respective Economic Development Plans.

The Service Delivery Plan outlines the following expected outcomes for 2010/11:

- 1,966 small businesses will be supported by the Centre (made up of 1,168 new business interviews, and 798 existing businesses).
- 122 new businesses will commence operations following support from the SBCNWM.
- 244 new jobs will be created as a result of support from the SBCNWM.

It should be noted that at the SBCNMW Board meeting held on 24 November 2010 a presentation was made to members on *“Strategies and Ideas for Generating Extra Income for Your Centre”*. One of the ideas submitted for the Board’s consideration related to the introduction of a financial model based on fee-for-service. The Board voted unanimously against the proposal. The adoption of any fee model is at the discretion of the SBCNMW Board, and is likely to be substantiated by a business case aimed at improvements to the Centre’s self-sufficiency. It is appropriate at this time to simply note the information, and should the Board give the matter serious consideration in the future, it be taken into account when the City receives its future annual funding request from the SBCNMW.

The Service Delivery Plan 2010/11 highlights that services will continue to be provided on an equitable basis between the Cities of Joondalup and Wanneroo. The SBCNWM services are currently delivered to the North West Metro Region through offices in Enterprise House (Wanneroo) and Lakeside Drive (Joondalup). Funding provided by the City of Joondalup enables Joondalup to have its own dedicated full-time Centre Manager.

The Small Business Centre North West Metro in Joondalup is currently located at 4/189 Lakeside Drive and is shared with Joondalup Business Association and *Employfast* (a division of the Chamber of Commerce and Industry) The lease is on a month by month basis.

At its meeting held on 15 December, Council agreed that the City would initiate, in partnership with the City of Wanneroo and the Small Business Development Corporation, a review of funding options for the provision of small business services to the North West Corridor beyond 30 June 2010. That review has been undertaken and funding support for the SBCNWM is supported for 2010/11 in accordance with the Service Delivery Plan 2010/11 and subject to receipt of quarterly progress reports, and an Annual Report for 2010/11. The review resulted in discussions with ECU on the option of the Joondalup SBCNWM Office relocating to the ECU Business and Innovation Centre when the Centre is operational. The Joondalup Business Centre is currently fully tenanted with a waiting list.

From 1 July 2011, Edith Cowan University will take over the Joondalup Business Centre located at 15 Barron Parade Joondalup and develop it into the ECU Business and Innovation Centre. The Centre will focus on the commercialisation of ECU’s research activities as well as the incubation of small business. The future location of the SBCNWM in this facility would create a synergy between small business organisations and allow a consolidation of services and advice to small business in the one location.

The SBCNMW provides practical, free advice and support to new and existing business in the areas of business planning, coaching, workshops, marketing and financial management.

The State Government funded Business Growth Centre initiative has its main office located in Wise Street Joondalup which is within 150 metres from Joondalup Business Centre. The Business Growth Centre also delivers tailored programs for existing small business which are designed to enhance the business skills, profitability and growth. The program delivers one-on-one coaching in the workplace, skills recognition and tailored training events specifically for small business needs. The success and longevity of a new business is closely associated with the ability to access timely advice and support and the location of key small business organisations in close physical proximity will enhance small business growth in the area.

Whilst the initial assessment indicates that there are significant strategic and environmental benefits of relocating to the Joondalup Business Centre, it is considered prudent that the SBCNMW be requested to undertake an economic analysis related to the option of relocating to the Joondalup Business Centre.

Such an analysis is considered necessary to ensure that the SBCNMW Board and funding partners can assess the economic advantages of relocation and be assured there is no significant financial disadvantage to the proposal, in an open and transparent manner.

The economic analysis might comprise, but not be limited to:

- A financial analysis of the options, including an assessment of rental costs and outgoings; projected revenues; human resource requirements, and the like.
- A cost-effectiveness analysis of the options.
- An assessment of risk and sensitivities of the options.
- An assessment of the social and environmental impact of the options.

As the analysis requires discussion and negotiation with ECU the assessment needs to be led by the SBCNMW. The City is advised that whilst ECU does not take over the Joondalup Business Centre until 1 July 2011, it is able to discuss and set plans for the centre but there is unable to be any formal documentation. Ahead of 1 July, ECU will review tenancies and set rates so that lease agreements will be established as at 1 July. ECU tenants cannot move in ahead of 1 July as the ECU Business and Innovation Centre does not exist legally until this time.

It is therefore proposed that the SBCNMW Board be requested to undertake an economic analysis of the option to relocate to the ECU Business and Innovation Centre from 1 July 2011, and submit a report to the City of Joondalup on its findings by 31 March 2011.

*A report on the analysis would be reported to the Council in April/May 2011.*

It is considered that such an analysis may highlight economic issues that require further assessment by the SBCNWM's funding partners, and any requirement to negotiate future ongoing financial commitments.

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

### **Strategic Plan**

**Key Focus Area: Economic Prosperity and Growth**

This item has a connection to objectives in the Strategic Plan related to Economic Prosperity and Growth and in particular that of Objective 3.2 increasing employment opportunities within the City.

**Policy:**

**Economic Development** - To support local and regional economic development.

**Risk Management considerations:**

The City of Joondalup is represented on the board of management of the SBCNMW and is able to monitor its operations accordingly. The SBCNMW provides quarterly and annual reports to the City of Joondalup on achievement of Key Performance Indicator targets.

**Financial/Budget Implications:**

<b>Account No:</b>	532 A5302 3291 0000
<b>Budget Item:</b>	Request for funding Small Business Centre North West Metro
<b>Budget Amount:</b>	\$60,000.00
<b>Amount Spent To Date:</b>	\$ 0
<b>Proposed Cost:</b>	\$59,799.94
<b>Balance:</b>	\$ 200.06

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

The Small Business Centre North West Metro represents a strategic partnership for the delivery of business support services for the North West Metropolitan region. By partnering with the City of Wanneroo and the State Government, the City has been able to maximise the services available for small business development across the region that will ultimately provide flow on benefits for the whole community.

The Cities of Joondalup and Wanneroo acknowledge the importance of a regional approach to economic development through working together to progress a Regional Governance Framework for the North West Corridor and have agreed to cooperate in the areas of economic development, and tourism related matters (*CJ136 – 08/10 refers from the Council meeting held on 17 August 2010*).

**Sustainability implications:**

The City of Joondalup places emphasis on economic growth for the benefit of the local community and the region. A strong and diverse small business sector underpins the economic sustainability, job creation and employment self sufficiency of the region.

**Consultation:**

The City has consulted with ECU, the City of Wanneroo and the SBDC and advised the SBCNWM of the City's intent.

**COMMENT**

The performance of the Small Business Centre North West Metro to date has generally been in line with agreed targets. There has, however been a high turnover of staff and the Centre Manager has resigned. The SBCNWM Centre has employed five Centre Managers since the 2007 Agreement commenced and recruitment has just been completed to fill this position for the sixth time since 2007. The New Centre Manager commenced work on 27 October 2010.

Despite the high turnover of Centre Managers, the performance of the Small Business Centre is meeting most agreed outcomes. The net results show that in the financial year to June 2010 502 jobs were created in the region, and the Small Business Centre has exceeded the contracted targets in workshop participants, jobs created and short duration sessions. The Centre did not achieve the target of existing business client sessions (60%) due to the disruptions in staffing levels.

The Annual Report for 2009/10 demonstrates the value of the SBCNWM to the North West region through:

- 2,077 business supported by the Centre (made up of 307 new business interviews, 143 existing business interviews, 1,627 short sessions);
- 130 new Business start-ups following input from the Small Business Centre;
- 502 jobs created in the region;
- 971 workshop participants.

A summary of the contributions of the SBCNWM to new business start up and job creation for the northwest corridor demonstrates that since 2006/07, over 500 small businesses have started up leading to the creation of 1,249 jobs.

Year	New Business Start Ups	New Jobs Created
2006/07	190	273
2007/08	75	119
2008/09	137	355
2009/10	130	502
<b>Total</b>	<b>532</b>	<b>1249</b>

The financial statements indicate cash assets of \$135,990.82 as at 30 June 2010, however the SBCNWM notes that it is necessary to hold a reserve fund to cover costs whilst waiting for funding from the Small Business Development Corporation (usually received in September, three months into the financial year), and funding from the Cities of Wanneroo and Joondalup which is usually received in January. The SBCNWM received funding from SBDC for the 2010/11 financial year in November 2010..

The connections the SBCNWM has with the small business community provides the City with an opportunity to support local businesses through the funding provided and to realise some of the objectives of the City's Economic Development Plan 2007/11 in terms of supporting the establishment of new small businesses, the growth of existing small businesses, and the growth of local employment opportunities.

