

# agenda

## Ordinary Meeting of Council

NOTICE IS HEREBY GIVEN THAT THE NEXT  
ORDINARY MEETING OF THE COUNCIL  
OF THE CITY OF JOONDALUP WILL BE HELD IN  
THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP

**ON TUESDAY, 15 MARCH 2011**

**COMMENCING AT 7.00 pm**

**GARRY HUNT**  
Chief Executive Officer  
**11 March 2011**

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

**PUBLIC QUESTION TIME**

Members of the public are  
requested to lodge questions in  
writing by 9.00am on

**Monday, 14 March 2011**

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

**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)

## PROCEDURES FOR PUBLIC QUESTION TIME

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

### Questions asked verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an ordinary 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.
- 3 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.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two questions per member of the public.
- 5 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 6 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.
- 7 Public question time will be limited to the legislative minimum of fifteen minutes and may be extended in intervals of up to ten minutes by resolution of the Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed thirty five (35) minutes in total. Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 8 Questions are to be directed to the Presiding Member and should be asked 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. 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 Council meeting.
- 9 Where an elected member is of the opinion that a member of the public is:
  - asking a question at a Council meeting, that is not relevant to the operations of the City of Joondalup;
  - making a statement during public question time;they may bring it to the attention of the meeting.

- 10 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 11 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 Chief Executive Officer (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 submitted to an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Questions submitted to a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 The City will accept a maximum of 5 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 9.00 am on the day immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. 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 Mayor 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 Council meeting 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 Council meeting.
- 8 A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the minutes of the Council meeting.

- 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 Chief Executive Officer (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 at the Council meeting held on 18 December 2007:

- 1 Members of the public are invited to make statements, either verbally or in writing, at Council meetings.
- 2 Statements made at an ordinary Council meeting must relate to matters that affect the operations of the City of Joondalup. Statements made at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 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.
- 4 Public statement time will be limited to two minutes per member of the public.
- 5 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.
- 6 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 than such time where there are no further statements.
- 7 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.
- 8 Where an Elected Member is of the opinion that a member of the public is making a statement at a Council meeting, that is not relevant to the operations of the City of Joondalup, they may bring it to the attention of the Presiding Member who will make a ruling.
- 9 A member of the public attending a Council meeting may present a written statement rather than making the Statement verbally if he or she so wishes.
- 10 Statements will be summarised and included in the minutes of the Council meeting.

## **CODE OF CONDUCT**

The Code recognises these ethical values and professional behaviours that support the principles of:

Respect for persons - this principle requires that we treat other people as individuals with rights that should be honoured and defended, and should empower them to claim their rights if they are unable to do so for themselves. It is our respect for the rights of others that qualifies us as members of a community, not simply as individuals with rights, but also with duties and responsibilities to other persons.

Justice - this principle requires that we treat people fairly, without discrimination, and with rules that apply equally to all. Justice ensures that opportunities and social benefits are shared equally among individuals, and with equitable outcomes for disadvantaged groups.

Beneficence - this principle requires that we should do good, and not harm, to others. It also requires that the strong have a duty of care to the weak, dependent and vulnerable. Beneficence expresses the requirement that we should do for others what we would like to do for ourselves.

\* *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 Council meeting, the following hyperlink will become active:

[ADDITIONAL INFORMATION080315.PDF](#)

# CITY OF JOONDALUP

Notice is hereby given that a Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday, 15 March 2011** commencing at **7.00 pm**.

GARRY HUNT  
Chief Executive Officer  
11 March 2011

Joondalup  
Western Australia

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## VISION

“A sustainable City that is committed to service delivery excellence and operates under the principles of good governance.”

## MISSION

“To undertake all our activities with the endeavour of meeting community expectations and achieving sustainable lifestyles.”

## VALUES AND PRINCIPLES

### Customer Focus

- We will work to understand and respond to the needs of all our customers both now and into the future.
- We will provide opportunities for community engagement.
- We will focus our improvement efforts on better services for our customers.

### Purpose, Direction and Planning

- We will be plan driven, we will set priorities and we will ensure the effective allocation of resources to achieve our plans.

### Sustainability

- We will minimise any adverse impact from our activities on the external environment and the resources available for future generations.
- We will provide value for money to all of our stakeholders.
- We will always act to ensure our activities serve the long-term interests of Joondalup.

### Data, Measurement and Understanding

- We will make decisions based on information and understanding.
- We will measure and report progress against our goals.
- We will use measurement to drive continuous improvement.

### Honesty and Integrity

- We will be fair, open and transparent in our activities.

# AGENDA

Note: Members of the public are advised that prior to the opening of the Council meeting, Mayor Pickard will say a Prayer.

## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

## 2 PUBLIC QUESTION TIME

The following questions were taken on notice at the Council meeting held on 15 February 2011:

**Mr M Sideris, Mullaloo:**

*Re: Questions taken on notice at the Annual General Meeting of Electors held on 29 November 2010*

*Q1 I refer to the answers in the Agenda on questions taken on notice at the Annual General Meeting of Electors held on 29 November 2010. The response given in Question 3 taken on notice "What is the car parking shortfall for those developments in the last 12 months and what is the cash value for that shortfall" only partially answered the question. Please advise the cash value for that shortfall as requested?*

**A1** Car parking requirements for developments approved during the 2009/10 financial year are set out in the table below:

Development/Address	Required Bays	Provided Bays	Shortfall	Increase in shortfall as a result of development	Total Cash in Lieu that could be charged
Change of Use from Office to Costume Hire – Delage Street, Joondalup	127	123	4	N/A (shortfall reduced)	Nil
Mixed Use Development at 11 Chesapeake Way, Currambine	152	140	12	12	\$ 311,418
Home Business Category 2 – Drum School	3	2	1	1	\$ 25,929
Proposed alterations and additions to the Joondalup Resort (note, this development was superseded by the development approved by Council in 2010).	413	303	110	110	\$ 2,852,190

<b>Development/Address</b>	<b>Required Bays</b>	<b>Provided Bays</b>	<b>Shortfall</b>	<b>Increase in shortfall as a result of development</b>	<b>Total Cash in Lieu that could be charged</b>
Change of Use from Shop to Medical Centre at 153 Trappers Drive, Woodvale	290	240	50	7	\$ 181,503
Proposed additions to the Beldon Shopping Centre, Gunter Grove, Beldon	255	221	34	34	\$ 881,586
Proposed Showroom Development at 57 Joondalup Drive, Edgewater.	818	666	152*	38	\$ 985,302
Redevelopment of Luisini Winery	111	87	24**	24	\$ 622,296
Change of Use from Showroom and Shop to Restaurant, Office and Shop at 4 Hobsons Gate, Currambine.	146	124	22	11	\$ 285,219
Change of Use from Showroom to Liquor Store at 57 Joondalup Drive, Edgewater.	762	599	163***	49	\$ 1,270,521
Proposed Showrooms and offices at 1 Hobsons Gate, Currambine	108	105	3	3	\$ 77,787
Change of use at 4 Hobsons Gate, Currambine	144	124	20 <sup>#</sup>	N/A (shortfall reduced)	Nil
Change of use from Showroom to Medical Centre (blood donor centre) at 57 Joondalup Drive, Edgewater	714	599	115 <sup>##</sup>	15	\$ 388,935
Proposed additions to existing pharmacy at Sheppard Way, Marmion	62	33	29	6	\$ 155,574
<b>Total</b>					<b>\$8,038,260</b>

### **Legend**

- \* The shortfall generated by this showroom development was 38 bays. The shortfall listed applies to the site as a whole.
- \*\* Note: The Western Australian Planning Commission is the determining authority for this application and not the City.
- \*\*\* The shortfall generated by this change of use was 49 bays. The shortfall listed applies to the site as a whole.
- # The shortfall generated by this development reduces a previously approved shortfall (such as now 20 bays, previously 22 bays).
- ## The shortfall generated by this change of use was 15 bays. The shortfall listed applies to the site as a whole.

The City's District Planning Scheme No 2 (DPS2) and the policy do not require the City to apply a cash payment in lieu of parking provision. Instead, Clause 4.11 of the DPS2 allows, or enables, the Council to accept a cash payment in lieu of the required amount of car parking for a development in instances where:

- it is determined that the amount of on-site car parking proposed will not be adequate for the development;
- the City is able to provide public car parking in close proximity to the development either now, or in the near future (funds received must be expended for this purpose).

However, Council also has the option to determine, in accordance with Clause 4.8.2 of DPS2, that the amount of parking proposed, or provided, on-site will be adequate for a development and a shortfall therefore does not exist. In this instance a cash-in-lieu payment would not be necessary. The decisions set out above, made by the Council during the 2009/10 financial year, were made on this basis.

**Mr S Magyar, Heathridge:**

*Re: CJ018-02/11 Community Forum - Baby Boomers Facing the Future – Outcomes.*

*Q1 When will Council be holding community forums on sustainability and/or conservation?*

*A1 A Community Forum on Conservation is to be held on Monday, 21 March 2011.*

A Community Forum on Sustainability is proposed to be held in May/June 2011. A date is yet to be confirmed.

Both Community Forums will be publicised, inviting interested members of the public to attend.

**Mrs M Macdonald, Mullaloo:**

*Re: CJ002-02/11 Proposed Boundary Realignment of Parks and Recreation Reserve at Lot 106 West Coast Drive, Marmion.*

*Q1 What is the effect on the City's liability as manager of the land in the event of flooding on this extra land that is going to be added to these lots, when they are amalgamated what will be the City's additional liability given that sea level height is increasing?*

*A1 In the event that the boundary realignments proceed as proposed, an area of 33m<sup>2</sup> associated with the existing public car park would be included in Lot 105, which is managed by the City. This will not have any additional implications on the City's liability in the event of flooding.*

*Q2 Why is it important for Marmion Angling Club to amalgamate lots which appear to be an overdevelopment of leased area given that it does not own any of the land or the building?*

- A2 The Western Australian Planning Commission, in determining an application for alterations to the Marmion Angling and Aquatic Club in 2002, placed a condition on the approval requiring the applicant to initiate boundary changes regarding the realignment of lot boundaries, so as to consider the inclusion of all building encroachments.

### **3 PUBLIC STATEMENT TIME**

### **4 APOLOGIES AND LEAVE OF ABSENCE**

#### **Leave of Absence previously approved**

Cr John Chester	2 to 11 April 2011 inclusive;
Cr Kerry Hollywood	23 March to 8 April 2011 inclusive;
Cr Geoff Amphlett	5 to 14 April 2011 inclusive;
Cr Liam Gobbert	24 June to 18 July 2011 inclusive.

#### **REQUESTS FOR LEAVE OF ABSENCE – CR MIKE NORMAN – [78624]**

Cr Mike Norman has requested Leave of Absence from Council duties covering the following dates:

7 to 14 May 2011 inclusive and  
30 May 2011 to 11 June 2011 inclusive

#### **RECOMMENDATION**

**That Council APPROVES the Request for Leave of Absence for Cr Mike Norman from Council duties covering the following dates:**

**7 to 14 May 2011 inclusive and  
30 May 2011 to 11 June 2011 inclusive.**

**5 CONFIRMATION OF MINUTES**MINUTES OF COUNCIL MEETING, 15 FEBRUARY 2011**RECOMMENDATION**

**That the Minutes of the Council Meeting held on 15 February 2011 be confirmed as a true and correct record.**

**6 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION****7 DECLARATIONS OF INTEREST****Disclosure of Financial Interests**

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

<b>Name/Position</b>	<b>Mayor Troy Pickard</b>
<b>Item No/Subject</b>	CJ035-03/11 – Proposed Alterations and Additions to Joondalup Health Campus at Lot 500 (60) Shenton Avenue, Joondalup
<b>Nature of interest</b>	Financial
<b>Extent of Interest</b>	Joondalup Health Campus employees attended a fundraising dinner during the October 2009 Mayoral Election. Already disclosed in accordance with the Local Government (Election) Regulations 1997

**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, Chief Executive Officer</b>
<b>Item No/Subject</b>	CJ049-03/11 – Minutes of the Audit Committee Meeting held on 9 March 2011 - Item 2 - CEO's Credit Card Expenditure for the quarter ended 30 September 2010
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	The CEO is the card holder

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer</b>
<b>Item No/Subject</b>	CJ049-03/11 – Minutes of the Audit Committee Meeting held on 9 March 2011 - Item 3 - CEO's Credit Card Expenditure for the quarter ended 31 December 2010
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	The CEO is the card holder

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

**9 PETITIONS**

**10 REPORTS**

## **CJ032-03/11 MONTHLY TOWN PLANNING DELEGATED AUTHORITY REPORT DEVELOPMENT, CODE VARIATIONS AND SUBDIVISION APPLICATIONS - JANUARY 2011**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Ms Dale Page, Director Planning and Development
<b>FILE NUMBER:</b>	07032 05961
<b>ATTACHMENTS:</b>	Attachment 1 Monthly Development Applications Determined – January 2011 Attachment 2 Monthly Building Application Code Variations Decision – January 2011 Attachment 3 Monthly Subdivision Applications Processed – January 2011

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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 (DPS2), 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 the administration, acting under delegated authority as permitted under the delegation notice, are reported to Council on a monthly basis.