A strong and diverse small business sector underpins the economic sustainability, job creation and employment self sufficiency of the region. The City of Joondalup has 13,401 registered businesses of which 97% or 13,083 are defined as small business employing less than 20 people. The support of the SBCNMW provides an avenue through which the small business sector has access to services and assistance to encourage its growth and strength.

## VOTING REQUIREMENTS

Simple Majority.

**RECOMMENDATION****That Council:**

1. **NOTES** the Annual Report submitted by the Small Business Centre (North West Metro) Inc. for 2009/10;
2. **ENDORSES** the 2010/11 Small Business Centre (North West Metro) Inc. Service Delivery Plan;
3. **AGREES** to contribute \$59,799.94 (excluding GST) to the Small Business Centre (North West Metro) Inc. for 2010/11 to support small business growth and development within the City of Joondalup;
4. **SUPPORTS** in principle the relocation of the Small Business Centre (North West Metro) Inc. to the ECU Business and Innovation Centre from 1 July 2011;
5. **REQUESTS** the Small Business Centre (North West Metro) Inc. undertake an economic analysis of relocating to the ECU Business and Innovation Centre from 1 July 2011, and submits a report to the City of Joondalup on its findings by 31 March 2011, incorporating, but not be limited to:
  - 5.1 A financial analysis of the options, including an assessment of rental costs and outgoings; projected revenues; human resource requirements, and the like;
  - 5.2 A cost-effectiveness analysis of the options;
  - 5.3 An assessment of risk and sensitivities of the options;
  - 5.4 An assessment of the social and environmental impact of the options.
6. **REQUESTS** a report be submitted to Council in April/May 2011 in relation to the economic analysis undertaken in part 5 above;
7. **AGREES** in principle to contribute \$60,000 (excluding GST) to the Small Business Centre (North West Metro) Inc. for 2011/12, subject to:
  - 7.1 consideration of the report in part 6 above and a determination of the location of the Small Business Centre (North West Metro) Inc. and any future funding requirements;
  - 7.2 a satisfactory review of the 2010/11 Service Delivery Plan by the Chief Executive Officer;
  - 7.3 the provision of a 2011/12 Service Delivery Plan;
  - 7.4 the provision of audited financial statements for 2010/11;
  - 7.5 the Small Business Centre (North West Metro) Inc. recognising the sponsorship of the City of Joondalup, City of Wanneroo and Small Business Development Corporation on all of its marketing documentation.

8. **AGREES in principle to contribute \$60,000 (excluding GST) to the Small Business Centre (North West Metro) Inc. for 2012/13, subject to:**
  - 8.1 a satisfactory review of the 2011/12 Service Delivery Plan by the Chief Executive Officer;
  - 8.2 the provision of a 2012/13 Service Delivery Plan;
  - 8.3 the provision of audited financial statements for 2011/12;
  - 8.4 the Small Business Centre (North West Metro) Inc. recognising the sponsorship of the City of Joondalup, City of Wanneroo and Small Business Development Corporation on all of its marketing documentation;
9. **REQUESTS that the Small Business Centre (North West Metro) Inc. commit to ensuring that the presence at its Joondalup Office be maintained, at a minimum to its current level, for the funding period;**
10. **ADVISES the Small Business Development Corporation and City of Wanneroo of the Council's decision in Parts 1 to 9 above.**

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf071210.pdf](#)

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Garry Hunt</b>
<b>Item No/Subject</b>	Item 15 – West Perth Football Club Inc., Sponsorship Proposal
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	A relative of Mr Hunt is a West Perth Football Player.

## **ITEM 15                    WEST        PERTH        FOOTBALL        CLUB        INC. SPONSORSHIP PROPOSAL**

**WARD:** All

**RESPONSIBLE:** Mr Jamie Parry, Director Governance and Strategy

**FILE NUMBER:** 05005

**ATTACHMENTS:** Attachment 1 West Perth Sponsorship Proposal and Benefits  
Attachment 2 Logo on Team apparel  
Attachment 3 Signage locations at Arena Joondalup

**PURPOSE**

To consider a request by the West Perth Football Club Inc. (the Club) for the City to continue its sponsorship of the Club and to increase the funding from \$20,000 (excluding GST) to \$25,000 (excluding GST) per annum for the next five years (2011-15).

**EXECUTIVE SUMMARY**

For the past five years (2006/10), the City has sponsored the West Perth Football Club Inc. \$20,000 (excluding GST) per annum to support the Club's regional development of Australian Rules football within the City. As part of the sponsorship agreement, the City also received a number of marketing and promotional benefits as one of the Club's major sponsors.

The City's sponsorship over the past five years has been crucial to the operational viability of the Club.

In its August 2010 sponsorship application, West Perth Football Club Inc. asked for a new sponsorship agreement with a "modest increase" in funding over the next five years as a result of the Club's increased contribution to the community through junior football development programs.

The Club does run a significant number of community-based junior football development programs for local football clubs and primary and secondary schools in the region, which is detailed in the attached West Perth Football Club Inc. sponsorship proposal.

The West Perth District Zone in the northern suburbs encompasses much of the two local government areas of Joondalup and Wanneroo and the Club is heavily involved with the development of the Joondalup/Kinross, Edgewater/Woodvale, Ocean Ridge and Whitfords Junior Football Clubs and others from the Wanneroo locality.

One ongoing issue during the previous sponsorship agreement (2006/10) was the reluctance of the Club to change its name to the Joondalup Falcons.

As part of the sponsorship agreement, the Club agreed to consider a name change to better reflect the Club's "home base" but this issue was frequently met with significant opposition from individual members of the Club's board and its supporters.

West Perth Football Club Inc. has publicly stated that it requires a formal proposal or business case that provides a significant financial incentive for the Club to seriously consider a name change.

With the 2010 football season now complete and given the promotional and marketing benefits available to the City coupled with the number of junior football programs the Club runs in the community, it is recommended that the City considers sponsorship support for West Perth Football Club Inc. for the 2011/13 seasons, inclusive.

Three years is more in keeping with the City's current sponsorship agreements with other organisations. West Perth Football Club Inc. is a high-profile sporting organisation and can provide excellent marketing opportunities to promote the City and its services and programs.

*It is recommended that Council:*

- 1 *AGREES to the West Perth Football Club Inc. sponsorship proposal as detailed in Attachment 1 for a three year period commencing in 2011 to 2013 at a cost of \$25,000 (excluding GST) per annum subject to:*
  - 1.1 *annual reviews being undertaken by the City to ensure enhanced community development opportunities and promotional benefits are being maximised;*
  - 1.2 *West Perth Football Club Inc. remaining within the City of Joondalup;*
- 2 *NOTES the expenditure as detailed in part 1 above being sourced from the City's Sponsorship Budget.*

## **BACKGROUND**

West Perth Football Club Inc., established in 1885, relocated from its home at Leederville Oval to Arena Joondalup in 1994. Its tenure at the Arena, which is owned by the State Government and managed by VenuesWest, is a different situation compared with the other eight West Australian Football League (WAFL) clubs. All other clubs in the WAFL have exclusive-use arrangements (mostly facility leases) with their Local Government authorities.

Since October 2001, the City has been involved in ongoing negotiations between West Perth Football Club Inc. and VenuesWest, the owner of Arena Joondalup, regarding tenure arrangements and opportunities for the City to provide assistance to the Club.

Since 2001, the City has provided ongoing support to the Club, initially through the community sports development funding program between 2001 and 2005.

The 2006/10 sponsorship agreement was designed to provide West Perth Football Club Inc. with longevity in the Joondalup region and financial assistance to ensure the Club strengthened its community and business partnerships.

Over the past five years of the previous sponsorship agreement, the City and West Perth Football Club Inc. have enjoyed a good working relationship.

The Club has also supported the City's Rates Prize Draw during that time, contributing free Platinum Memberships as part of prize packs.

Other local district sporting clubs such as the Joondalup Districts Cricket Club, Sorrento Soccer Club, Joondalup Brothers Rugby Union Club and Joondalup District Rugby League Club all use City owned facilities and parks and reserves, which are subsidised and maintained by the City.

As the West Perth Football Club Inc.'s home ground is based at Arena Joondalup, which is not owned by the City, it does not receive the same benefits.

Since 2006, the Club has not been eligible for any of the City's funding programs as a result of its sponsorship agreement with the City.

## **DETAILS**

The new sponsorship proposal submitted by the West Perth Football Club Inc. offers similar benefits to the City as the 2006/10 agreement but with more opportunities for the City to promote its services through the Club's many community programs and events.

West Perth Football Club Inc. has the potential to offer more to a prospective sponsor than all other sporting clubs in the Joondalup region through its ability to provide television, radio and print media exposure. The Club also regularly attracts more than 2,000 spectators to its home games at Arena Joondalup.