This Report identifies the following applications determined by members of the administration with Delegated Authority powers during January 2011 (as detailed in Attachments 1, 2 and 3):

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

## BACKGROUND

The DPS2 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

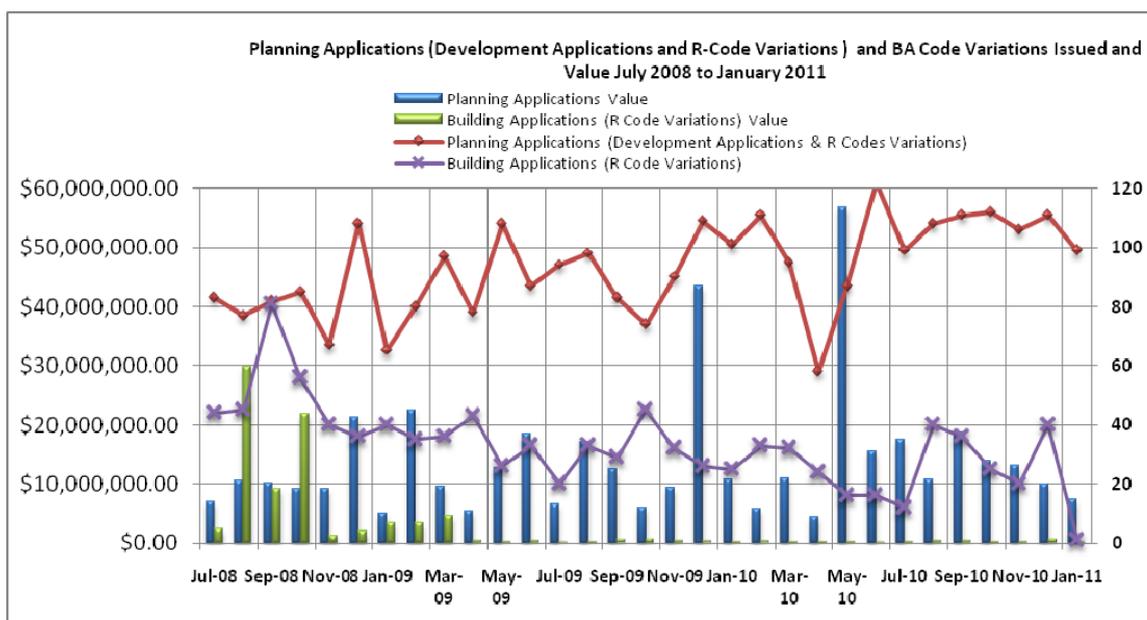
The number of applications determined under delegated authority during January 2011, is shown below:

Approvals determined under delegated authority – January 2011		
Type of Approval	Number	Value (\$)
Planning applications (development applications and R-Codes variations)	99	\$7, 331,083
Building applications (R-Codes variations)	1	\$ 18,900
<b>TOTAL</b>	<b>100</b>	<b>\$7, 349,983</b>

Only one application is reflected as a Building Code Variation for January due to these applications being reallocated and assessed as Development Applications.

The number of development applications received during the period for January was 78. (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 January was 153. Of these, 34 were pending additional information from applicants, and 57 were being advertised for public comment.



<b>Subdivision approvals processed under delegated authority</b>		
<b>From 1 January to 31 January 2011</b>		
<b>Type of approval</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	2	289
Strata subdivision applications	2	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 100 applications were determined for the month of January with a total amount of \$29,988 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 99 development applications determined during January 2011, consultation was undertaken for 30 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 January 2011 were not advertised for public comment, as the proposals complied with the relevant requirements.

**COMMENT**

Large local government authorities 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 Report CJ032-03/11 during January 2011;**
- 2 Subdivision applications described in Attachment 3 to Report CJ032-03/11 during January 2011.**

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf080311.pdf](#)

## **CJ033-03/11      PROPOSED WAREHOUSE DEVELOPMENT AT LOT 94 (63) WINTON ROAD, JOONDALUP**

<b>WARD:</b>	North
<b>RESPONSIBLE:</b>	Ms Dale Page, Director Planning and Development
<b>FILE NUMBER:</b>	33565, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Location plan Attachment 2      Development plans Attachment 3      Notes of Joondalup Design Reference Panel Meeting

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### **PURPOSE**

To request Council's determination of an application for a proposed warehouse development at Lot 94 (63) Winton Road, Joondalup.

### **EXECUTIVE SUMMARY**

An application for planning approval has been received for a new warehouse development on the western side of the Joondalup Business Park. The development is proposed to be a maximum height of two storeys and have a total of 893m<sup>2</sup> net lettable area (NLA). The development will include the demolition of existing structures within the northern half of the site, with the retention of an outdoor display (swimming pool sales) to the southern half of the site.

The site is located on the western side of Winton Road, abutting the Mitchell Freeway (Attachment 1 refers). The site is zoned Service Industrial under the City of Joondalup District Planning Scheme No 2.

In addition to the development requirements under DPS2, regard must also be given to the draft Joondalup City Centre Structure Plan (JCCSP), as a 'seriously entertained planning proposal'. Under the draft JCCSP, the site is located within the 'Business Support' zone.

The proposed land use 'Warehouse' is a permitted ('P') land use under both DPS2 and the draft JCCSP.

The proposal meets all relevant development requirements of the DPS2. However, the development does not meet the requirements of the draft JCCSP in relation to the amount of glass windows and/or doors on the Winton Road and Mitchell Freeway façade. Given the land use and other methods of articulation proposed, the proposed variation is not considered to be a significant deviation from the intent of the JCCSP.

The proposal has not been advertised as it is considered the development and proposed land use meets all requirements of the DPS2 and does not have a significant impact on the locality.

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

## BACKGROUND

<b>Suburb/Location:</b>	Lot 94 (63) Winton Road, Joondalup
<b>Applicant:</b>	Vespoli Constructions (Joseph Scutti)
<b>Owner:</b>	Kalmar Pty Ltd
<b>Zoning:</b>	<b>DPS:</b> Service Industrial
	<b>MRS:</b> Urban
<b>Site Area:</b>	3102m <sup>2</sup>
<b>Structure Plan:</b>	Draft Joondalup City Centre Structure Plan

The site is located on the western side of the Joondalup Business Park, abutting the Mitchell Freeway. There is an existing single storey showroom development to the north, and an open air display (swimming pools sales) to the south.

The property is zoned Service Industrial under DPS2. The site is currently used as an outdoor display centre, incorporating patio/shed display on the northern half of the site, and pool display on the southern side, which was approved in 1994.

Council at its meeting held on 25 May 2010, adopted the draft JCCSP. Under the draft JCCSP the site is located within the 'Business Support' zone. The draft Structure Plan is currently with the Western Australian Planning Commission (WAPC) to be certified. Regard is required to be given to this Structure Plan as a 'seriously entertained planning proposal'.

The proposal was referred to the Joondalup Design Reference Panel on 14 February 2011. The notes from this meeting in relation to this development proposal are provided in Attachment 3, and are discussed further in the comments section of this Report.

## DETAILS

The proposed development will involve the demolition of existing structures on the northern half of the site, with the southern half being retained as an outdoor display centre (swimming pool sales).

The new development on the northern half will incorporate the following:

- Single storey warehouse, also incorporating a two storey ancillary office component, totalling 893m<sup>2</sup> net lettable area (NLA).
- Glazing to the office component of the development, with imitation glass to the warehouse facing the Mitchell Freeway.
- Provision of 24 car bays across the site, including four staff bays located within the warehouse.
- Signage area on the eastern elevation, being a total of 4.5% of the eastern façade.

The development meets all requirements of the DPS2, however does not meet the requirements of the draft JCCSP in relation to:

- Only 21.2% of the ground floor façade is comprised of windows/doors to instead of the 50% glazing required; and
- No windows/doors are provided on the Mitchell Freeway façade instead of the 25% glazing required.

In support of the development, the applicant has provided the following justification:

- *The use of imitation glazing has been used as an alternative to real glazing as this will cause a security issue to the warehouse, and it is very uncommon to have glazing to warehouse walls. However, imitation glass will give the same cosmetic feel as real glazing.*
- *Two tone textured finishes will be applied to the front and rear elevations along with additional articulated recess lines to break up the panels.*
- *No articulation has been provided to the southern elevation as the intention is to develop the southern half of the site shortly after the construction of the warehouse has been completed.*

Car parking for the site is to be provided in accordance with DPS2. A summary of the car parking requirements based on the existing and proposed land uses is outlined below:

<b>Land Use</b>	<b>Car parking requirement</b>	<b>Car bays required</b>
Outdoor display centre (southern half of site)	1 bay per 500m <sup>2</sup> NLA	6
Proposed Warehouse	1 bay per 50m <sup>2</sup> NLA	18
<b>Total car bays required</b>		24
<b>Total car bays provided</b>		24

As demonstrated above the car parking being provided meets the requirements of DPS2.

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

Council has 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

In considering an application for planning approval, 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.

**Policy** City Policy – Signs

This policy provides guidelines on the amount, type and location of signage in relation to particular zoning. In accordance with this policy, a wall sign can occupy 25% of the building façade in the service industrial zone.

In this instance, the proposed signage panel will occupy 4.5% of the eastern (Winton Road) façade.

## **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 \$1,750.00 to cover all costs associated with assessing the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

- *Energy management: at the Building Licence stage, an energy audit will be undertaken by five star energy rating and all necessary items and elements within the building will be installed so that the building will meet all Building Codes of Australia (BCA) requirements.*
- *Water heating for the amenities and sinks will meet triple A ratings.*
- *Water management will meet triple A ratings for all tap ware and flush toilets.*

**Consultation:**

The proposal has not been advertised as the land use is permitted, and the requirements of DPS2 have been met. It is considered that there is no detrimental impact on the locality as a result of the development.

**COMMENT**

The application is for a new warehouse development on the northern half of the subject site. As outlined above the development meets all requirements of the DPS2 including car parking. However, having regard to the draft JCCSP, the development does not meet the required percentage of windows/doors for the street frontage, or Mitchell Freeway façade. In reviewing the proposal against the objectives of the Business Support zone, it has to be considered whether the development contributes to the provision of an attractive streetscape.

It is noted that providing glazing to the ground floor on the eastern elevation (Winton Road) is not wholly practical for the proposed warehouse land use. However, small windows have been provided on the upper area to provide articulation, and the use of imitation glass will still provide the perception of surveillance. Furthermore, the office component of the development does provide glazing on both the ground and upper floor which ensures that surveillance is maintained, and is considered to provide for an attractive streetscape.

In regard to the western elevation (Mitchell Freeway) it is considered that the use of imitation glass and the proposed articulated finish through different texture and colour is sufficient to provide an attractive finish to the development as viewed from the Mitchell Freeway.

Overall, the design of the development is considered to be a better quality than existing developments in the locality.

**Signage**

Only one signage panel has been indicated on the proposed development. This signage panel occupies 4.5% of the eastern façade, and meets the requirements of City Policy – Signs.

Any future signage outside of the signage indicated on the proposed development will require further development approval.

#### Joondalup Design Reference Panel

Overall the Panel advised that the development was of a good design. It was queried whether the design of the façade along the Mitchell Freeway could be further broken up, varied or whether public art could be used to create some variation along the façade.

Following the meeting of the Panel, amended plans were provided to the City varying the height of the panels along the Mitchell Freeway façade, the location of imitation glazing was stepped, and further insert panels of varying colours were included. It is considered that this addresses the above feedback from the Panel.

#### Conclusion

Notwithstanding the areas of non-compliance with the draft JCCSP, it is considered that the overall design of the development is of a high quality and appropriate for the land use. The use of imitation glass and varied finishes to the Mitchell Freeway façade will provide for a more attractive view than the concrete panels and large signage areas which existing similar developments in the locality present.

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

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

#### **That Council:**

- 1 NOTES that the proposal does not meet the requirements of the draft Joondalup City Centre Structure Plan in relation to:**
  - 1.1 Clear doors and windows occupying 21.2% of the Winton Road façade in lieu of 50%;**
  - 1.2 Clear doors and windows occupying 0% of the Mitchell Freeway façade in lieu of 25%;**
- 2 APPROVES the application for planning approval dated 16 December 2010, submitted by Vespoli Construction (Joseph Scutti), on behalf of the owners Kalmar Pty Ltd, for a proposed warehouse development at Lot 94 (63) Winton Road, Joondalup, subject to the following conditions:**
  - 2.1 This decision constitutes planning approval only and is valid for a period of two years from the date of the decision letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;**

- 2.2 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:**
- 2.2.1 all forward works for the site;**
  - 2.2.2 the delivery of materials and equipment to the site;**
  - 2.2.3 the storage of materials and equipment on the site;**
  - 2.2.4 the parking arrangements for the contractors and subcontractors;**
  - 2.2.5 other matters likely to impact on the surrounding properties;**
- 2.3 A Refuse Management Plan indicating the method of rubbish collection for the site is to be submitted to and approved by the City, prior to the commencement of construction;**
- 2.4 A full schedule of colours and materials for all exterior parts to the building shall be provided prior to the commencement of construction, to the satisfaction of the City;**
- 2.5 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;**
- 2.6 All external car parking areas shall be provided with one shade tree for every four bays prior to the development first being occupied. The trees shall be located within tree wells protected from damage by vehicles and maintained to the satisfaction of the City;**
- 2.7 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;**
- 2.8 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;**
- 2.9 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. Details of the proposed stormwater drainage system are required to be submitted to and approved by the City prior to the commencement of construction;**

- 2.10 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;
- 2.11 All construction works shall be contained within the property boundaries;
- 2.12 Boundary walls shall be of clean finish and made good to the satisfaction of the City;
- 2.13 Staff shall only utilise parking external to the building where all bays internal to the unit are occupied.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf080311.pdf](#)

**CJ034-03/11 PROPOSED THREE STOREY DEVELOPMENT:  
VEHICLE REPAIRS, SHOWROOM AND A  
CARETAKERS DWELLING AT LOT 10 (31)  
WINTON ROAD, JOONDALUP**

<b>WARD:</b>	North
<b>RESPONSIBLE:</b>	Ms Dale Page, Director Planning and Development
<b>FILE NUMBER:</b>	89616, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Location plan Attachment 2 Development plans Attachment 3 Notes of Joondalup Design Reference Panel

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**PURPOSE**

To request Council's determination of an application for a proposed three storey development including vehicle repairs, showroom and a caretakers dwelling at Lot 10 (31) Winton Road, Joondalup.

**EXECUTIVE SUMMARY**

An application for planning approval has been received for a new three storey development including vehicle repairs, showrooms and a caretakers dwelling. The development provides a total of 1,114m<sup>2</sup> net lettable area (NLA) for the vehicle repairs and showrooms and a caretakers dwelling of 312m<sup>2</sup>.

The site is located on the western side of the Joondalup Business Park, abutting the Mitchell Freeway. The site is zoned Service Industrial under the City of Joondalup District Planning Scheme No.2 (DPS2).

In addition to the development requirements under DPS2, regard must also be given to the draft Joondalup City Centre Structure Plan (JCCSP), as a 'seriously entertained planning proposal'. Under the draft JCCSP, the site is located within the 'Business Support' zone.

The proposed land uses 'Vehicle Repairs' and 'Showroom' are permitted ('P') uses and the 'Caretakers Dwelling' is a discretionary ('D') land use under both DPS2 and the draft JCCSP.

The proposal is considered to meet all relevant development requirements of the DPS2. However, the development does not meet the requirements of the draft JCCSP in relation to the amount of glass windows or doors to the Mitchell Freeway façade. Given the land use and other methods of articulation proposed the proposed variation is not considered to be a significant deviation from the intent of the JCCSP.

The proposal has not been advertised as the land use is permitted, and the requirements of DPS2 have been met. It is considered that there is no detrimental impact on the locality as a result of the development.

The application is recommended for approval, subject to conditions.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 10 (No 31) Winton Road, Joondalup
<b>Applicant:</b>	Brent Wilson
<b>Owner:</b>	Everwest Developments Pty Ltd
<b>Zoning:</b>	<b>DPS:</b> Service Industrial
	<b>MRS:</b> Urban
<b>Site Area:</b>	2044.12 m <sup>2</sup>
<b>Structure Plan:</b>	Draft Joondalup City Centre Structure Plan

The site is located on the western side of the Joondalup Business Park, abutting the Mitchell Freeway. The property is zoned Service Industrial under DPS2 and is currently vacant.

At its meeting held on 25 May 2010, Council adopted the draft JCCSP. Under the draft JCCSP the site is located within the 'Business Support' zone. The draft Structure Plan is currently with the Western Australian Planning Commission (WAPC) to be certified. Regard is required to be given to this structure plan as a 'seriously entertained planning proposal'.

The proposal was referred to the Joondalup Design Reference Panel on 14 February 2011. The notes from this meeting in relation to this development proposal are provided in Attachment 3, and are discussed further in the comments section of this report.

## DETAILS

The proposed commercial development will be comprised of the following:

- Ground Floor: Vehicle repair premises with a total NLA of 700m<sup>2</sup> for utilisation by BMW Australia: and showroom with a total NLA of 158m<sup>2</sup>;
- First Floor: Showroom and ancillary office with a total NLA of 256m<sup>2</sup>;
- Second Floor: Caretakers dwelling with a total NLA of 289m<sup>2</sup>;
- 85% glazing to the eastern façade as viewed from Winton Road;
- Provision of a total of 38 car bays across the site including bays located in an undercroft and 12 secured car bays located within the vehicle repair premises;

The development plans are provided in Attachment 2.

The development meets all requirements of DPS2, however does not meet the requirements of the draft JCCSP as no glass doors or windows are being provided to the Mitchell Freeway façade instead of requirement to have 25% of the façade as glazing.

In support of the development, the applicant has provided the following justification:

- *Glazing as provided to the western façade to the ground floor vehicle repair would not be feasible for security reasons, as highly expensive vehicles will be stored in the vehicle repair premises to protect from any vandalism; and*
- *24 hour security of the premises and vehicles will be provided by means of a resident caretaker and CCTV cameras.*

Car parking for the site is to be provided in accordance with DPS2. A summary of the car parking based on proposed land uses is outlined below:

Land Use	Car parking requirement	Car bays required
Vehicle Repairs	one bay per 50m <sup>2</sup> NLA	14
Showrooms	one bay per 50m <sup>2</sup> NLA	8.3
Caretakers Dwelling	two per dwelling	2
<b>Total car bays required</b>		24.3 (25)
<b>Total car bays provided</b>		38

### 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

In considering an application for planning approval, 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.

**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 the Planning and Development Act 2005.

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

The applicant has paid fees of \$2,262.00 to cover all costs associated with assessing the application.

### **Regional Significance:**

Not Applicable

### **Sustainability implications:**

The applicant has provided the following details about how they intend to ensure the development will be environmentally sustainable:

- *All glass will be smoke grey tint and window awnings will be provided to minimise heat penetration;*
- *Complete roof insulation will be installed;*
- *Natural light polycarbonate skylight sheeting will be used in sections of the roof cover over the vehicle repair area, helping to minimise the use of electric lighting;*
- *Internal wall installation with gyprock covering will be utilised in the office showroom and caretakers dwelling to ensure that the use of air conditioning will kept to a minimum;*
- *Any paint material that will be used will be water-based enviobase product which carries no solvents and is a complete environmental product (environmentally safe in use and disposal); and*
- *Water purification systems will be installed (Vertical Gravity Water Scrubber) which will eliminate contaminants and deliver recycled water.*

### **Consultation:**

The proposal has not been advertised as it is considered the development and proposed land uses meet all requirements of DPS2 and does not have a significant impact on the locality.

## COMMENT

The application is for a new three storey development for vehicle repairs, showrooms and a caretakers dwelling. As outlined above the development meets all requirements of the DPS2 including car parking. However, having regard to the draft JCCSP, the development does not meet the glazing requirements for the western façade facing the Mitchell Freeway. The proposal is required to be reviewed against the objectives of the Business Support zone, including whether it presents an attractive façade as viewed from the freeway reserve.

It is noted that providing glazing to the ground floor of the development is not wholly practical for the proposed vehicle repair land use as stated for security reasons. However, a 10 metre wide window has been provided to the caretakers dwelling on the second floor western façade to provide for additional surveillance and articulation of this façade. It is also considered that the use of pattern and coloured concrete panels along the ground floor façade will provide for an articulated finish and is sufficient to provide an attractive interesting finish to the development as viewed from Mitchell Freeway.

Furthermore, the showroom and caretakers component of the development does provide for generous glazing of approximately 85% on all floors facing Winton Road, which ensures that surveillance is maintained and provides for an attractive streetscape.

### Signage

No signage has been proposed as part of this application. Any future signage will require further development approval.

### Joondalup Design Reference Panel

The Joondalup Design Reference Panel met on 14 February 2011 to discuss the proposal. The notes of this Meeting are provided in Attachment 3. The key points raised by the panel, as well as additional comment are provided below:

- 1 *Concerns in relation to the caretakers dwelling and suggestions that the design could be modified to include an outdoor balcony area.*

The proposal has been modified to include 13.680m<sup>2</sup> balcony to the eastern façade of the caretakers dwelling. It is considered that this balcony will offer the resident(s) outdoor living area whilst increasing surveillance from the site.

- 2 *Suggested that windows be added to the landing, laundry, bathroom and kitchen areas.*

The northern façade of the development includes a generous amount of glazing to the showroom and there are also 11 window panels along the full length of the stairs. The glazing as proposed will ensure there is sufficient surveillance, light and ventilation provided throughout the development.

- 3 *Queried whether the articulated blank panels along the Mitchell Freeway solve the problem in terms of prevention of graffiti and anti social behaviour. Otherwise suggested the use of fake glazing.*

As stated by the applicant, glazing to the western façade would not be feasible for security reasons. There is significant amount of vegetation along the Mitchell Freeway reserve to the rear of the development. As a result, the majority of the façade will be screened from view. In this instance it is considered that the coloured panels will be more visually effective than the use of fake glazing.

4 *Queried the type of roof material*

Roofing material includes colorbond zincalume with polycarbonated and natural light panels.

**Conclusion**

Notwithstanding that no glazing has been provided to the Mitchell Freeway façade, it is considered that the overall design of the development is of a high quality and appropriate for the land use. The use of colour panels to the Mitchell Freeway Façade will provide for a more attractive view than the concrete panels and large signage areas which have been used on existing similar developments in the locality.

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

**VOTING REQUIREMENTS**

Simple majority

**RECOMMENDATION**

**That Council:**

- 1 **NOTES** that the proposal does not meet the requirements of the draft Joondalup City Centre Structure Plan in relation to clear doors and windows occupying 0% of the Mitchell Freeway façade in lieu of 25%;
- 2 **DETERMINES** that the land use 'Caretakers Dwelling' 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 15 December 2010, submitted by Brent Wilson on behalf of the owners, Everwest Developments, for a three storey development including vehicle repairs, showrooms and a caretakers dwelling at Lot 10 (No 31) Winton Road, Joondalup, subject to the following conditions:
  - 3.1 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;
  - 3.2 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;
  - 3.3 Landscaping and reticulation is to be established in accordance with the approved plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City;

- 3.4 The car parking area shall be provided with one shade tree for every four bays prior to the development first being occupied. The trees shall be located within tree wells protected from damage by vehicles and maintained to the satisfaction of the City;**
- 3.5 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:**
- 3.5.1 the delivery of materials and equipment to the site;**
  - 3.5.2 the storage of materials and equipment on the site;**
  - 3.5.3 the parking arrangements for the contractors and subcontractors;**
  - 3.5.4 other matters likely to impact on the surrounding properties;**
- 3.6 A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of construction, and approved by the City prior to the development first being occupied;**
- 3.7 The driveways and crossovers are to be designed and constructed to the satisfaction of the City;**
- 3.8 Boundary walls and retaining walls being of a clean finish and made good to the satisfaction of the City;**
- 3.9 All construction works shall be contained within the property boundary;**
- 3.10 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;**
- 3.11 Further detail shall be provided with the building licence in regards to the materials and colours to be used for the awnings, and how these will be attached to the building to ensure they are a functional and integrated element of the overall design;**
- 3.12 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. Details of the proposed stormwater drainage system are required to be provided to and approved by the City prior to the commencement of construction.**

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf080311.pdf](#)*

<b>Name/Position</b>	<b>Mayor Troy Pickard</b>
<b>Item No/Subject</b>	CJ035-03/11 – Proposed Alterations and Additions to Joondalup Health Campus at Lot 500 (60) Shenton Avenue, Joondalup
<b>Nature of interest</b>	Financial
<b>Extent of Interest</b>	Joondalup Health Campus employees attended a fundraising dinner during the October 2009 Mayoral Election. Already disclosed in accordance with the Local Government (Election) Regulations 1997

## **CJ035-03/11      PROPOSED ALTERATIONS AND ADDITIONS TO JOONDALUP HEALTH CAMPUS AT LOT 500 (60) SHENTON AVENUE, JOONDALUP**

**WARD:** North

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

**FILE NUMBER:** 00109, 101515

**ATTACHMENTS:** Attachment 1 Location plan  
Attachment 2 Development plans  
Attachment 3 Building perspectives  
Attachment 4 Master plan  
Attachment 5 Notes of the Joondalup Design Reference Panel Meeting

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### **PURPOSE**

To request Council's determination of an application for proposed alterations and additions to the Joondalup Health Campus (JHC) at Lot 500 (60) Shenton Avenue, Joondalup.

### **EXECUTIVE SUMMARY**

The applicant proposes modifications and additions to the JHC.

The development proposal includes:

- Construction of a five storey private hospital, three storey clinical school and three storey medical centre;
- Fitting out of a portion of public hospital (adding an additional 30 beds) currently under construction; and
- A two storey decked car park.

This development includes modifications to a building which formed part of the previous approval in September 2008 for the additions currently under construction (CJ216-09/08 refers). These are due to be completed in April 2011. The additions proposed as part of this application will result in bed numbers at the Campus increasing from 536 to 626 beds (including public and private beds). A revised master plan report has also been submitted as part of this application.

A larger version of the Development Plans and Master Plan Report (Attachments 2 and 4 refers), have also been provided in the Councillors Reading Room.

The subject site is zoned Centre under the City's District Planning Scheme No.2 (DPS2), and is affected by the Joondalup City Centre Development Plan and Manual (JCCDPM). Under the JCCDPM, the site is subject to the provisions of the 'City North' precinct. In addition to the requirements of the JCCDPM, regard is also required to be given to the draft Joondalup City Centre Structure Plan as a 'seriously entertained planning proposal'. Under the draft JCCSP the site is subject to the provisions of the 'City Fringe' zone.

The development is consistent with the requirements of the JCCDPM with the exception of building height. Furthermore, having regard to the draft JCCSP, the development is consistent with the relevant provisions with the exception of the setback from Shenton Avenue. The car parking proposed to be provided on-site exceeds the number of bays required under DPS2 by five bays.