A copy of the sponsorship application is attached as is a list of benefits the City would receive if it continued to be a major sponsor of West Perth Football Club Inc. (as detailed in Attachment 1).

### **Issues and options considered:**

The following options are available to the City in assessing the new sponsorship application from West Perth Football Club Inc.:

- Option 1 To sponsor West Perth Football Club Inc. for a three year period at \$25,000 (excluding GST), per annum with regular reviews of the partnership agreement during every season to optimise promotional and marketing benefits.

This is the preferred option as three year periods are the preferred length of time for City sponsorship agreements and the West Perth Football Club Inc. proposal does provide many promotional and marketing benefits to the City as detailed in Attachment 1.

- Option 2 Support the sponsorship proposal from West Perth Football Club Inc. as presented for \$25,000 (excluding GST), for a five year period, with regular reviews of the partnership agreement during every season to optimise promotional and marketing benefits.

A five year agreement locks the City into a long term sponsorship arrangement, which is not ideal as it restricts the City's options if circumstances change for either party.

- Option 3 Look at other funding alternatives to provide financial assistance to West Perth Football Club Inc. to ensure the Club's long-term future in the City of Joondalup.

The Club could apply for funding under the City's Sports Development Program, which is designed to assist district level sporting clubs with programs, projects and events. This funding is only available to clubs every two years and will not meet the needs of West Perth Football Club Inc., which is seeking an annual financial contribution from the City.

Option 4 To reject the sponsorship proposal from the West Perth Football Club Inc. or propose a sponsorship amount less than that requested.

Not a preferred option as the Club is a significant and important organisation within the structure of sport and recreation in the City. West Perth Football Club Inc. runs a significant number of community based junior football development programs for local football clubs and primary and secondary schools.

### **Legislation / Strategic Plan / Policy Implications:**

#### **Legislation**

Not Applicable.

#### **Strategic Plan**

**Key Focus Area:** *Community Wellbeing*

**Objective:** To facilitate healthy lifestyles within the community

**Strategies:** The City provides high-quality recreation facilities and programs

#### **Policy:**

The City's approach to sponsorship is to ensure a coordinated approach towards the development of agreements that aim to maximise benefits and create effective partnerships.

Sponsorship is a mutually beneficial commercial partnership involving financial or in-kind investments made in return for marketing and promotional benefits. The proposal from West Perth Football Club Inc. meets these requirements as the City will receive a range of benefits in return for its financial contribution to the Club.

#### **Risk Management considerations:**

There are a number of potential risks that need to be considered with regards this sponsorship application.

The City has a range of district level clubs that play a management role in the development of sport within the region and continuing a sponsorship agreement with West Perth Football Club Inc. could result in an increased number of sponsorship proposals from sporting clubs in the City.

However, as noted previously in this report, a majority of these district level sporting clubs currently receive a significant level of support from City through annual ground maintenance and the subsidised use of parks and community facilities.

West Perth Football Club Inc. is an important organisation within the structure of sport and recreation in the City and if the Club made a decision to relocate to a facility outside of Joondalup this would likely result in negative publicity for the City and would also impact negatively on the development of Australian Rules Football in the region.

**Financial/Budget Implications:**

<b>Account No:</b>	1.524.A5204.3293.0000
<b>Budget Item:</b>	Sponsorship
<b>Budget Amount:</b>	\$150,000
<b>Amount Spent To Date:</b>	\$116,500
<b>Proposed Cost:</b>	\$ 25,000
<b>Balance:</b>	\$ 8,500

**Regional Significance:**

West Perth Football Club Inc. is one of the highest profile community sporting organisations based within the City of Joondalup.

West Perth Football Club Inc. undertakes many junior programs that have considerable regional significance and the Club have been vested with the responsibility of developing Australian Rules Football within the area.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

West Perth Football Club Inc. has a strong membership base in the northern corridor of Perth and advanced junior development programs in the northern suburbs.

The sponsorship proposal submitted is an opportunity for the City to provide financial support to the Club, in return for a range of marketing and promotional benefits.

As part of the new sponsorship agreement, West Perth Football Club Inc. will provide the City with a range of benefits and new opportunities like using the Club's junior development and promotional days as vehicles to advertise the City's many community programs, services and events.

Any sponsorship agreement would provide the Club with a degree of financial stability and assist its role as the organisation responsible for the regional development of football in the City of Joondalup.

If the sponsorship proposal was endorsed, the City would receive a range of benefits that enhanced the development of the sport within the region, provide a positive image of the City and its ability to provide assistance to regionally significant sporting organisations and help to promote Joondalup as an attractive destination.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION:****That Council:**

- 1. AGREES to the West Perth Football Club Inc. sponsorship proposal as detailed in Attachment 1 for a three year period commencing in 2011 to 2013 at a cost of \$25,000 (excluding GST) per annum subject to:**
  - 1.1 annual reviews being undertaken by the City to ensure enhanced community development opportunities and promotional benefits are being maximised;**
  - 1.2 West Perth Football Club Inc. remaining within the City of Joondalup;**
- 2 NOTES the expenditure as detailed in part 1 above being sourced from the City's Sponsorship Budget.**

*Appendix 11 refers*

To access this attachment on electronic document, click here: [Attach11brf071210.pdf](#)

## **ITEM 16                      MINUTES OF POLICY COMMITTEE MEETING HELD ON 23 NOVEMBER 2010**

<b>WARD:</b>	All
<b>RESPONSIBLE</b>	Mr Jamie Parry, Director Governance and Strategy
<b>FILE NUMBER:</b>	26176, 06009, 18058, 49523, 29136
<b>ATTACHMENTS:</b>	Attachment 1    Minutes of Policy Committee Meeting held on 23 November 2010 Attachment 2    Amended Draft Streetlight Shading Policy Attachment 3    Amended Draft Dedicated Car Parking for Parents with Prams Policy

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### **PURPOSE**

To submit the unconfirmed minutes of the Policy Committee to Council for noting and recommend appropriate action in relation to the decisions of the Committee.

### **EXECUTIVE SUMMARY**

A meeting of the Policy Committee was held on 23 November 2010 to consider the following matters:

- Item 1    Setting of Meeting Dates – 2011.
- Item 2    Draft Streetlight Shade Policy.
- Item 3    Draft Dedicated Car Parking for Parents with Prams Policy.

### **BACKGROUND**

Council established a Policy Committee and endorsed a new Policy Framework on 26 April 2005. (*CJ064–04/05 refers*). The framework separated the policies of the Council into two categories:

- 1        Council Policies - Strategic policies that set governing principles and guide the direction of the organisation to align with community values and aspirations. These policies have a strategic external focus and align with the Mission, Vision and Strategic Directions; and
- 2        City Policies - Policies that are developed for administrative and operational imperatives and have an internal focus.

Council policies are to be developed and reviewed by the Policy Committee and may be subject to community consultation processes in recognition of the community leadership role Council has in guiding the formation and development of the City, and in representing the values and interests of the broader community. Officers may be requested by the Policy Committee to draft specific policies as required for referral to the Policy Committee.

City policies are to be developed and drafted for Policy Committee consideration and recommendation to the Council. The Policy Committee may determine, if appropriate, to request that a City Policy be subject to public comment prior to recommending it for Council adoption.

## DETAILS

### Issues and options considered:

The Motions carried at the Policy Committee meeting held on 23 November 2010 are shown below, together with officer's comments:

#### Item 1 Setting of Meeting Dates – 2011

The following motion was carried:

*“That the Policy Committee APPROVES the following meeting dates for 2011:*

*6.00pm on Monday, 7 February 2011;  
6.00pm on Monday, 9 May 2011;  
6.00pm on Monday, 8 August 2011;  
6.00pm on Monday, 14 November 2011.”*

#### Officer's Comment

No further comment required.

#### Item 2 Draft Streetlight Shade Policy

The following Officer's recommendation was presented to the Committee:

*“That the Policy Committee RECOMMENDS that Council ADOPTS the Draft Streetlight Shading Policy as detailed in Attachment 1 to this Report.”*

The following motion was carried:

*“That the Policy Committee RECOMMENDS that Council ADOPTS the amended Draft Streetlight Shading Policy as detailed in Attachment 1 to this Report.”*

#### Officer's Comment

The change to the draft policy reflects the reduced cost of installation and the preference that applicants contribute and is support by the Officers.

#### Item 3 Draft Dedicated Car Parking for Parents with Prams Policy

The following Officer's recommendation was presented to the Committee:

*“That the Policy Committee RECOMMENDS that Council ADOPTS the Draft Dedicated Car Parking For Parents With Prams Policy as detailed in Attachment 1 to this Report.”*

The following motion was carried:

*“That the Policy Committee RECOMMENDS that Council ADOPTS the amended Draft Dedicated Car Parking for Parents with Prams Policy as detailed in Attachment 1 to this Report.”*

Officer's Comment

The changes to the draft policy reflect a preference that dedicated car parking be provided for seniors as well as parents with prams and that this parking be provided at selected City community facilities but not at City car parks. The changes are supported.

**REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

Nil.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                      Not Applicable.

**Strategic Plan**

**Key Focus Area:**              Leadership and Governance

**Objective:**                      To lead and manage the City effectively.

**Policy**

As detailed in this Report.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

Relevant officer's comments have been made regarding the matters considered by the Committee.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION****That Council:**

- 1 NOTES the unconfirmed minutes of the Policy Committee meeting held on 23 November 2010, forming Attachment 1 to this Report;**
- 2 ADOPTS the:**
  - 2.1 Amended Draft Streetlight Shading Policy forming Attachment 2 to this Report;**
  - 2.2 Amended Draft Dedicated Car Parking for Parents with Prams Policy forming Attachment 3 to this Report.**

*Appendix 12 refers*

To access this attachment on electronic document, click here: [Attach12brf071210.pdf](#)

## **ITEM 17                      STATUS OF PETITIONS**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Jamie Parry, Director Governance and Strategy
<b>FILE NUMBER:</b>	05386
<b>ATTACHMENTS:</b>	Attachment 1    Status of Petitions    -    20    April    2010    to 16 November 2010

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### **PURPOSE/EXECUTIVE SUMMARY**

To advise Council of the status of outstanding petitions received during the period 20 April 2010 to 16 November 2010.

### **BACKGROUND**

Quarterly reports on outstanding petitions are to be presented to Council.

### **DETAILS**

#### **Issues and options considered:**

Attachment 1 provides a list of all outstanding petitions received during the period 20 April 2010 to 16 November 2010, with a comment on the status of each petition.

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

#### **Legislation**

Clause 22 of the City's Standing Orders Local Law 2005 states:

"22. Petitions

- (1) A petition received by a member or the CEO is to be presented to the next ordinary Council meeting;
- (2) Any petition to the Council is:
  - (a) as far as practicable to be prepared in the form prescribed in the Schedule;
  - (b) to be addressed to the Council and forwarded to a member or the CEO;
  - (c) to state the name and address of the person to whom correspondence in respect of the petition may be served;
- (3) Once a petition is presented to the Council, a motion may be moved to receive the petition and refer it to the CEO for action.

**Strategic Plan:**

Objective: 1.2 To engage proactively with the community.

Strategy: 1.2.4 The City maintains its commitment to public engagement, allowing Deputations and Public Statement Times, in addition to the Legislative requirements to public participation.

**Policy Implications:**

Individual petitions may impact on the policy position of the City.

**Risk Management considerations:**

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

**Financial/Budget Implications:**

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

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The petitions are presented to Council for information on the actions taken, along with those outstanding.

**VOTING REQUIREMENTS**

Simple Majority.

## RECOMMENDATION

**That Council:**

### 1 NOTES:

- 1.1 the status of outstanding petitions submitted to Council during the period 20 April 2010 to 16 November 2010, forming Attachment 1 to this Report;
- 1.2 that the petition in support of extending the dog beach to the south only, utilising the Nodes car park for dog owners and not closing the Whitfords Horse Beach was considered as part of the Draft Beach Management Plan Report presented to the Council Meeting held on 21 September 2010 (CJ158-09/10 refers);
- 1.3 that the petition requesting the closure of the laneway between Barbados Turn and Amalfi Drive, Hillarys to address traffic and pedestrian concerns associated with the laneway was considered at the Council Meeting held on 19 October 2010 (CJ183-10/10 refers);
- 1.4 that the petition requesting that the Springfield Markets in Kallaroo become a weekly market was considered at the Council Meeting held on 19 October 2010 (CJ165-10/10 refers);

### 2 NOTES that reports on the following petitions will be presented to Council at its meeting to be held on 14 December 2010;

- 2.1 petition objecting to the construction of a skate park at Mirror Park, Ocean Reef;
- 2.2 petition in relation to the disused material at the front of a property in Periwinkle Road;
- 2.3 petition requesting that Council takes immediate action to resolve the longstanding issues regarding overflow of commuter street parking in Willesden Avenue, Kingsley.

*Appendix 13 refers*

To access this attachment on electronic document, click here: [Attach13brf071210.pdf](#)

## **ITEM 18                    REQUEST FOR PARKING RESTRICTIONS - WILLESDEN AVENUE, KINGSLEY**

<b>WARD:</b>	South-East
<b>RESPONSIBLE:</b>	Mr Said Hafez, Acting Director Corporate Services
<b>FILE NUMBER:</b>	24185
<b>ATTACHMENTS:</b>	Attachment 1    Map of Willesden Avenue and Greenwood Train Station Attachment 2    Map of Parking Restrictions in Willesden Avenue. Attachment 3    Copy of Report CJ155-09/10

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### **PURPOSE**

To consider a request for the introduction of four hour time restricted parking prohibitions on part of Willesden Avenue, Kingsley.

### **EXECUTIVE SUMMARY**

Community consultation from residents in part of Willesden Avenue indicated that the majority of respondents either supported, or had no objection to, the proposed four hour time restricted parking prohibitions along a section of Willesden Avenue, Kingsley as shown in Attachment 2.

*It is recommended that Council:*

- 1    AMENDS the City of Joondalup Parking Scheme in accordance with Clause 33 of the City's Parking Local Law (1998) by the installation of four hour time restricted parking prohibitions to apply between 9.00am and 5.00pm on Monday to Friday, excluding Public Holidays, together with appropriate signage on part of Willesden Avenue, Kingsley as shown on the map in Attachment 2 to this Report;*
- 2    ADVISES the lead petitioner and other residents on that part of Willesden Avenue of the Council decision.*

### **BACKGROUND**

A petition bearing 27 names from 11 addresses in Willesden Avenue was received by Council at its meeting held on 20 July 2010 requesting that Council takes immediate action to resolve the longstanding issues regarding overflow of commuter street parking in Willesden Avenue, Kingsley. The residents supported the introduction of parking prohibitions to prevent commuters from Greenwood Train Station from parking in part of Willesden Avenue adjacent to Hepburn Avenue.

### **DETAILS**

In order to address these issues, at its meeting held on 21 September 2010 (Report No CJ155-09/10), Council requested that the City consults with residents at specific addresses in Willesden Avenue, who will be affected by the proposed restrictions, to determine the level of support for the installation of these parking prohibitions. The addresses specified were within 500 metres of the Greenwood Train Station.

Survey forms were mailed to 20 residents in that section of the street to determine if they were in support of, or objected to, the proposed parking prohibitions.

Only ten responses were received, of which eight expressed support and two objected to the introduction of four hour time restricted parking prohibitions as shown in the table below. Those objecting to the introduction did not offer any comment however a sample of comments taken from responses received in favour of the introduction included “We definitely agree”, “A sensible decision” and “An excellent step forward”.

Feedback	No of Responses	% Mail Out	% Response
Object to any parking prohibitions	2	10	20
Support Parking Prohibitions	8	40	80
No Reply	10	50	N/A
<b>TOTAL</b>	<b>20</b>	<b>100</b>	<b>100</b>

#### Issues and options considered:

At its meeting held on 21 September 2010, Council opted to introduce four hour time restricted parking prohibitions in preference to various other options presented in Report No CJ155-09/10.

#### Legislation/Strategic Plan/Policy Implications

**Legislation** City of Joondalup Parking Local Law 1998

#### Strategic Plan

**Key Focus Area:** To lead and manage the City effectively.

**Objective:** The City develops and implements comprehensive and clear policies which are reviewed regularly.

#### Policy

The City has a Policy “Parking Schemes for suburban areas outside of the Joondalup City Centre” which establishes guidelines for the management of parking issues in suburban streets.

The Policy states “*Parking schemes will be considered where it can be demonstrated that parking demands are causing a hazard to residents and/or other road users or where the parking is damaging City infrastructure or infrastructure owned by other government agencies.*”

**Risk Management considerations:**

The introduction of four hour time restricted parking prohibitions in Willesden Avenue will affect residents and their visitors who park in this area and remain for longer than the maximum permitted time. However residents would retain the right to park vehicles on the verge adjacent to their property, which would not be affected by these prohibitions.

There is a risk that if no action is taken a larger number of commuters may begin to use the area as parking demand at the Greenwood Train Station increases. A larger number may at some point impact on the local amenity. If this were to eventuate, it would be open to the Council to reconsider the introduction of a resident/visitor parking permit scheme or prohibition throughout the wider area.

**Financial/Budget Implications:**

The cost to erect the necessary signage is approximately \$150 each and sufficient funds exist in the maintenance operational budget for this work to occur. The total cost is estimated at \$1,500.