The proposal has not been advertised as it is considered that there is no external impact on adjoining properties as a result of the development, including no changes to vehicle and pedestrian access and networks, and the scale of the development being consistent with the draft JCCSP.

The development proposal was referred to the Joondalup Design Reference Panel on 14 February 2011 (refer Attachment 5).

The application is recommended for approval subject to conditions.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 500 (60) Shenton Avenue, Joondalup
<b>Applicant:</b>	Project Directors Australia Pty Ltd
<b>Owner:</b>	Minister for Health
<b>Zoning:</b>	<b>DPS:</b> Centre
	<b>MRS:</b> Central City Area
<b>Site Area:</b>	133364.23m <sup>2</sup>
<b>Structure Plan:</b>	Joondalup City Centre Development Plan and Manual; and Draft Joondalup City Centre Structure Plan

At its meeting held on 19 February 2008, Council conditionally approved an application for alterations and additions to the JHC which included various new buildings and parking areas (CJ027-02/08). An application for review of several conditions of approval was subsequently lodged with the State Administrative Tribunal. Following mediation, Council conditionally approved a revised proposal at its meeting held on 30 September 2008 (CJ216-09/08 refers). The revised proposal included additional car parking to meet the requirements of DPS2. It is noted that to date, all relevant conditions of this approval have been addressed.

Following the approval granted by Council at its meeting held on 30 September 2008, an amended plan was submitted for an additional storey to the public hospital, being three storeys in total. It was considered that further development approval was not necessary given that this did not substantially alter the development approval already granted and discretion exercised by Council. Given that the amendment was for the shell only, with no change to bed, patient or staff numbers, there was no greater demand for car parking.

The ambulance station was approved by Council at its meeting held on 16 June 2009, located to the north east of the site (CJ140-06/09 refers). Additional car parking was provided as part of the development without any impact on the car parking provided for the remainder of the JHC.

This application proposes modifications to the previous approval granted in 2008. These modifications are outlined below in the details section of this report.

The proposal was referred to the Joondalup Design Reference Panel on 14 February 2011. The notes from this meeting in relation to this development proposal are provided in Attachment 5, and are discussed further in the comments section of this report.

## DETAILS

Details of the proposed development and modifications from the previous approval granted in 2008 are summarised below:

Development component	DA approved October 2008	This application
Public Hospital	60 bed public ward over two storeys and shelled third storey	Fitting out of third storey shell, addition of 30 beds
Private Hospital	Single storey, 85 beds	Five storeys (reduced building footprint), 145 beds
Medical Centre	Four storeys, 47 practitioners	Three storeys, 47 practitioners
Clinical School	Upgrade to existing facilities within approved medical centre	Three storey clinical school
Laundry	Laundry within the existing public hospital	Laundry relocated to the private hospital building
Car parking	1,684 bays, plus an additional 61 bays for ambulance station approved 2009	1,853 including two storey deck car park

The private hospital, medical centre and clinical school will be incorporated into one building located to the south east of the site. The clinical school will provide medical teaching facilities which will be available to universities. A copy of the development plans have been provided in the Councillors Reading Room.

The proposed development has a maximum of five storeys, which does not meet the requirements of the JCCDPM, as the JCCDPM stipulates a maximum building height of two storeys. Furthermore, the development has a proposed minimum setback of 56 metres, which does not meet the requirements of the draft JCCSP, which stipulates a nil setback to Shenton Avenue.

The applicant has provided the following detail in relation to the design of this building:

*The built form of the new hospital is an extension of the existing. Namely, the higher buildings at the centre of the hospital on the Shenton Avenue frontage with the scaling down of the buildings as you move north towards the residential areas on this boundary. A merging of the brick form back into the landscape is the visual outcome.*

*The construction method for the extensions or renovated parts of the hospital will follow the existing form and materials. Whilst the new buildings will complement the existing building, it will be of a material palette understood as more contemporary in present day architecture terms.*

*The materials proposed for the new buildings will be a combination of coloured and differently textured precast concrete walls, glazed aluminium window curtain walling and Alpollic metal cladding in selected areas. The roofs will generally be Colorbond metal deck.*

*Overall the Architectural language expressed in form, elevation and materials respond to the existing building stock. However, the design of the new facilities although a part of the same complex, seek to present a "difference" one to the other, a necessary affirmation and expression of the respective times at which the various components will have been constructed.*

### Materials and Colours

*The philosophy in respect to material selection is to present a natural palette comprising metal panelling, texture precast and aluminium framed glazing which sits harmoniously with the predominant brick and tile of the existing hospital and furthermore reinforces the overall architectural typology of Joondalup. Accordingly the proposed greys and creams blend with the existing cream brickwork and terracotta roofs which together sits in strong harmony with the greys and greens of the lush existing landscape.*

### *Schedule of External Finishes*

*Walls: Cream coloured face-brick to complement the existing Hospital, combined with painted fibre cement sheeting and powder coated curtain walling.*

*Fascias: Alpollic metal cladding*

*Roof: Colorbond metal decking*

*Shade Structure: Architectural steel framework with either perforated metal or slatted infill, powdercoated.*

The two storey decked car park will be located to the east of the site. The applicant has justified this location stating:

*To cater for the increased parking demand, it is proposed that a deck be built centrally, in the heart of the hospital site. The location of this deck is important for the following reasons:*

- It provides staff and doctor (undercover) parking centrally.*
- It is well away from street edges which avoids unsightly parking deck frontages along the public streets and allows for future developments to screen the parking areas effectively and maintains vibrant and living streetscapes.*
- The costs are reduced by limiting the architectural treatment on the parking decks because the public exposure on the street edges is reduced.*

### Car Parking

Car parking for the site is required to be provided in accordance with DPS2. The table below outlines the car parking requirement for the site:

Land use	Parking Standard	JHC car bay requirements based on additions approved in 2008 and 2009	Total bays for the required for the JHC as a result of this development
Hospital (including public mental health facility)	1 per three patients accommodated plus 1 space for each staff member on duty	1,448 (1269 staff and 537 patients)	1,523 (1,314 staff and 627 patients)
Medical Centre	5 per practitioner	235 (47 practitioners)	235 (47 practitioners)
Clinical School	1 per 3 students accommodated	n/a	33.33 (maximum capacity 100 students)
Ambulance Station	1 bay per student plus 1 bay per staff member on duty	61	61
<b>TOTAL BAYS REQUIRED</b>		1,744	1,853 (1,852.33)
<b>TOTAL BAYS PROVIDED</b>		1,745	1,858

As demonstrated above, the car parking being provided exceeds the number of bays required under DPS2.

### Master Plan

As this proposal varies from the 2008 master plan for the site, as part of this development proposal a revised master plan report has also been submitted, with the overall site plan provided in Attachment 4. A full copy of the Master Plan report has been provided in the Councillor Reading Room.

Some key components of the Master Plan are as follows:

- Future development will need to consider shortcomings in the current infrastructure as well future growth requirements.
- Development occurring in two stages, being the 2008 and current proposal, and development projected to occur between 2014 and 2020. This was previously identified as occurring in four stages.
- Public bed numbers increasing from the 485 proposed as part of this application to 646 in 2020.
- Private bed numbers assumed to increase to approximately 300, though clear direction on the eventual size of the private hospital has not been determined.
- Potential for future car parking being provided by extension of existing at grade parking, two decked car parks (one proposed as part of this proposal), and basement car parking.

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

Council has 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

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** Not Applicable.

### **Risk Management considerations:**

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

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

The applicant has paid \$31,350 to cover all costs associated with assessing the application.

### **Regional Significance:**

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

**Sustainability Implications:**

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

*Several Ecologically Sustainable Development (ESD) principles have been explored for the development of Joondalup Health Campus. These consist of initiatives that are widely considered to be industry standard inclusions for developments aiming to achieve “best practice” outcomes without imposing a cost penalty to the project. The inclusion of initiatives that constitute an environmental benefit at a cost premium will depend heavily on their practicality, benefit and economic payback. ESD consultants have been employed through the current project and will be retained for the proposed new Private Hospital project as well. Healthcare facilities (as opposed to office buildings) are unique in their assessment in terms of ESD due to:*

- *Longer operating hours;*
- *Greater demand for hot water; and*
- *Specialised medical equipment.*

*The following ESD objectives have however been identified for the development:*

- *Minimise the impact on existing ecology;*
- *Promote passive energy efficiency techniques;*
- *Support Evidence Based Design requirements for optimum patient recovery and state of health;*
- *Provide infrastructure that supports future expansion requirements without rework/alteration;*
- *Easy and rapid access to train/bus services;*
- *Minimise waste sent to landfill; and*
- *Promote sustainability principles to the stakeholders and the wider community.*

*Energy reduction through passive development will be incorporated into the development in the following way:*

- *High performance insulation (R3.5);*
- *Building air tightness;*
- *High performance glazing;*
- *Glazing orientation (minimise east and west exposure);*
- *Solar shading (north façade overhangs, eastern and western vertical fins);*
- *Low energy fit out and medical equipment, with automatic standby mode;*
- *Acoustic analysis of the building services and form to ensure noise levels are within the relevant Australian Standards; and*
- *Ecologically sensitive landscape designed based on sustainable principles i.e retention of existing landscape where possible; low water usage indigenous plants; and sensitive use of water for irrigation.*

*The energy efficiency of the various building envelopes has been considered in relation to Section J of the Building Codes of Australia (BCA). The following points relate to the design of the building fabric and external glazing for the JHC:*

- *South facing roof lights are incorporated into the atria roofs of the new private hospital, in order to avoid direct sunlight from the north and to maximise daylight of internal spaces;*

- *Punched hole windows aesthetic to solar exposed elevations has been used to minimise heat gain; and*
- *The use of high performance glazing i.e low E to solar exposed façade to minimise heat loading.*

**Consultation:**

Consultation was undertaken for the previous application in 2008. However, it is considered that this development proposal has no adverse impact, therefore advertising is not considered necessary for the following reasons:

- The main road and pedestrian networks remain unchanged from the previous approval granted in 2008;
- The car parking proposed to be provided on site is greater than that required under DPS2;
- The height and scale of the development is in conformance with the draft JCCSP which requires buildings to be between two and eight storeys; and
- The location of the development is approximately 80 metres from the nearest residential property, which is located on the opposite side of Lakeside Drive.

At the time consultation was undertaken for the additions approved in 2008, the car parking provided on site was less than that required by DPS2 by 152 bays, and the maximum height limit of two storeys under the JCCDPM was exceeded. Furthermore, the scale of the development was much larger than this development proposal. It is noted that a total of 61 submissions were received in response to advertising undertaken in 2008, 53 of which were neutral or supported the development and eight were objections.

**COMMENT**Land Use

The hospital and medical centre land uses proposed are in accordance with the 'Medical' land use allocation applied to the site under the JCCDPM. The clinical school is considered ancillary to these land uses, providing benefit to the health campus, and is therefore supported.

Under the draft JCCSP, all land uses are permitted ('P') land uses.

Building Design

Notwithstanding the areas of non compliance with the JCCDPM and draft JCCSP, the building design is considered appropriate. Whilst the height of the development does not comply with the JCCDPM, the height is consistent with the requirements of the draft JCCSP. Furthermore, the highest part of the development is located toward the centre of the site, closest to the public hospital. This provides for a transition in built form towards Shenton Avenue and Lakeside Drive.

The overall design of the development is considered to be of a high quality, providing a strong entrance point, whilst still maintaining adequate pedestrian and vehicular connection with other hospital facilities. Given the location and orientation of the existing development it is not considered practical for development to have a nil setback to Shenton Avenue as required by the draft JCCSP.

The decked car park, whilst being located centrally to the site and set back 60 metres from Lakeside Drive, will still remain partially visible from the street. The applicant has stated that an area of future development to the east of the deck car park will obscure the car park from the street. This area has been marked on the revised Master Plan.

In the interim it is considered that the textured paint finish is appropriate and, given the setback from Lakeside Drive, will not have any detrimental impact on the streetscape.

#### Crime Prevention through Environmental Design

As with the previous development application, the further refinement of this proposal will focus on Designing Out Crime Planning Guidelines (ensuring natural surveillance, sight lines, lighting etc.). The applicant has advised that a report which is required as a condition of approval for the previous development will provide this detail in relation to both the previous and current proposal. This report will be provided following a more detailed design of the development, which will be completed once relevant approvals have been obtained.

#### Vehicular and pedestrian access

A traffic and transport study was undertaken as part of the development application in 2008, with subsequent ongoing studies regarding future traffic volumes also being provided to the City.

In respect to vehicular and pedestrian access the following is noted:

- The new road access via Lakeside Drive has been completed, which supports existing accesses from Shenton Avenue and Grand Boulevard (via Regent Parks Road). This entrance point is for staff and services only; and
- Pedestrian access into the JHC will continue to be integrated with the existing shared paths internal and external to the site.

Should the proposal be supported, a condition is recommended requiring sufficient signage to be provided to clearly identify vehicular and pedestrian routes.

#### Master Plan

A revised master plan has been submitted as part of this development proposal, with key components of the plan provided in the details section of this report.

It is acknowledged that the master plan varies the 2008 plan due to changes in forecasts for the Campus.

#### Joondalup Design Reference Panel

The Joondalup Design Reference Panel met on 14 February 2011 to discuss the proposal. The notes of this Meeting are provided in Attachment 5. The key points raised by the Panel, as well as additional comment are provided below:

1. *Issue with the designing and amending of the Master plan to fit into the proposed development, and amending the plan to suit the applicant's requirements.*

Applicant response:

Amongst other things, the Master Plan identifies current and future development zones, clinical relationships, service and functional linkages, parking arrangements, access, egress etc all within the embraced vision and stated goals of the campus.