<b>Account No:</b>	343 A3403 3283
<b>Budget Item:</b>	Signs/Decals
<b>Budget Amount:</b>	\$25,000
<b>Amount Spent To Date:</b>	\$ 473
<b>Proposed Cost:</b>	\$ 1,500
<b>Balance:</b>	\$23,027

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Residents at the properties that Council determined would be affected by the proposed prohibition were consulted in relation to parking on Willesden Avenue. The result of the consultation is provided above.

**COMMENT**

The proposal to introduce four hour time restricted parking prohibitions on part of Willesden Avenue, Kingsley is supported and is recommended.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION****That Council:**

- 1** **AMENDS** the City of Joondalup Parking Scheme in accordance with Clause 33 of the *City's Parking Local Law (1998)* by the installation of four hour time restricted parking prohibitions to apply between 9.00 am and 5.00 pm on Monday to Friday, excluding Public Holidays, together with appropriate signage on part of Willesden Avenue, Kingsley as shown on the map in Attachment 2 to this Report;
- 2** **ADVISES** the lead petitioner and other residents on that part of Willesden Avenue of the Council decision.

*Appendix 14 refers*

To access this attachment on electronic document, click here: [Attach14brf071210.pdf](#)

## ITEM 19 LIST OF PAYMENTS MADE DURING THE MONTH OF OCTOBER

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

### PURPOSE

To present to Council the list of accounts paid under the CEO's delegated authority during the month of October 2010 for noting.

### EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of October 2010 totalling \$9,319,567.57.

*It is recommended that Council NOTES the CEO's list of accounts for October 2010 paid under delegated authority in accordance with regulation 13 (1) of the Local Government (Financial Management) Regulations 1996 in Attachments 1, 2 and 3 to this Report, totalling \$9,319,567.57*

### BACKGROUND

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

### DETAILS

The table below summarises the payments drawn on the funds during the month of October 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 87985 - 88194 and EF014575 – EF15048 Net of cancelled payments	\$6,209,791.77
	Vouchers 741A - 744A & 746A - 748A	\$3,076,601.32
Trust Account	Cheques 203729 -203798 - Net of cancelled payments	\$ 33,174.50
<b>Total</b>		<b>\$9,319,567.59</b>

**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 Governance 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 2010/2011 Annual Budget as adopted by Council at its meeting of 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 2010/2011 Annual Budget as adopted by Council at its meeting of 6 July 2010 or has been authorised in advance by Council where applicable.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council NOTES the Chief Executive Officer's list of accounts for October 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 this Report, totalling \$9,319,567.59.**

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf071210.pdf](#)*

## ITEM 20 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 OCTOBER 2010

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Said Hafez, Acting Director Corporate Services
<b>FILE NUMBER:</b>	07882
<b>ATTACHMENTS:</b>	Attachment 1 - Financial Activity Statement for the period ended 31 October 2010

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### PURPOSE

The October 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 refers. The figures in this report are compared to the Adopted Budget figures.

The October 2010 Financial Activity Statement report shows an overall favourable variance from operations and capital for the period of \$13,136 when compared to the 2010/11 Adopted Budget.

This variance can be summarised as follows:

- The **Operating** surplus is \$4,763 above budget made up of higher revenue of \$2,276 and lower operating expenditure of \$2,487.

Operating revenue is above budget mainly for Rates \$536,000, Fees and Charges \$736,000, Contributions, Reimbursements and Donations \$491,000 and Investment Earnings \$478 000. Additional revenue arose from interim rates levied, recoverable legal fees, parking fees and infringements, building development application fees, sports and recreation fees and higher returns on investments due to higher funds invested.

The operating expenditure variance includes Materials and Contracts \$1,570, Employee Costs \$1,083, Utilities \$128,000 and Depreciation (\$283,000).

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 predominantly due to timing differences.

- The **Capital Revenue and Expenditure** deficit is \$8,063 below budget made up of a shortfall of revenue of (\$50,000) and under expenditure of \$8,113.

Capital Expenditure is below budget on Capital Projects \$1,534, Capital Works \$6,450 and Motor Vehicle Replacements \$134,000.

The main Capital Project variance occurred on the Ocean Reef Marina \$1,080 where the feasibility of the proposed plan is still being considered. Works on the Regional Local Community Infrastructure Projects are progressing with timing difference amounting to \$1,912 below budget. Other variance on other Capital Works projects is predominantly due to timing differences to budget phasing.

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 31 October 2010.*

## **BACKGROUND**

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

## **DETAILS**

### **Issues and options considered:**

The Financial Activity Statement for the period ended 31 October 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:** 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.

**RECOMMENDATION**

**That Council NOTES the Financial Activity Statement for the period ended 31 October 2010.**

*Appendix 16 refers*

To access this attachment on electronic document, click here: [Attach16brf071210.pdf](#)

## **ITEM 21                      TENDER 030/10 DOMESTIC RUBBISH AND RECYCLING COLLECTION SERVICES**

<b>WARD:</b>	All
<b>RESPONSIBLE</b>	Mr Said Hafez, Acting Director Corporate Services
<b>FILE NUMBER:</b>	101193
<b>ATTACHMENTS:</b>	Attachment 1 - Summary of Tender Submissions

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### **PURPOSE**

This report is to seek the approval of Council to accept the Tender submitted by Transpacific Cleanaway Pty Ltd for domestic rubbish and recycling collection services (Tender 030/10).

### **EXECUTIVE SUMMARY**

Tenders were advertised on Saturday 23 October 2010 through state wide public notice for the provision of domestic rubbish and recycling collection services. At the close of tenders on Tuesday 16 November 2010 the following six submissions were received:

- Transpacific Cleanaway Pty Ltd.
- Perth Waste Pty Ltd T/as Perth Waste Green Recycling.
- City of Wanneroo (conforming offer).
- City of Wanneroo (alternative offer).
- Stondon Pty Ltd T/as Avon Waste.
- Sita Australia (trading as Sita Environmental Solutions) (non-compliant offer).

Sita Australia Pty Ltd (trading as Sita Environmental Solutions) did not comply with RFT clause 3.2.1 – compliance with the conditions of tendering and contract of the RFT. The company's Offer was subject to fifteen amendments to clauses of the conditions of Contract which was considered unacceptable by the evaluation panel. The Offer was deemed to be non-conforming and was not considered for evaluation.

Transpacific Cleanaway Pty Ltd achieved the highest qualitative ranking and is the second lowest priced compliant Tender. The evaluation panel has confidence in the company's ability to meet the City's requirements. It demonstrated the capacity, a comprehensive understanding of all aspects of the requirements and has extensive experience in providing similar services. The company is also the current Contractor for the kerbside collection and transport of recyclable materials and is performing well. The company will deliver to the City's Material Recovery Facility (MRF) and has offered two alternative MRFs should the City's MRF be unavailable.

*It is recommended that Council ACCEPTS the Tender submitted by Transpacific Cleanaway Pty Ltd for domestic rubbish and recycling collection services for an initial period of five years with the option to extend for a further maximum period of two years in accordance with the statement of requirements as specified in Tender 030/10 at the submitted schedule of rates.*

## BACKGROUND

This requirement is for the provision of domestic rubbish and recycling collection services within the City. These services are currently being provided by the City of Wanneroo under a sole supplier service level agreement which has been in place for approximately 11 years. The agreement expires in June 2011.

The agreement was established when the City of Wanneroo and the City of Joondalup became two separate entities. This is the first time the City has called a public tender for these services. The City does not have the necessary internal resources, capacity or infrastructure to provide these services to the residents of the City and therefore requires an external Contractor.

## DETAILS

Tenders were advertised on 23 October 2010 through state wide public notice for domestic rubbish and recycling collection 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, a Senior Executive, the Manager and senior staff responsible for the delivery of the services. The panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

## Tender Submissions

The following six submissions were received:

- Transpacific Cleanaway Pty Ltd.
- Perth Waste Pty Ltd T/as Perth Waste Green Recycling.
- City of Wanneroo (conforming offer).
- City of Wanneroo (alternative offer).
- Stondon Pty Ltd T/as Avon Waste.
- Sita Australia (trading as Sita Environmental Solutions) (non-compliant offer).

Sita Australia Pty Ltd (trading as Sita Environmental Solutions) did not comply with RFT clause 3.2.1 – compliance with the conditions of tendering and contract of the RFT. Its tender was subject to 15 amendments to clauses of the conditions of Contract which was considered unacceptable by the evaluation panel. The offer was deemed to be non-conforming and was not considered for evaluation.

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

### Price Assessment of Tender Submissions

Having assessed the compliant Submissions against the specified criteria, the panel carried out a comparison of the submitted rates offered by each Tenderer in order to assess value for money to the City.

The rates are fixed for the first year of the Contract, but are subject to a price variation on each anniversary date throughout the period of the contract to a maximum of the All Groups (Perth) CPI for the preceding year. For estimation purposes, a 3.5% CPI compound increase was applied to the rates in years two, three, four and five.

The following table provides a summary of the comparison of the estimated expenditure of each Tenderer.

Tenderer		Estimated Expenditure					Total
		Year 1	Year 2	Year 3	Year 4	Year 5	
Stondon Pty Ltd T/as Avon Waste	Domestic/ Recycling	\$3,325,750	\$3,442,151	\$3,562,626	\$3,687,318	\$3,816,374	<b>\$18,231,040</b>
	Optional Services	\$74,000	\$76,590	\$79,270	\$82,045	\$84,916	
Transpacific Cleanaway Pty Ltd	Domestic/ Recycling	\$3,728,500	\$3,858,997	\$3,994,062	\$4,133,854	\$4,278,539	<b>\$20,525,011</b>
	Optional Services	\$99,033	\$102,499	\$106,086	\$109,799	\$113,642	
Perth Waste Pty Ltd T/as Perth Waste Green Recycling	Domestic/ Recycling	\$4,996,731	\$5,171,616	\$5,352,623	\$5,539,964	\$5,733,863	<b>\$27,373,942</b>
	Optional Services	\$108,000	\$111,780	\$115,692	\$119,741	\$123,932	
City of Wanneroo Alternative Offer	Domestic/ Recycling	\$5,262,505	\$5,446,692	\$5,637,327	\$5,834,633	\$6,038,845	<b>\$28,627,225</b>
	Optional Services	\$75,940	\$78,597	\$81,348	\$84,196	\$87,142	
City of Wanneroo Conforming Offer	Domestic/ Recycling	\$5,826,287	\$6,030,207	\$6,241,264	\$6,459,708	\$6,685,798	<b>\$31,650,487</b>
	Optional Services	\$75,940	\$78,597	\$81,348	\$84,196	\$87,142	

During the last financial year 2009/10, the City incurred \$4,241,406 combined expenditure consisting of:

Domestic rubbish collection:	\$2,981,513
Recycling collection services	<u>\$1,259,893</u>

**Total expenditure for 2009/10: \$4,241,406**

Over the five year Contract period the City is expected to incur in the order of \$20,525,011.

### Evaluation Summary

Tenderer	Price Ranking	Estimated Contract Price Year 1	Qualitative Ranking	Weighted Percentage Score
Transpacific Cleanaway Pty Ltd	2	\$3,827,533	1	95.5%
Perth Waste Pty Ltd T/as Perth Green Waste Recycling	3	\$5,104,731	2	82%
City of Wanneroo (Alternative Offer)	4	\$5,338,445	3	81.5%
City of Wanneroo (Conforming Offer)	5	\$5,902,227	3	81.5%
Stondon Pty Ltd T/as Avon Waste	1	\$3,399,750	4	57%

Avon Waste was ranked last in the qualitative assessment and first in price. It is a family owned business located in the regional town of York and provides similar services to regional local governments in Western Australia. It does not have any existing infrastructure or facilities to service the requirements of the City Contract, but would establish a depot and customer service centre if successful. It did not adequately demonstrate the capacity or experience in providing similar services to the volume required by the City.

The City of Wanneroo (COW) submitted a conforming and an alternative Offer which were ranked fourth and fifth in price respectively and ranked third in the qualitative assessment. COW is the City's current service provider and demonstrated its capacity and experience to provide the required services. The conforming and alternative Offers are in excess of the City's allocated budget, and are 54% and 39% respectively more expensive than the recommended Offer submitted by Cleanaway.

Perth Waste Green Waste Recycling was ranked third in price and second in the qualitative assessment. It demonstrated broad experience and a sound methodology in providing similar services to smaller local governments. It did not adequately demonstrate the capacity or experience in providing similar services to the volume required by the City. The company's Offer is 33% more expensive than the recommended Offer submitted by Cleanaway.

Transpacific Cleanaway Pty Ltd was ranked second in price and first in qualitative assessment. It demonstrated the capacity and experience to meet the requirements of the City. It has long standing contracts for similar requirements with local governments and private industry throughout Australia and New Zealand.

**Issues and options considered:**

The City does not have the necessary internal resources, capacity or infrastructure to provide these services to the residents of the City and therefore requires an external Contractor.

**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: Natural Environment

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

**Environmental Plan 2007 – 2011****Section 5 Waste Management**

To continue to implement strategies and projects that aim to reduce the creation of waste, sustainably dispose of it and efficiently manage its recovery.

**Risk Management considerations:**

Should the contract not proceed, the risk to the City will be extreme. If domestic waste and recycling collection services are not provided, the community will be exposed to an immediate and unacceptable health risk.

**Financial/Budget Implications:**

Expenditure under this contract will be incurred against the budget expenditure for 2011/12.

Expenditure against the current Contract and budget is provided hereunder for information purposes only.

<b>Account No:</b>	625 A6207 3372	625 A6205 3359	625 A6205 3372
<b>Budget Item:</b>	Domestic Rubbish Collection Services	Recycling Collection Services	Mobile Garbage Bin Repairs and Maintenance
<b>Budget Amount 2010/11:</b>	\$2,915,865	\$1,260,703	\$111,091
<b>Amount Spent To Date:</b>	\$ 667,476	\$ 441,855	\$ 17,588
<b>Committed:</b>	\$ 593,756	\$ 815,337	Nil
<b>Balance:</b>	\$1,654,633	\$ 3,511	\$ 93,503
<b>Proposed Contract Cost 2011/12:</b>	\$2,509,230	\$1,219,270	\$ 99,033

All figures quoted in this report are exclusive of GST.

The projected expenditure on these Services is subject to change dependent on the quantity and type of requirements throughout the Contract period. Based on historical and known requirements, it is estimated that the expenditure over the five year Contract period will be in the order of \$20,525,011.

**Regional Significance:**

Awarding the Contract to Transpacific Cleanaway Pty Ltd may have an adverse impact on the City of Wanneroo, which is currently providing the service to the City. However, the new Contract may create possible employment opportunities for local residents.

**Sustainability implications:**

Domestic rubbish and recycling collection services provide a valuable service to the community by reducing potential health risks, protection of natural assets and biodiversity and reduce the amount of materials sent to landfill. The social benefits may include the employment of City residents, purchase of goods and services from local businesses in connection with the collection services.

**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 unanimously agreed that the Offer representing best value to the City is that as submitted by Transpacific Cleanaway Pty Ltd.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the Tender submitted by Transpacific Cleanaway Pty Ltd for Domestic Rubbish and Recycling Collection Services for an initial period of five years with the option to extend for a further maximum period of two years in accordance with the statement of requirements as specified in Tender 030/10 at the submitted schedule of rates.**

*Appendix 19 refers*

To access this attachment on electronic document, click here: [Attach19brf071210.pdf](#)

## **ITEM 22 RECLASSIFICATION OF MARMION AVENUE AND OCEAN REEF ROAD**

<b>WARD:</b>	Central, North Central and North Ward
<b>RESPONSIBLE:</b>	Mr Martyn Glover, Director Infrastructure Services
<b>FILE NUMBER:</b>	00363, 00374
<b>ATTACHMENTS:</b>	Attachment 1 - Location map Attachment 2 - Metropolitan Region Scheme Map South of Ocean Reef Road Attachment 3 - Metropolitan Region Scheme Map North of Ocean Reef Road

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### **PURPOSE**

To consider the reclassification of Marmion Avenue and Ocean Reef Road from Local Government Roads to State Roads.

### **EXECUTIVE SUMMARY**

The City of Swan has resolved to request the reclassification of Gnangara Road to a State road and to prepare a submission to Main Roads WA (MRWA) to commence the process. In support of this resolution, the City of Wanneroo resolved that a joint submission to MRWA with the City of Joondalup be undertaken to seek reclassification of Marmion Avenue and Ocean Reef Road/Gnangara Road to State roads.

Ocean Reef Road and Marmion Avenue are dual carriageway roads that are designed in accordance with the Main Roads WA Metropolitan Functional Road Hierarchy and the Metropolitan Regional Scheme. Ocean Reef Road and Marmion Avenue north of Ocean Reef Road as shown on Attachment 1 are classified as Local Government roads and are the responsibility of the City of Wanneroo and the City of Joondalup. Both roads are strategically located and provide access to regional areas and major population and employment centres such as Joondalup and Wangara.

Once a road is classified as a State road, the City will no longer be responsible for maintaining or upgrading the road, nor will it be directly involved with decision making concerning access and development on the road. A joint submission to Main Roads WA for the reclassification of these roads to State roads is proposed.