The concepts and direction proposed in the updated Master plan have followed on from the previous Master plan. This indicates that the Master plan is both robust and flexible to deal with unfolding clinical demand changes.

In this instance the Private Hospital development zone has not changed. The clinical and service linkages and interrelationships with the existing hospital and infrastructure remains as envisaged. The key difference though is the conversion to a multi-storey development which has the following benefits:

- Far better use of the limited site area.
- Better clinical planning and avoidance of long corridors and through traffic.
- Considered future development and its integration with the existing buildings.

The notion that the Master Plan has been amended to suit the Private Hospital is therefore incorrect.

City response:

It is acknowledged that the physical changes to the development from the previous Master plan have not altered the goals for the site.

2. *Concerns raised regarding the interface. Whilst there is no issue with the setback on Shenton Avenue for this proposal, there were concerns regarding the future decked parking to this street frontage.*

Applicant response:

The multi storey public carpark was envisaged in the earlier Master Plan as was the Council's desire to develop the Shenton Avenue boundary as a vibrant urban street edge. In keeping with this desire it is proposed that a street edge retail development will provide and appropriate visual barrier to the parking development. At upper levels the aesthetic treatment of the parking decks will need to be considered at the time to ensure an environment which is in keeping with the City's vision.

City response:

The Master plan does indicate further deck car parking to be provided towards the Shenton Avenue frontage. However, future tenancies between the car park and Shenton Avenue have been indicated, therefore minimising the visual appearance of the deck.

Should the need for this deck car park eventuate, it will be assessed as part of a future development application.

3. *Noted the pedestrian linkages throughout the development.*

No response provided by the applicant.

City response:

The pedestrian linkages provided as part of this proposal are largely similar to that as part of the previous application for additions. Should the development be approved, a condition is recommended requiring pedestrian routes for visitors and staff being clearly identifiable through the use of signage.

### Conclusion

Taking the above into consideration, the building design is deemed to meet the objectives of the JCCDPM and draft JCCSP, and will be a quality development within the City.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council:**

- 1 EXERCISES discretion under clause 4.5.1 of the City of Joondalup District Planning Scheme No.2 and determines that the building height of five storeys maximum in lieu of two storeys is appropriate in this instance;**
- 2 NOTES that the development does not meet the requirements of the Draft Joondalup City Centre Structure Plan in relation to the setback of Shenton Avenue, being a minimum of 56 metres in lieu of nil;**
- 3 APPROVES the application for planning approval dated 14 December 2010, submitted by Project Directors Australia Pty Ltd, on behalf of the owner, the Minister for Health, for alterations and additions at Lot 500 (60) Shenton Avenue, Joondalup, subject to the following conditions:**
  - 3.1 This decision constitutes planning approval only and is valid for a period of two years from the date of the decision letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;**
  - 3.2 An updated Construction Management Plan being submitted and approved by the City prior to the commencement of construction. The management plan shall detail how it is proposed to manage:**
    - 3.2.1 all forward works for the site;**
    - 3.2.2 the delivery of materials and equipment to the site;**
    - 3.2.3 the storage of materials and equipment on the site;**
    - 3.2.4 the parking arrangements for the contractors and subcontractors;**
    - 3.2.5 other matters likely to impact on the surrounding properties.**
  - 3.3 An updated Waste Management Plan is to be submitted to and approved by the City, prior to the commencement of construction;**

- 3.4 An updated traffic study being submitted to the City prior to the commencement of construction, which details the impact of the additional car parking on traffic movements into and around the Joondalup Health Campus;
- 3.5 With the exception of the deck car park, all external car parking areas shall be provided with one shade tree for every four bays prior to the development first being occupied. The trees shall be located within tree wells protected from damage by vehicles and maintained to the satisfaction of the City;
- 3.6 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;
- 3.7 Landscaping, reticulation and all verge treatments, based on water sensitive urban design principles, are to be established in accordance with the approved plans mentioned in Point 3.6 above prior to the development first being occupied and thereafter maintained to a high standard to the satisfaction of the City;
- 3.8 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;
- 3.9 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 drainage sumps shall be treated with a combination of landscaping, screening and contouring in a manner that complements the surrounding landscape, to be detailed and submitted to the City for approval prior to their installation;
- 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 The end protection islands shall be a minimum width of one metre;
- 3.12 The developer shall ensure the Western Australian Planning Commission's 'Designing Out Crime Planning Guidelines' dated June 2006 is taken into consideration in the preparation of all detailed plans (including landscaping plans). A report shall be submitted with a copy of plans to be used in construction of the development which outlines compliance with the performance criteria of this document, to the satisfaction of the City;

- 3.13 Pedestrian and vehicular accessways shall be aligned to provide clear sightlines, together with the provision of adequate lighting, to ensure vehicular and pedestrian safety;**
- 3.14 The developer shall ensure that all proposed pedestrian pathway routes for both visitors and staff leading to the main entries of the building are clearly identifiable by the use of signage.**

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf080311.pdf](#)*

**CJ036-03/11 JOONDALUP MEN'S SHED**

<b>WARD:</b>	All
<b>RESPONSIBLE</b>	Mr Garry Hunt, Chief Executive Officer
<b>FILE NUMBER:</b>	77613, 33463, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Objectives of the Joondalup Men's Shed Attachment 2 Local Government's Involvement in Men's Sheds

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**PURPOSE**

To provide information on a proposal received from the Joondalup Men's Shed (JMS) community group for the allocation of land for premises and request in-principle support for a Men's Shed in the City of Joondalup.

**EXECUTIVE SUMMARY**

The Australian Mens Shed movement has grown in momentum in recent years, in response to men's health issues and the gap in low cost meaningful activities in which men can participate.

The Joondalup Men's Shed (JMS) community group launched in August 2010, with the aim of addressing the issues of men's mental, physical and emotional health and wellbeing in the community. The group seeks to engage men from a broad range of backgrounds (including retirees, people with disabilities, unemployed, students, young people and indigenous residents) to connect, share and learn new skills and interests. The JMS has quickly attracted interest from the broader community, receiving support from residents, community groups, local businesses and politicians.

The JMS has secured a one year lease of the Manual Arts Department at Padbury High School, which is closing in December 2011 due to declining enrolments. It is not known what future plans the Department of Education and Training has for the site once the Padbury High School closes. Therefore, the JMS is currently seeking land from the City for the development of a long term permanent location for the Men's Shed.

On 16 November 2010, the JMS met with City officers and submitted a proposal for the provision of land for a Men's Shed building, nominating seven sites for consideration by the City. The proposal from the JMS to the City is only for the provision of the land component of the project. It is intended that funding for the cost of the shed and associated infrastructure will be obtained from a combination of grant funding, financing and donations.

*It is recommended that Council:*

- 1 *NOTES the proposal from the Joondalup Men's Shed and the research undertaken into the proposal;*
- 2 *PROVIDES IN-PRINCIPLE SUPPORT for a Men's Shed in the City to benefit the cohort of men not in full time employment and men aged 55 years and over;*

- 3 *REQUESTS that the Chief Executive Officer conduct further investigation into identifying suitable City owned and non-City owned sites that have the potential to be leased or provided for the Joondalup Men's Shed;*
- 4 *NOTES that a further report will be presented to Council for its consideration when the outcomes of the research referred to in part 1 above are known and a recommended course of action identified.*

## **BACKGROUND**

The Men's Shed is a well established community development initiative which provides the opportunity for male residents to meet, share skills and experiences in a supportive environment. The men's health, social and skills development benefits are invaluable to strengthening community. The Australian Men's Shed Association (AMSA) is the largest men's support organisation in Australia with 400 sheds and 30,000 members. The success of the Men's Shed model in a range of community settings demonstrates that it is a dynamic concept which can be adapted to suit the individual needs of the Joondalup Community.

Before the reduction in housing block sizes, the trend toward high density housing and fast-pasted modern life, many homes had a reasonable sized and fairly well equipped shed.

The Men's Sheds concept helps promote good health by encouraging men to be good role models for their family, to be productive, to become valuable members of their communities, to connect to friends, and maintain an active body and mind.

From a broader mental health perspective, these activities have the potential to reduce incidences of depression in socially inactive men and provide a forum for men's health issues to be discussed informally amongst peers.

## **DETAILS**

### **Demographics**

Target demographics are men not in full time employment and men aged 55 years plus. Statistics from the Australian Bureau of Statistics 2006 data show that there are approximately 7,100 males in Joondalup who are over the age of 15 years and working part time, and 10,803 men not in the labour force. There are also approximately 17,000 men aged 55+ in Joondalup.

Men aged over 65 make up 45% of the age cohort however on average comprise only 33% of members at Senior Citizen Clubs in the City of Joondalup. This figure may reflect that activities on offer at seniors clubs may not be suited to the needs of all men in this cohort.

### **Kingsley Veteran's Men's Shed**

The Veteran's Men's Shed in Kingsley has been operational for ten years and is currently located in the Co-ordinator's home shed. The Co-ordinator describes the shed as a place that is helping fellow veterans regain their confidence, self-esteem and purpose of belonging, and at the same time giving something back to the community. The Kingsley Shed has seen its membership grow to 30 men who meet twice a week to fix machinery for charity. The Kingsley Veteran's Men's Shed would greatly benefit from the establishment of a permanent Men's Shed in Joondalup as their current location is not sustainable in the long term.

## Other Local Governments

Research undertaken with other local governments to identify involvement in Men's Sheds is detailed in Attachment 2, which sets out a sample of Western Australian Men's Sheds operating in the Cities of Stirling, Wanneroo, Fremantle, Rockingham and Subiaco and the Shire of Kalamunda together with an outline of the relevant local government's role in relation to each Shed. The topics researched include the following:

- Relationship with group/s.
- Provision of land.
- Role in building development.
- Lease agreements.
- Provision of funds.
- Community development consulting/support.
- Men's Shed promotion.
- Committee representation.

The involvement of local governments is different for each Men's Shed and reflective of the needs of particular communities. The following examples demonstrate the varied levels of involvement:

- The Stirling Community Men's Shed is a City of Stirling initiative with the building development funded through a \$970,000 Lotterywest grant and will be for Home and Community and Care (HACC) from the northern corridor. The Men's Shed Co-ordinator's full time position is funded through Department of Health HACC program. With the exception of start up costs there should be no further costs to City of Stirling, as the shed is intended to become self sustaining, with goods sold to cover operational costs. The Department of Veterans Affairs have provided a grant of \$22,000 for the purchase of woodworking machines.
- The City of Fremantle provides a grant for the operations of the Fremanshed Incorporated ([www.fremanshed.org](http://www.fremanshed.org)). The City will be funding the provision of a consultant this year to investigate sustainable funding options. The group operates in a City-owned building on land belonging to the Department of Education. The Men's Shed Co-ordinator was paid a salary by the City of Fremantle, however, last year the arrangement was changed to the provision of a \$50,000 annual operational grant, which the Fremanshed Committee has used to employ the Co-ordinator.
- The City of Rockingham was closely involved in the setup stage of the Rockingham Community Shed for Men, which is now self sufficient. The City provided land and entered into a lease agreement (peppercorn rent) and also provided a financial contribution towards building the Shed and marketing support. The Community Shed for Men is responsible for utilities, rubbish collection, maintenance and the like. Bendigo Bank contributed \$5,000 annually for the first five years. Rockingham's Club Development Program co-ordinates information sessions to assist with governance and club/community development consulting and is available for advice and support.

## **Joondalup Men's Shed (JMS) Formation**

Late December 2009, the City was approached by a resident who was interested in volunteering to establish a Men's Shed within the City of Joondalup. The City's administration provided support on the basis that the project was community driven.

The City supported a call for expressions of interest from relevant community groups, agencies, retirement villages and residents to attend the JMS group launch held on 26 August 2010. The launch was officiated by Mayor Pickard and Dr Mal Washer, Federal Member for Moore, and there were approximately 100 residents in attendance. Since the group launch, a working party has been formed with the JMS group being incorporated in February 2011. The City has provided ongoing advice and support to the group and representatives have attended group meetings.

### **JMS Current Activities**

JMS is currently operating at the Padbury Senior High School Manual Arts facility with almost 100 "shedders" attending the first official meeting where they were given a tour of their temporary home as well as an update on the progress of the JMS. JMS has recently set up processes and protocols and are currently operational on Tuesday, Wednesday and Thursday each week from 9.30am to 4.30pm.

The JMS has gained momentum through engaging a broad range of community groups and agencies who are interested in joint projects or engaging their clients and members with the JMS. These include local businesses such as IGA and Bendigo Bank, community groups such as the Spiers Centre, and local politicians.

West Coast Institute of Training (WCIT) is using the workshop and adjoining training room on a temporary basis and JMS is in the process of setting up a mentoring program to link in with the WCIT students who are studying to obtain trades qualifications.

The JMS has recently appointed a Welfare Officer as a single point of contact to give the appropriate counselling, referrals, advice, friendship and direction in time of need for shedders.

### **JMS Planning**

The JMS short term plan for 2011 was the establishment of a temporary shed at Padbury High School with activities and events, as well as developing newsletters and a website [www.jms.org.au](http://www.jms.org.au).