*It is recommended that Council:*

- 1 *APPROVES the presentation of a joint submission to Main Roads WA with the City of Wanneroo seeking the reclassification of Ocean Reef Road and Marmion Avenue to State Roads; and*
- 2 *ADVISES the City of Wanneroo and the City of Swan of Council's decision.*

## **BACKGROUND**

### **Ocean Reef Road**

The City of Swan at the Council meeting of 30 June 2010, resolved to request the reclassification of Gnangara Road from a Local Government road to a State road and to prepare a submission to Main Roads WA (MRWA) to commence the process. In support of this resolution, the City of Wanneroo at their Council meeting of 24 August 2010 resolved that a joint submission to MRWA with the City be undertaken to seek reclassification of Marmion Avenue and Ocean Reef Road/Gnangara Road to State roads. The road reclassification to include Gnangara Road, Ocean Reef Road to Mitchell Freeway and Ocean Reef Road from Mitchell Freeway to Marmion Avenue.

Under MRWA Metropolitan Functional Road Hierarchy, Ocean Reef Road is currently classified as a “District Distributor A” road. It is also classified as a “Other Regional Road” in the Metropolitan Regional Scheme (MRS), serving as a major east – west link between Marmion Avenue, the Mitchell Freeway, Wanneroo Road, Alexander Drive and through to Great Northern Highway. “Other Regional Roads” as shown in the MRS are highlighted in blue, Attachment 2 and 3 refers.

### **Marmion Avenue**

In addition to Ocean Reef Road, City of Wanneroo is seeking support for a joint submission for the reclassification of Marmion Avenue between Ocean Reef Road and Hester Avenue to a State road.

Marmion Avenue is a major north – south road that links Yanchep Beach Road in the north to Karrinyup Road in the south and provides direct access to major east – west roads including Ocean Reef Road.

Under the Metropolitan Functional Road Hierarchy, Marmion Avenue south of Ocean Reef Road is classified as a “Primary Distributor” road and is also classified as a “Primary Regional Road” in the MRS. Marmion Avenue north of Ocean Reef Road is classified as a “District Distributor A” road under the Metropolitan Functional Road Hierarchy and is classified as an “Other Regional Road” in the MRS.

## **DETAILS**

MRWA has set criteria for evaluating whether a road should be reclassified as a State road. This criteria includes the requirement to connect population or employment centres, the type of road, volume of traffic and road capacity. Both Marmion Avenue and Ocean Reef Road appear to satisfy this criteria.

The MRWA evaluation and scoring criteria for reclassification of urban roads includes the following:

Measurement Criteria for Urban Roads	
Criterion	Data Item
1 Network Role a) Mobility b) Traffic c) Serves significant commercial and industrial centres; transport terminals	Population Centres Average Annual Daily Traffic (AADT) Heavy vehicles/day Metroplan or State Planning Strategy
2. Commercial Heavy Vehicle Routes a) Permit Routes b) Truck Volumes	Designated by Main Roads Number of heavy vehicles per day
3 Route Capacity	Number of Lanes Total Pavement Width Average Speed
4 Bus Routes	Transperth Bus Routes (Country Urban also) (see D08#78351 for Perth Strategic Bus Routes)
5 Property Access	Roadside land use inventory
6 Connectivity a) Hierarchy b) Rural/Urban Class Change	Functional Class Commonwealth Class by Inspection
7 Pedestrians and Cyclists	The Perth Bicycle Network Plan Rural Urban Centres – Bike Plans if available

### Ocean Reef Road

Ocean Reef Road between Wanneroo Road and Marmion Avenue is a four lane dual carriageway road. Traffic volumes on Ocean Reef Road range between 17,500 vehicles per day (vpd) east of Marmion Avenue (December 2008) to 40,100 vpd west of Wanneroo Road (September 2010). There has been a significant increase in traffic volumes on Ocean Reef Road in recent times due to urban development in the east and improvements to the road network from Gnangara Road and the Wangara industrial area.

Once the construction of the remaining section of Ocean Reef Road is completed east of Wanneroo Road to Gnangara Road, Ocean Reef Road/Gnangara Road will become the northern most east - west route linking the major population centres of Joondalup, Wanneroo and Ellenbrook to the employment areas of Joondalup and Wangara. Currently, the northern most east-west State road is Reid Highway.

### Marmion Avenue

Marmion Avenue south of Ocean Reef Road is classified as a State road and is under the responsibility of MRWA. From Ocean Reef Road to the northern boundary in Kinross, Marmion Avenue is the responsibility of the City.

Marmion Avenue between Ocean Reef Road and the City's northern boundary is a four lane dual carriageway road. Traffic volumes range between 26,600 vpd north of Ocean Reef Road (December 2008) to 37,600 vpd north of Burns Beach Road (June 2010).

There has been a significant increase in traffic volumes in recent times on Marmion Avenue due to urban development occurring north of Burns Beach Road. It is anticipated that traffic volumes will increase in the short to long term as the development continues.

#### **Issues and options considered:**

Two options will need to be considered:

Option 1 Approve a joint submission with City of Wanneroo for the reclassification of Marmion Avenue and Ocean Reef Road. This is the recommended option.

The advantage of this option is that it would reduce the City's maintenance and upgrade costs associated with these roads.

Option 2 Retain responsibility for both Marmion Avenue and Ocean Reef Road.

The advantage of this option is both roads would remain the responsibility of the City including decision making processes required for maintenance and upgrading of the roads. The disadvantage of this option is that the City continues to incur costs for maintenance and upgrade costs.

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

Not Applicable.

#### **Legislation**

Section 13 of the Main Roads Act 1930 specifies the factors that be taken into account when considering if a road should be declared a main road or a highway. The MRWA criteria used in the reclassification process were developed consistent with the intent of the Act.

**Strategic Plan** City of Joondalup Strategic Plan 2008 - 2011

**Objective:** 4.2.6 The City implements, and if necessary, refines its Capital Works Program.

#### **Policy**

Not Applicable.

#### **Risk Management considerations:**

Not Applicable.

#### **Financial/Budget Implications:**

On the basis that Marmion Avenue and Ocean Reef Road are reclassified as State roads, the costs associated with road maintenance and road upgrades will be the responsibility of the State Government. However in accordance with current practice for State roads, the City will be responsible for maintenance of the nature strip, part costs of maintenance of the median island landscaping and 50% of the street lighting tariff.

An analysis of the total landscape maintenance costs per year for the section of Marmion Avenue between Beach Road and Ocean Reef Road confirmed that costs are approximately \$3,000 per kilometre of road section. Due to this section of Marmion Avenue being a State road, the MRWA contributes two thirds of the total cost on landscape maintenance. Consequently, if both Marmion Avenue north of Ocean Reef Road and Ocean Reef Road were reclassified to State roads, the savings to the City would be approximately \$15,000 and \$10,000 respectively per year in landscape maintenance costs.

On the basis of a 15 to 20 year life cycle for road resurfacing, if both Marmion Avenue and Ocean Reef Road were reclassified as State roads, the savings to the City in road resurfacing costs would be approximately \$165,000 and \$105,000 respectively per year over the period of the lifecycle.

**Regional Significance:**

Both Ocean Reef Road and Marmion Avenue provide access for regional traffic purposes and are designed to carry high volume traffic in accordance with the Metropolitan Functional Road Hierarchy and the MRS. Should the roads be reclassified, the development of these roads will be the responsibility of the State Government.

**Sustainability implications:**

Currently both Marmion Avenue north of Ocean Reef Road and Ocean Reef Road west of Wanneroo Road are maintained by the City. On the basis that the roads are reclassified to State roads, the majority of the maintenance and total upgrade works will be the responsibility of Main Roads WA.

**Consultation:**

No community consultation has occurred.

**COMMENT**

In accordance with the request from the City of Wanneroo, it is proposed to submit a joint reclassification of Marmion Avenue from Ocean Reef Road to Hester Avenue and for Ocean Reef Road / Gnangara Road from Marmion Avenue to Alexander Drive.

Once a road is classified as a State road, the City will no longer be responsible for maintaining or upgrading the road, nor will it be directly involved with decision making concerning access and development on the road.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION****That Council:**

- 1 APPROVES the presentation of a joint submission to Main Roads WA with the City of Wanneroo seeking the reclassification of Ocean Reef Road and Marmion Avenue to State Roads;**
- 2 ADVISES the City of Wanneroo and the City of Swan of Council's decision.**

*Appendix 18 refers*

To access this attachment on electronic document, click here: [Attach18brf071210.pdf](#)

## **ITEM 23                      LOCAL                      ACTION                      FOR                      BIODIVERSITY INTERNATIONAL WORKSHOP 2011**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Jamie Parry, Director Governance and Strategy
<b>FILE NUMBER:</b>	24597
<b>ATTACHMENTS:</b>	Nil

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### **PURPOSE**

To seek Council's approval for the City to send two representatives to attend the ICLEI International Local Action for Biodiversity (LAB) Workshop to be held in Bergrivier, South Africa from 1 to 4 February 2011.

### **EXECUTIVE SUMMARY**

In order to provide advice and information to Local Governments participating in the ICLEI LAB Program and to facilitate networking between participants, ICLEI is hosting the Local Action for Biodiversity International Workshop. The Workshop is scheduled for 1 to 4 February 2011 in Bergrivier, West Cape, South Africa.

The City has been invited to send up to three delegates to represent the City of Joondalup at the Workshop. ICLEI has advised that representation should include the Mayor and up to two officers.

The Workshop will include discussions with other Local Governments and industry experts where information can be sought to include in the City's *Biodiversity Communication, Education and Public Awareness* and *Biodiversity and Climate Change Reports* which are being developed as part of the City's involvement in the LAB Worknets Program.

Costs associated with sending delegates to the Workshop will be partially covered by ICLEI. This includes a portion of the costs for airfares and accommodation. However the City will be required to fund the remaining costs associated with attending the Workshop.

Participation in the LAB Worknets Program and attendance at the International Workshop enables the City to be recognised as a leader in promoting local action for the protection and conservation of biodiversity.

### **BACKGROUND**

In October 2006 the City of Joondalup joined the ICLEI Local Action for Biodiversity (LAB) Project as one of twenty one Pioneering Cities. Through participation in this Project the City developed a comprehensive Biodiversity Report and established five "on the ground" biodiversity related projects.

Following the conclusion of ICLEI's initial LAB Project early in 2009, the City joined the LAB Worknets Program which focuses on assisting Local Governments to deliver on two emerging themes:

1. Biodiversity and Climate Change Adaptation and Mitigation (CCAM).
2. Biodiversity Communication, Education and Public Awareness (CEPA).

The City is currently progressing through the initial stages of the LAB Worknets Program including the development of a *Biodiversity Communication, Education and Public Awareness* and a *Biodiversity and Climate Change Report*.

## DETAILS

In order to provide information to participating Local Governments that will assist in the development of the LAB climate change and biodiversity Projects and to facilitate networking between participants, ICLEI is hosting the Local Action for Biodiversity International Workshop.

The Workshop is scheduled for 1 to 4 February 2011 and will be held in Bergervier, South Africa. The City may send up to three representatives, preferably one Elected Member namely the Mayor, and officers to participate actively in the workshop by providing technical expertise in the areas of biodiversity, climate change and community education in order to further develop the LAB Projects and to provide progress reports on the City's activities in relation to the LAB Program.

It is proposed that the following representatives from the City of Joondalup attend the LAB International Workshop:

- The Mayor.
- The Chief Executive Officer.

A representative attending the Workshop will be required to give a ten minute presentation on the City's progress to date in the LAB Worknets Program including the following:

- Summary of findings on the major climate change impacts affecting the City of Joondalup.
- Summary of the key threats to the City's biodiversity.
- The current climate change and biodiversity programs and initiatives that the City is undertaking.
- Summary of how climate change will be incorporated into the City's biodiversity planning.
- Summary of the CEPA programs and initiatives that the City is undertaking.
- Summary of how CEPA will be incorporated into the City's biodiversity planning.

At the Workshop there will also be time for discussion with other local governments and with industry experts where additional information can be sought to include in the final versions of the *Biodiversity Communication, Education and Public Awareness* and *Biodiversity and Climate Change Reports*.

**Legislation/Strategic Plan/Policy Implications**

**Legislation:** Not Applicable.

**Strategic Plan**

**Key Focus Area:** To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained.

**Objective:** The City protects local biodiversity through effective planning of biodiversity and natural areas.

**Policy:** Participation in the ICLEI LAB Worknets Program is consistent with the objectives within the City's Sustainability Policy.

Elected Members Allowances Policy  
Attendance at overseas conferences- Part 5, Clauses (1), (2) and (3)

**Risk Management considerations:**

Attending the LAB International Workshop will enable the City to participate in international networking opportunities and seek relevant information to assist in the planning of biodiversity protection in the context of a changing climate.

It is recommended that the airfares are business class given the length of the travel time and the need for City representatives to be prepared for the Workshop and presentations.

It should be noted that no premium economy flights are available from Perth to Cape Town direct.

**Financial/Budget Implications:**

It is recommended that the City representatives travel from Perth to Cape Town on 28 January to allow for adequate time to prepare for the Workshop. It is also recommended that the representatives travel from Cape Town to Perth on 5 February 2011.

As part of the membership fee that the City of Joondalup pays to ICLEI for participation in the LAB Program, part of the travel costs associated with attending the International Workshop will be covered by ICLEI.

ICLEI will reimburse the City for 50% of the costs for flights to South Africa for two City representatives. Initial quotes for flights from Perth are approximately \$3,000 for economy class flights per person. ICLEI will contribute an amount of \$1,235 per person.

Therefore, the City will be required to contribute \$3,530 towards the cost of economy class flights.

ICLEI will also cover 50% of accommodation costs for a maximum of four night's accommodation at single standard room up to \$75 per person per night. Initial quotes have indicated that hotel costs are approximately \$200 per room per night.

Accommodation costs covered by ICLEI include bed and breakfast costs only for a maximum of four days, extra costs incurred during the stay at the hotel (such as business centre, telephone, mini-bar and the like) and additional days will need to be paid by the City.

Therefore, the City would be required to pay for accommodation costs for 28 to 30 January and 4 February 2011.

The City's approximate costs associated with sending two City delegates to the LAB International Workshop are estimated as follows:

Flights:	\$6,000 (approximately) for economy class (less ICLEI \$2,470)
Accommodation:	\$2,600
Car Hire:	\$ 500
Daily Travel Allowance:	\$3,240

<b>Account No:</b>	532 A5302 3365 5020
<b>Budget Item:</b>	Program Activities
<b>Budget Amount:</b>	\$26,000
<b>Amount Spent To Date:</b>	\$ 0
<b>Proposed Cost:</b>	\$ 9,870
<b>Balance:</b>	\$16,130

All figures quoted in this report are exclusive of GST.

### **Regional Significance:**

Participation in the LAB Worknets Program and attendance at the International Workshop enables the City to be a regional leader in promoting local action for the protection and conservation of biodiversity.

### **Sustainability implications:**

Information gained through the LAB Worknets Program indicates the City's commitment to ensuring environmentally sustainable management of the City's natural areas and biodiversity values.

### **Consultation:**

Not Applicable.

### **COMMENT**

The benefits that are being derived from participation in the LAB Worknets Program and attendance at the International Workshop include the following:

- Demonstrated responsible governance, locally and internationally;.
- Demonstrated responsible environmental stewardship.
- Recognition as a global leader in local governance with respect to biodiversity management.
- Recognition as a leading City in biodiversity conservation on a global scale.
- Potential for partnerships with a number of international cities and organisations.
- Public education and awareness opportunities.
- Access to global information and examples of best management practices.
- Global networking of staff with participating cities.

Data, information and examples of best practice taken from the International Workshop regarding biodiversity management will be utilised in the development of the *Biodiversity Communication, Education and Public Awareness* and *Biodiversity and Climate Change Reports*. This information will also inform the development of the City's Climate Change Strategy and new Environment Plan.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

#### **That Council:**

- 1. ACCEPTS the invitation from ICLEI Local Action for Biodiversity (LAB) to send up to three representatives to attend the LAB International Workshop in South Africa from 1 to 4 February 2011.**
- 2. APPROVES the Mayor and Chief Executive Officer attending the LAB International Workshop in South Africa from 28 January to 5 February 2011, which includes travel time and attendance at the workshop, at a cost of \$9,870 (excluding GST).**
- 3. NOTES the expenditure detailed in part 2 above being charged to Budget Item 'Local Action for Biodiversity- Program Activities'.**

- 8 REPORT OF THE CHIEF EXECUTIVE OFFICER**
- 9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 10 REPORTS/PRESENTATIONS REQUESTED BY ELECTED MEMBERS**



**DECLARATION OF  
FINANCIAL INTEREST/INTEREST THAT MAY AFFECT  
IMPARTIALITY**

**To: CHIEF EXECUTIVE OFFICER  
CITY OF JOONDALUP**

<b>Name/ Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

Section 5.65(1) of the Local Government Act 1995 states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) *in a written notice given to the CEO before the meeting; or*
- (b) *at the meeting immediately before the matter is discussed.*



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**QUESTION TO BE ASKED AT  
BRIEFING SESSION/COUNCIL MEETING**

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

**QUESTIONS**

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

**Please note that:**

- Questions asked at a **Briefing Session** must relate to matters contained on the draft agenda.
- Questions asked at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.

- Questions asked at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called