The JMS medium term plan for one to two years involves the following:

- The identification of a suitable site for the Men's Shed, which may involve locating premises which can be refurbished or adapted to the purpose.
- Delivering various short courses and information sessions.
- Providing a regular stall at the Joondalup Rotary Swapmart.
- Investigating the provision of services (gardening, home maintenance etc.) to the elderly or disadvantaged in exchange for a small fee for service to boost JMS funds.
- Undertaking projects to support various community groups.
- Identifying additional programs which may include youth mentoring and training and financial counselling.

Within three years, the JMS group aims to establish a permanent, self-supporting community Men's Shed. To achieve this long term plan, JMS is finalising their business plan, establishing the management structure and obtaining sufficient funds from fundraising activities which will include seeking grant funding from Government organisations and sponsorship from private enterprise. The outcome of the JMS proposal for the provision of leased land will be integral to the success of applications to Government organisations for building development funding.

### **Shed Activities**

The proposed shed activities will provide for the interests of JMS members. These are likely to include wood working, metal work, computer skills, restoration of bicycles and lawnmowers, cooking classes and crafts such as stained glass, pottery, leatherwork and the like.

Due to equipment requirements, many of these activities require dedicated space which is reflected in the proposed shed requirements set out below. Part of the JMS aim to be self-supporting is to include a shopfront to display and sell merchandise.

### **Shed Requirements**

The JMS requirements have been based on research and site visits to Men's Sheds throughout WA. Requirements the JMS have developed include a centrally located facility close to public transport and either:

- a large, purpose-built, industrial type shed with approximately 450m<sup>2</sup> of ground level floor space, with a pitched roof at least nine metres in height to accommodate additional mezzanine storage, computer facilities, recreation and counselling areas; or
- a 900m<sup>2</sup>, single level facility with a pitched roof of not less than three metres.

As well as incorporating all the necessary machinery, tools, benches, storage racks and lockable storage cupboards, lighting and other workshop facilities catering for people with disabilities, the shed would have a shop front, kitchen, lounge area, small meeting room, computer room, toilets and showers, and adequate parking. Subject to the availability of space, JMS proposes the outdoor area may incorporate a community garden, barbecue area, all weather gazebo and seating.

### **JMS Operations**

The shed is intended to be open and accessible to all adult men up to six days per week, including evenings, and would encourage mentoring and instruction in various trades and skills. Separate sessions would be set aside for people with special needs if their integration in normal shed activities was deemed impracticable.

### **Funding Sources**

The proposal from the JMS to the City is only for the provision of the land component of the project. It is intended that funding for the cost of the shed and associated infrastructure will be obtained from a combination of grant funding, financing and donations.

Existing Men's Sheds have received funding from a number of different sources such as LotteryWest, Department of Veterans Affairs and the Australian Men's Shed Association.

## **Joondalup Men's Shed Proposal to the City**

The Joondalup Men's Shed group has requested a land lease arrangement from the City, and has proposed seven site options for the City's consideration for the development of a purpose built Men's Shed.

The group is confident that, with the City's support through the provision of land, they will have a strong case to raise the finance and/or grant funding required for the development of the shed and associated infrastructure.

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

The seven sites put forward by JMS for consideration are listed below together with comments about their suitability:

#### **103 Caridean Street Heathridge**

This site cannot be considered as it was resolved to initiate rezoning from "Civic and Cultural" to "Residential" at the Council meeting held on 15 February 2011 (CJ003-02/11 refers).

#### **178 Camberwarra Drive Craigie**

This site cannot be considered as it was resolved to initiate rezoning from "Civic and Cultural" to "Residential" at the Council meeting held on 15 February 2011 (CJ003-02/11 refers).

#### **5 Glenelg Place Connolly**

This site is currently zoned for residential use and is a Public Open Space buffer strip. It is centrally located in terms of public transport and close to proximity shopping centre, Hodges Drive and the freeway. This land is in close proximity to the Connolly Community Centre.

Limitations arising from the development of a Men's Shed on this site are the potentially high building material costs because of the need for compatibility with the existing Community Centre and impact of noise levels from the shed, once established, on the retirement village on the neighbouring property.

#### **Decommissioned Duncraig Tennis Courts**

A report regarding future use of the now decommissioned Duncraig tennis and netball/basketball courts will be presented to Council in mid-2011. The inclusion of space for the development of a Men's Shed facility, although considered, was not deemed appropriate given the Master Planning project and identified future use of the site.

#### **Former Craigie High School Site**

The land is owned by the Department of Education and Training, is zoned urban development and will be developed by Stockland in the future. There is limited potential for a parcel of land to be allocated for a Men's Shed and it will be quite some time before decisions are made about the sections of land designated for community use.

**Quadrangle Business Park**

Quadrangle Business Park is owned by Landcorp and there is no land on release at present. If lots were to become available, the cost per square metre is likely to be prohibitive for a community group such as the Men's Shed.

**Corner Burns Beach Road and Connolly Drive**

This land is owned by Southern Cross Care and earthworks for a large aged accommodation complex have already commenced. There is no potential for a parcel of land to be allocated for a Men's Shed.

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

**Legislation:** Relevant development applications will need to be lodged if the Men's Shed proceeds

**Key Focus Area:** Community Wellbeing

**Objective:** 5.2 - Objective: To facilitate healthy lifestyles within the community

**Policy:** Community Development  
Community Facilities Built  
Setting Fees and Charges

**Risk Management considerations:**

There has been considerable community and business involvement in the Men's Shed project to date. If the City is unable to assist with providing a suitable site, there is potentially a community need that will not be met in future as the JMS temporary location will no longer be available.

There is also a risk that if land is leased to the JMS and a shed is built, the land will be unavailable for a considerable period of time for other users.

**Financial/Budget Implications:**

As clearly outlined in the JMS proposal, the request to the City is for the provision of the land component of the project. It is not intended that the City will be financially contributing to the provision of the shed and the associated infrastructure. Further, it is not intended that the City will be contributing to the ongoing operational costs of the JMS.

If the Council chooses to lease land to the JMS for a subsidised rental, this will be a cost to the City.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Establishing a long term location for the JMS will continue to contribute to the social cohesion of the Joondalup community because it aims to meet a need previously not addressed. The City will see direct positive outcomes for men and indirect positive outcomes for the families of the men involved.

The JMS has developed a business plan that addresses its long-term sustainability, with the aim of developing ongoing partnerships with sponsors, local businesses, community organisations, and the City, State and Federal Government agencies.

In the meantime, the JMS has accommodation at the Padbury Senior High School site until December 2011. As the owner of the Padbury High School site, the Department of Education and Training will determine whether there is any likelihood of the JMS staying beyond that date. This will obviously be dependent on the future use of the site. This is unlikely to be determined until well into 2012 and if the former Craigie High School is any indication, any change in use is likely to take two to four years to come to fruition.

From a financial perspective the JMS believes that it can raise the necessary funds for the building and ongoing operational costs without the need for ongoing financial contributions from the City.

**Consultation:**

The City has not undertaken any consultation on the JMS proposal.

**COMMENT**

The Men's Shed is a well established community development initiative which provides the opportunity for male residents to meet and share skills and experience in a supportive environment. The men's health, social and skills development benefits are invaluable to strengthening community.

Several metropolitan and rural local governments have provided support to Men's Sheds through the provision of land and other forms of support and assistance.

The need for a facility such as a Men's Shed in the City of Joondalup has been demonstrated through the support to date from City residents, businesses and politicians. Importantly, the initiative is community driven and the group has demonstrated its commitment to a Men's Shed by locating and establishing a temporary facility.

Of the seven sites proposed by JMS, only the Connolly site is considered in any way suitable for a Men's Shed, however, this site poses a number of limitations. There may be other sites within the City which could be deemed suitable for a facility however further time is required to investigate alternative sites for suitability. As an example, there may be the possibility of extending a facility such as the Heathridge Leisure Centre to accommodate a Men's Shed however options such as these will require further time to investigate.

Prior to conducting further research into site locations, it is considered appropriate to advise Council of the proposal received from the Joondalup Men's Shed and seek in-principle support for the concept.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 NOTES the proposal from the Joondalup Men's Shed and the research undertaken into the proposal;**
- 2 PROVIDES IN-PRINCIPLE SUPPORT for a Men's Shed in the City to benefit the cohort of men not in full time employment and men aged 55 years and over;**
- 3 REQUESTS that the Chief Executive Officer conduct further investigation into identifying suitable City owned and non-City owned sites that have the potential to be leased or provided for the Joondalup Men's Shed;**
- 4 NOTES that a further report will be presented to Council for its consideration when the outcomes of the research referred to in part 1 above are known and a recommended course of action identified.**

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf080311.pdf](#)

## **CJ037-03/11 COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF) SMALL GRANTS ROUND 2**

**WARD:** All

**RESPONSIBLE** Mr Garry Hunt, Chief Executive Officer

**FILE NUMBER:** 22209,101515

**ATTACHMENTS:** Attachment 1 CSRFF Small Grants Application Process Summary

### **PURPOSE**

To provide details and recommendations on the applications received as part of the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) Small Grants Round 2.

### **EXECUTIVE SUMMARY**

The Department of Sport and Recreation (DRS) has allocated \$20 million for Statewide Grants for the Community Sporting and Recreation Facility Fund. The DSR has established two Small Grants Rounds in addition to the Annual and Forward Planning Grants offered annually. The City of Joondalup is required to assess, rank and rate all applications received from sport and recreation clubs/groups located within the City.

Three community sporting groups submitted an application for consideration as part of the CSRFF Small Grants Round 2.

*It is recommended that Council:*

- 1 *ENDORSES the priority ranking and applicant rating for the project, as set out below:*

<b>Rank</b>	<b>Applicant</b>	<b>Applicant's Rating</b>
1	Joondalup Kinross Junior Football Club	Well planned and needed by the local government.
2	Sorrento Tennis Club	Well planned and needed by applicant.
3	Warwick Sports Centre	Not recommended.

- 2 *LISTS \$33,117 for consideration in the 2011/12 draft budget, subject to the Joondalup Kinross Junior Football Club meeting one-third of the project's total cost for the installation of four floodlighting poles at Falkland Park, and the Club being granted \$33,117 from the Community Sporting and Recreation Facilities Fund;*

- 3 *LISTS \$36,333 for consideration in the 2011/12 draft budget, subject to the Sorrento Tennis Club meeting one-third of the project's total cost for resurfacing courts 13 to 20 (not including repairs to the asphalt base) and court fencing, and the Club being granted \$36,333 from the Community Sporting and Recreation Facilities Fund;*
- 4 *REQUESTS that the Chief Executive Officer notify the Sorrento Tennis Club that, in accordance with the endorsed Tennis Court Facility Hierarchy, the City will not contribute financially to the resurfacing of courts 13 to 20 prior to the 2019 financial year, approved by Council at its meeting held on 15 February 2011 (CJ010-02/11 refers);*
- 5 *DOES NOT APPROVE the Warwick Sports Centre's application for \$13,000 as part of the Community Sporting and Recreation Facilities Fund.*

## **BACKGROUND**

The Department of Sport and Recreation's CSRFF program aims to increase participation in physical activity through the development of well designed infrastructure for sport and recreation.

The CSRFF program represents a partnership opportunity for community organisations to work with Local Government Authorities and the Department of Sport and Recreation. A CSRFF grant will not exceed one-third of the total completed cost of the project, with the remaining funds to be contributed by applicant's own cash or 'in-kind' contribution and the Local Government Authority. The State Government allocates \$20 million per year for CSRFF grants. Grant categories include the Annual and Forward Planning grants, which have been offered by the State for over ten years, and the second year of two Small Grants Rounds. Details of each grant category are set out below:

### **Small Grants (\$1.5 million per year; \$750,000 each round)**

Small Grants are offered on a bi-annual basis for projects with a total value of between \$7,500 and \$150,000. Small grant funding includes funding for planning studies to a total value of \$45,000, which may lead to future CSRFF applications for large scale projects. Applications close in August and March of each year;

### **Annual Grants (\$3 million per year)**

Annual Grants require greater detail and planning and have a total project value of between \$150,001 and \$500,000. Applications close in October of each year; and

### **Forward Planning Grants (\$15.5 million per year)**

Forward Planning Grants are for projects requiring a period of between one and three years to complete with a maximum grant available for each project of \$4 million (total project value up to \$12 million). Applications close in October of each year.

The City of Joondalup is required to place a priority ranking and rating on applications from organisations that fall within its boundaries, based on the following criteria:

- Well planned and needed by the local government;
- Well planned and needed by the applicant;
- Needed by the local government, more planning required;
- Needed by the applicant, more planning required;
- Idea has merit, more preliminary work needed; or
- Not recommended.

A strong emphasis is placed on a planned approach towards CSRFF applications and as a result, the City implements its CSRFF process to reflect this principle the Small Grants Round 2 (Attachment 1 refers).

## **DETAILS**

The City of Joondalup received three applications as part of the CSRFF Small Grants Round 2.

The City assessed the applications, and developed a project summary and justification for the recommendations for each project as part of the assessment process.

### **Joondalup Kinross Junior Football Club**

#### Project Summary

The Joondalup Kinross Junior Football Club's (JKJFC) application is for the upgrade of the current floodlighting at Falkland Park, Kinross in order to provide opportunities for more efficient use of the park and provide lighting to the current Australian lighting standards for large ball sports.

Currently, there are two light poles, each with 2 x 1,000w lights providing floodlighting to a small section of the park. The application involves the installation of four poles each with four lights (AFL - 50 lux) to provide a training area for large ball sports across the entire reserve. The proposed level of lighting meets current Australian Standards, and will increase training opportunities as well as provide flexibility for the seasonal hirers of the park.

The JKJFC successfully implemented a similar project when it received funding through CSRFF in the 2006/07 financial year for the upgrade of floodlighting at Windermere Park, Joondalup. The club also received funding to extend the Windermere Park Clubroom facilities through CSRFF in the 2008/09 financial year. Both projects were completed on time and within budget, demonstrating the club's experience in managing projects.

As part of the project an assessment of the power supply was undertaken. It was identified that a power upgrade involving the installation of a sub-station would be required. The club has already contributed to the project by paying costs of approximately \$1,500 for a detailed design and installation for the power supply upgrade to the reserve. The proposed location for the sub-station is near the existing bore pump and adjoining switchboard, at the southern end of Falkland Park. The sub-station will be designed to accommodate future power supply upgrades.

In assessing the application, it is acknowledged that the JKJFC has worked with the City over the past 12 months to develop this project in such a way that it will support an increase in structured sport and physical activity at Falkland Park, whilst not impacting on potential future use of the park.

JKJFC is one of the largest community sporting clubs in the City, with over 770 members. Currently the club is restricted by the limited availability of parks for training. Floodlighting Falkland Park will provide the club with much needed space for training.

The project also has the potential to positively impact on the community's ability to participate in physical activity and provides increased opportunities for the safe use of the City's grounds. The upgrade of lighting will also provide the City with greater flexibility to manage and conduct park bookings and maintenance.

The project provides value for money and the approach taken by the JKJFC provides assurance that the project will be delivered in accordance with City of Joondalup and Australian Standards.

<b>Total Project Cost:</b>	<b>\$99,352 (ex GST)</b>
City of Joondalup Contribution requested:	\$33,117 (ex GST)
CSRFF Grant requested:	\$33,117 (ex GST)
Club Contribution	\$33,118 (ex GST)

#### Assessment Summary

Assessment Criteria	Evidence Provided		
	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity	✓		
Sustainability	✓		

#### Recommendation Summary

Ranking:	1
Rating:	Well planned and needed by the local government.
Funding recommended:	\$33,117

#### **Sorrento Tennis Club**

##### Project Summary

The Sorrento Tennis Club's (STC) application involves the resurfacing of eight courts and a fencing upgrade to 12 courts at the club premises located at Percy Doyle Reserve, Duncraig.

The facility currently has 20 courts available for use by the club and for community hire. The club has identified eight courts to be resurfaced based on the age of the facilities and the poor condition of the playing surface. Courts 16, 17 and 18 were last resurfaced in 2000; 13, 14 and 15 in 2001; and the club's 'Premier' courts, 19 and 20, in 2004.

The Club also proposes that new fencing be installed to courts 1 to 12. The fencing was originally erected in 1981. The deterioration of the fencing has been deemed to be unsafe due to protruding wiring, leading to risks to both club and community users of the courts.

The STC's 21 year lease with the City of Joondalup expired in 2010 and is currently held over on the same terms and conditions. The lease has not been renewed as the City is reviewing its leases and licences as part of a corporate Property Framework. Once the framework is agreed, negotiations will take place with the club. The lease sets out the responsibilities for maintaining the leased asset, in this case clubrooms and 20 plexipave tennis courts. The STC is the only tennis club within the City that leases clubrooms and courts, with the other tennis clubs operating under a hire arrangement, with the City being solely responsible for court maintenance.

At its meeting held on 16 October 2007, Council endorsed the one off payment for the resurfacing of four tennis courts (CJ222-10/07 refers).

In 2010, the STC approached the City regarding the resurfacing of tennis. The City requested the club provide an independent condition report on the courts proposed for resurfacing. In developing the application for CSRFF Grant Funding, STC engaged a sporting infrastructure supplier, Sports Surfaces, to provide an assessment and written quote for the resurfacing works.

At its meeting held on 15 February 2011, Council adopted a City Tennis Court Provision and Maintenance Strategy (CJ010-02/11 refers). According to the Tennis Court Facility Hierarchy adopted as part of the Strategy, the STC is classified as a regional facility with a court life expectancy of eight years. In line with this Strategy there is demonstrated need to resurface courts 13 to 20 as the surface on these courts will be over eight years once works commence.

The STC has demonstrated a financial capacity to meet the costs of the project and has indicated that they will submit an application to Tennis Australia's National Court Rebate Scheme for STC's one-third contribution of project costs.

In assessing the application, it is acknowledged that the STC has worked with the City to develop this project in such a way that it will support structured sport and physical activity. STC currently has 265 members and provides access to the community for general hire of tennis courts. STC has demonstrated experience completing court resurfacing projects.

<b>Total Project Cost:</b>	<b>\$108,999 (ex GST)</b>
City of Joondalup Contribution requested:	\$ 36,333 (ex GST)
CSRFF Grant requested:	\$ 36,333 (ex GST)
Club Contribution	\$ 36,333 (ex GST)

Assessment Summary

Assessment Criteria	Evidence Provided		
	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity	✓		
Sustainability	✓		

Recommendation Summary

Ranking: 2  
Rating: Well planned and needed by the applicant.  
Funding recommended: \$36,333

**Warwick Sports Centre**Project Summary

The Warwick Sports Centre's (WSC) application involves the construction of a new greenkeepers shed at Warwick Open Space. The project will enable the Perth Outlaws Softball Club to utilise the existing facility and establish storage space, a meeting room and canteen.

The current membership of the WSC is 655, which includes members of the Warwick Bowling Club, Greenwood Tennis Club and Perth Outlaws Softball Club. Social memberships are also available. The proposed project would directly benefit 154 members of the softball club.

In assessing the application, it is acknowledged that the WSC worked with the City to develop this project. The WSC had originally submitted an application for consideration in the CSRFF Small Grants Round 1 in July 2010, however, it was deemed that the application needed further development to provide evidence for the proposal to be considered by both the City and the Department of Sport and Recreation.

During the application period, it was brought to the City's attention that the WSC had passed a resolution of the Association to voluntarily wind up. This has now been confirmed as taking effect as of 30 April 2011.

While the application was still presented for assessment, it was deemed that given the circumstances regarding the uncertainty of the WSC and the impact on the associated individual clubs, the application was not supported. Other considerations for the project included the limited impact of the project to increase physical activity and that the facility would be exclusive to the softball club only and not available for general community use.

It was agreed during assessment that support for any development at the facility would not be granted until the City has dealt with the dissolution of the WSC as an Association.

<b>Total Project Cost:</b>	<b>\$40,700 (ex GST)</b>
City of Joondalup Contribution requested:	\$13,000 (ex GST)
CSRFF Grant requested:	\$13,000 (ex GST)
Club Contribution	\$14,700 (ex GST)

### Assessment Summary

Assessment Criteria	Evidence Provided		
	Satisfactory	Unsatisfactory	Not relevant
Project justification		✓	
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity		✓	
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity		✓	
Sustainability	✓		

### Recommendation Summary

Ranking:	3
Rating:	Not recommended.
Funding recommended:	Nil

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

Not Applicable.

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

#### **Legislation – Statutory Provisions:**

#### Australian Standard AS2560.2.3 - Guide to Sports Lighting for Football (All Codes)

This code sets out specific recommendations for the lighting of outdoor football grounds for all codes commonly played in Australia (Rugby League, Rugby Union, Australian Rules and Soccer). The standard provides recommendations on lighting to facilitate training and match standards of play.

#### Australian Standard AS4282 – Control of Obtrusive Effects of Outdoor Lighting

This code specifically refers to the potentially adverse effects of outdoor lighting on nearby residents (for example dwellings such as houses, hotels, hospitals), users of adjacent roads (for example vehicle drivers, pedestrians, cyclists) and transport signalling systems (for example air, marine, rail), and on astronomical observations.

## Strategic Plan

**Key Focus Area:** Community Wellbeing

**Objective:** 5.2 To facilitate healthy lifestyles within the community.

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

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

**Policy** The assessment process undertaken for the CSRFF program is in line with the following City policies:

Community Funding  
Reserves, Parks and Recreation Grounds  
Community Facilities – Built

### Risk Management considerations:

#### Joondalup Kinross Junior Football Club

The key risk associated with the installation of floodlighting is related to the quality of completed works. This risk is mitigated by the City's Building and Approvals process. All floodlighting projects must meet Australian Standards legislation in order to receive building approval. The City assesses all works on completion. The works must meet the City's requirements prior to funding being released.

#### Sorrento Tennis Club

In assessing the application two key risks have been identified. The first risk relates to the funding of the project. The Department of Sport and Recreation has informed the City that tennis court resurfacing is not a high priority and unlikely to receive a full one-third funding contribution. If DSR does not provide funding, the club has demonstrated adequate reserves to fund a maximum of two-thirds of the project cost, being \$72,666 of the total cost of \$108,999.

The second risk relates to the condition of the existing court base. An assessment of courts 13 to 18 identified a concern with the condition of the asphalt base, which may lead to cracking of the tennis court surface. The contractor's warranty does not cover cracking of the court surface as a result of issues with the asphalt base and there is a risk that the new surface may only last four years. Under the recently adopted Tennis Court Hierarchy, the life expectancy for a regional tennis court is eight years.

In order to mitigate the risk the following options have been considered;

#### Option 1 – Replace the asphalt base

The City would be required to fund the full cost of the replacement of the asphalt base. The estimated cost for the replacement of the asphalt base for six courts is \$80,000. The Sorrento Tennis Club has indicated that they are not in a financial position to fund any additional costs associated with the replacement of asphalt and the Department of Sport and Recreation will not fund any additional costs incurred above the original project budget.

Option 2 – Resurface without replacing the base

In line with the City's standard resurfacing program, which is eight years for regional tennis court facilities, the club agrees that they will not make any claims for financial assistance for the resurfacing of courts 13 to 18, prior to 2019. Courts 19 and 20 have been deemed to be of sound structural integrity.

All works must be completed in line with Australian Standards legislation. The City assesses all works on completion. The works must meet the City's requirements prior to funding being released. Option 2 is the recommended option.

**Financial/Budget Implications:**

The recommendations presented to Council have been listed for consideration in the City's 2011/12 draft budget, subject to approval for the projects being provided by CSRFF. It is anticipated that the Department of Sport and Recreation will advise the outcome of the Small Grant Round 2 assessments in May 2011.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**Environmental Considerations

The proposed design of the Joondalup Kinross Junior Football Club's floodlighting has been developed to ensure flexibility in the switching of each individual pole and park lighting as a whole. Considerations have been made for future technologies that would enable an automated system linking the lighting to the formal park bookings.

**Consultation:**

The City undertook community consultation for the Joondalup Kinross Junior Football Club's proposed floodlighting upgrade to Falkland Park. A letter was sent to local residents, along with a plan of the reserve and the locations of the proposed floodlighting poles. Residents were invited to forward any concerns in writing to the City, or contact the Recreation Development Officer if they required any more information before forming their opinions.

A period of 21 days was allowed for submissions to be made. A distribution area of between 250 and 300 meters surrounding Falkland Park was used to cover residents who may be impacted by the project. The number of letters sent and comments received are detailed below:

<b>Reserve</b>	<b>Letters Sent</b>	<b>Responses Received</b>	<b>Comments</b>
Falkland Park	116	3	<ul style="list-style-type: none"> <li>• Supported proposal to help deter anti-social behaviour</li> <li>• Requested fencing around sub-station to deter graffiti</li> <li>• Requested locking of the car park to deter anti-social behaviour in the evenings</li> </ul>

Community consultation was not required for the Sorrento Tennis Club and Warwick Sports Centre applications.

## COMMENT

The Department of Sport and Recreation, through the CSRFF, aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of sustainable, good quality, well designed and well utilised facilities. The CSRFF provides the City with an excellent opportunity to upgrade community facilities and City infrastructure with the support of the State Government (Department of Sport and Recreation) and the community organisations that will directly benefit from the upgrades.

### Joondalup Kinross Junior Football Club

The Joondalup Kinross Junior Football Club's application has been researched and well planned. The approach taken by the club demonstrates a strong commitment to deliver the project, including their contribution to the costs of the associated power upgrade at Falkland Park. Supporting this project represents a sound financial contribution toward sport and recreation in the Joondalup region for clubs and the community in general.

The floodlighting upgrade will benefit the club, and the City, by allowing greater flexibility for training use of the reserve and increased security for the community of Kinross. The Joondalup Kinross Junior Football Club will project manage the floodlighting installation, however, the City will be consulted as part of the installation process and sign off on the completed works.

### Sorrento Tennis Club

In assessing the Sorrento Tennis Club's application, it has been identified that the project is a sound concept and needed by the club. The club's ability to fund a minimum one third of the project cost indicates the club is financially viable and demonstrates its commitment to planning for resurfacing projects into the future.

The resurfacing and the fencing at the Sorrento Tennis Club will benefit the club through an increase in community use, as well as providing a high level facility that will help attract and retain members. The proposal to resurface courts 13 to 20 also aligns with the City's recently endorsed Tennis Court Provision and Maintenance Strategy (CJ010-02/11 refers).

The risks associated with the condition of the existing asphalt base and the potential for increased costs can be mitigated by the City entering into an agreement with the Sorrento Tennis Club. The agreement will clearly outline that if the Club chooses to resurface the courts without replacing the asphalt base, the City will not contribute financially to the resurfacing of courts 13 to 20, prior to 2019, in accordance with the endorsed Tennis Court Facility Hierarchy standards for court resurfacing.

It should also be noted that consultation with the user groups of Percy Doyle Reserve has commenced to determine the position of those groups with regards to Master Plan for the site. The impact of the Master Plan on the location and design of sporting facilities at the Sorrento Tennis Club is currently unknown.

The City will work closely with STC to ensure the project is delivered on time, within budget and to the required standards.

Warwick Sports Centre

The City is currently working with the Warwick Sports Centre regarding the process of dissolution, the terms of the Lease for facilities at Warwick Open Space and the impact on individual clubs. Whilst the current application is not supported the City will continue to work with the Warwick Sports Centre to resolve the issues raised.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council:**

- 1 ENDORSES the priority ranking and applicant rating for the project, as stated below:**

<b>Rank</b>	<b>Applicant</b>	<b>Applicant's Rating</b>
<b>1</b>	<b>Joondalup Kinross Junior Football Club</b>	<b>Well planned and needed by the local government.</b>
<b>2</b>	<b>Sorrento Tennis Club</b>	<b>Well planned and needed by applicant.</b>
<b>3</b>	<b>Warwick Sports Centre</b>	<b>Not recommended.</b>

- 2 LISTS \$33,117 for consideration in the 2011/12 draft budget, subject to the Joondalup Kinross Junior Football Club meeting one third of the project's total cost for the installation of four floodlighting poles at Falkland Park, and the Club being granted \$33,117 from the Community Sporting and Recreation Facilities Fund;**
- 3 LISTS \$36,333 for consideration in the 2011/12 draft budget, subject to the Sorrento Tennis Club meeting one third of the project's total cost for resurfacing courts 13 to 20 (not including repairs to the asphalt base) and court fencing, and the Club being granted \$36,333 from the Community Sporting and Recreation Facilities Fund;**
- 4 REQUESTS the Chief Executive Officer notify the Sorrento Tennis Club that, in accordance with the endorsed Tennis Court Facility Hierarchy, the City will not contribute financially to the resurfacing of courts 13 to 20 prior to 2019;**
- 5 DOES NOT APPROVE the Warwick Sports Centre's application for \$13,000 as part of the Community Sporting and Recreation Facilities Fund.**

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf080311.pdf](#)

## **CJ038-03/11 MINUTES OF SPECIAL MEETING OF ELECTORS HELD ON FRIDAY, 11 FEBRUARY 2011**

<b>WARD:</b>	All
<b>RESPONSIBLE</b>	Mr Garry Hunt, Chief Executive Officer
<b>FILE NUMBER:</b>	08096, 22103, 75029, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Minutes of Special Meeting of Electors held on Friday 11 February 2011

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### **PURPOSE**

For Council to note the Minutes of the Special Meeting of Electors held on Friday, 11 February 2011 and give consideration to the motions carried at the Special Meeting of Electors.

### **EXECUTIVE SUMMARY**

As requested by Electors of the City of Joondalup, a Special Meeting of Electors was held on 11 February 2011 in accordance with the provisions of the Local Government Act 1995.

The Local Government Act 1995 requires all decisions made at an electors meeting to be referred to the Council for consideration.

*It is recommended that Council:*

- 1 *NOTES the minutes of the Special Meeting of Electors held on 11 February 2011 forming Attachment 1 to Report CJ038-03/11;*
- 2 *NOTES the resolution as detailed in Motion 1 of this Report requesting the development of an overall strategy for the provision of skate park locations within the whole of the City and CONSIDERS this as an option once a decision has been made on whether to proceed with a skate park at Mirror Park, Ocean Reef;*
- 3 *DECLINES to adopt the resolution as detailed in Motion 4 of this Report requesting the investigation of additional sites for a skate park facility at Elcar Park and the Craigie Leisure Centre at this point in time;*
- 4 *NOTES:*
  - 4.1 *the resolution as detailed in Motion 8 of this Report endorsing the location of a new skate park at Mirror Park, Ocean Reef;*
  - 4.2 *that a further report on the construction of a skate park at Mirror Park, Ocean Reef will be submitted to the May 2011 meeting for consideration;*
  - 4.3 *that an amount of \$250,000 has been listed for consideration as part of the 2011/12 budget process.*

## **BACKGROUND**

A Special Meeting of Electors was convened in accordance with the provisions of Section 5.28 of the Local Government Act 1995.

The purpose of the meeting was to discuss the following matters:

- “1 No Skate Park in Mirror Park, and finding a more suitable location for a Skate Park in Ocean Reef or nearby suburbs that takes into account all considerations of all the affected parties concerns;*
- 2 The City of Joondalup developing a strategic plan for the development of Skate Parks, BMX tracks and similar facilities.”*

The meeting was attended by approximately 210 persons, 185 of whom were electors registered to vote during the meeting. The minutes of that meeting form Attachment 1 to this Report.

## **DETAILS**

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

Decisions made at an Electors' Meeting are the recommendations of those present, on the matters discussed and considered at the meeting and are not binding on the Council. The Local Government Act 1995 requires all decisions made at an Electors Meeting be referred to the Council for consideration.

The Motions carried at the Special Meeting of Electors are set out below, together with officer's comments:

### **MOTION 1**

**MOVED Mr D Long, Mullaloo SECONDED Mrs S Boylan, Mullaloo that Council:**

- 1 develops an overall strategy for the provision of skate park locations within the whole of the City of Joondalup to service the needs of the whole community in the best way possible;**
- 2 in support of an overall strategy, re-establish a Skate Park Committee with terms of reference similar to the Skate Park Committee that was established in 2001, to investigate, develop and make recommendations for the construction of skate park facilities in the City of Joondalup.**

### **Officer's Comment**

The Skate Park Committee referred to in this motion ceased operation in mid-2002 and was disbanded in May 2003 (JSC25-05/03 refers) after recommending to Council sites for the development of future skate park facilities. The sites supported by Council at its meeting of 13 March 2001 (CJ061-03/01 refers) were:

- MacNaughton Park, Kinross.
- Kanangra Park, Greenwood.

- Edgewater Quarry, Edgewater.
- Lexcen Park, Ocean Reef.
- Tom Simpson Park, Mullaloo.
- Chichester Park, Woodvale.

Other than the skate park at MacNaughton Park Kinross, there were no skate park facilities subsequently constructed on these sites. It is likely that some sites would now be considered unsuitable such as Tom Simpson Park, Mullaloo which is located close to a licensed premise.

While a number of requests for new skate park facilities have been received by the City since 2001 (details of these requests are included in Report CJ270-12/09 of the Council meeting held on 15 December 2009), there has been no consideration given by Council to providing additional facilities between 2001 and 2009 when the 858-signature petition was received to have a skate park at Mirror Park or another suitable location in Ocean Reef/Mullaloo.

While it is possible to develop an overall strategy for the provision of skate park locations within the whole of the City, it is considered important with facilities such as skate parks that there is demonstrated community demand. The petition submitted in August 2009 shows significant community demand for a skate park in Ocean Reef/Mullaloo.

The City's available resources are currently focused on implementing the Council resolution from 14 December 2010 (CJ212-12/10 refers) in relation to a proposed skate park at Mirror Park, Ocean Reef that includes a desktop review of 23 parks in Ocean Reef and Mullaloo to ascertain their suitability for a skate park facility.

It is considered appropriate to proceed with implementation of this recommendation prior to making any decision to shift the City's resources to the focus on further strategic demand for skate park and bmx facilities as recommended in Motion 1. It is possible that if a skate park is developed in Ocean Reef/Mullaloo, this will satisfy a significant portion of the demand and will need to be taken into consideration in an overall strategy.

It is expected that a report will be submitted to the May 2011 Council Meeting in line with the recommendations from 14 December 2010 meeting.

#### **Officer's Recommendation**

That the motion on the development of an overall strategy for the provision of skate park locations within the whole of the City be noted and considered as an option once a decision has been made on whether to proceed with a skate park at Mirror Park, Ocean Reef.

#### **MOTION 4**

**MOVED Ms R Fleming, Ocean Reef SECONDED Ms S Long, Mullaloo that Council:**

- 1 undertakes a full and proper investigation into the construction of a skate park/BMX wheeled sports facility at Elcar Park, on the corners of Ascari Lane and Winton Road Joondalup;**
- 2 should Elcar Park prove to be unsuitable, then a skate park be constructed and provided in Craigie Leisure Centre Whitfords Avenue;**
- 3 notes that both Elcar Park and Craigie Leisure Centre have superior public transport accessibility.**

**Officer's Comment**

It is recommended that the proposal for the development of a skate park at Mirror Park, Ocean Reef be considered prior to examining proposals for additional skate parks at locations such as Elcar Park and the Craigie Leisure Centre.

It is possible that a skate park in Ocean Reef/Mullaloo will satisfy a significant portion of the demand for additional skate park facilities.

If additional skate park facilities are still required then this can be considered as part of the development of an overall strategy for the provision of skate park locations within the whole City as indicated in the officer's recommendation on Motion 1.

In relation to the Craigie Leisure Centre, there is already a small, moveable skate facility located on this site. Anecdotal evidence suggests that the facility has minimal usage due to location and the nature of the facility.

**Officer's Recommendation**

That the City does not investigate additional sites for a skate park facility at Elcar Park and the Craigie Leisure Centre at this point in time.

**MOTION 8**

**MOVED Mr R Keogh, Mullaloo SECONDED Ms F May, Mullaloo that this Special Meeting of Electors endorse the location of a new skate park at Mirror Park and request the City proceed with construction of the facility, listing for consideration in the 2011/12 financial year sufficient funds to complete the skate park in that financial year.**

**Officer's Comment**

A report will be submitted to the May 2011 Council Meeting which will address, among other issues, the design of a permanent skate park for inclusion at Mirror Park, Ocean Reef. An amount of \$250,000 has been listed for consideration as part of the 2011/12 budget process.

**Officer's Recommendation**

That Council notes that a further report on the construction of a skate park at Mirror Park, Ocean Reef will be submitted to the May 2011 Council Meeting for its consideration and that an amount of \$250,000 has been listed for consideration as part of the 2011/12 budget process.

**Legislation/Strategic Plan/Policy Implications**

**Legislation** Section 5.33 of the Local Government Act 1995 states:

**Decisions made at Electors' Meetings**

- 5.33 (1) All decisions made at an Electors' Meeting are to be considered by the Council at the next ordinary council meeting or, if this is not practicable:

- (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose,  
whichever happens first.
- (2) If at a meeting of the Council a local government makes a decision in response to a decision made at an Electors' Meeting, the reasons for the decision are to be recorded in the minutes of the Council Meeting.

**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 Not Applicable.

**Risk Management considerations:**

Failure to consider the decisions made at the Special Meeting of Electors will result in the City breaching Section 5.33 of the *Local Government Act 1995*.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The minutes of the Special Meeting of Electors are submitted to Council for information.

**VOTING REQUIREMENTS**

Simple Majority.

## RECOMMENDATION

### That Council:

- 1 **NOTES** the minutes of the Special Meeting of Electors held on Friday, 11 February 2011 forming Attachment 1 to Report CJ038-03/11;
- 2 **NOTES** the resolution as detailed in Motion 1 of this Report requesting the development of an overall strategy for the provision of skate park locations within the whole of the City and **CONSIDERS** this as an option once a decision has been made on whether to proceed with a skate park at Mirror Park, Ocean Reef;
- 3 **DECLINES** to adopt the resolution as detailed in Motion 4 of this Report requesting the investigation of investigate additional sites for a skate park facility at Elcar Park and the Craigie Leisure Centre at this point in time;
- 4 **NOTES:**
  - 4.1 the resolution as detailed in Motion 8 of this Report endorsing the location of a new skate park at Mirror Park, Ocean Reef;
  - 4.2 that a further report on the construction of a skate park at Mirror Park, Ocean Reef will be submitted to the May 2011 meeting for consideration;
  - 4.3 that an amount of \$250,000 has been listed for consideration as part of the 2011/12 budget process.

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf080311.pdf](#)

**CJ039-03/11 MINUTES OF EXTERNAL COMMITTEES****WARD:** All**RESPONSIBLE:** Mr Jamie Parry, Director Governance and Strategy**FILE NUMBER:** 09151, 101515, 48543, 03149**ATTACHMENTS:** Attachment 1 Minutes of the Local Emergency Management Committee held on 3 February 2011.  
Attachment 2 Minutes of Tamala Park Regional Council held on 17 February 2011

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

**PURPOSE**

To submit minutes of external committees to Council for information.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Meeting of the Local Emergency Management Committee held on 3 February 2011.
- Meeting of Tamala Park Regional Council held on 17 February 2011.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the minutes of the:**

- 1 Local Emergency Management Committee meeting held on 3 February 2011 forming Attachment 1 to Report CJ039-03/11;**
- 2 Tamala Park Regional Council meeting held on 17 February 2011 forming Attachment 2 to Report CJ039-03/11.**

To access this attachment on electronic document, click here: [externalminutes080311.pdf](#)

**CJ040-03/11 EXECUTION OF DOCUMENTS**

**WARD:** All

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

**FILE NUMBER:** 15876, 101515

**ATTACHMENTS:** Nil.

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 8 February 2011 to 22 February 2011.

**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 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 Notification
<b>Parties:</b>	City of Joondalup/ N A Paton-Diggins, C I Murrhy and A S Paton-Diggins
<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 99 (9) The Return, Woodvale
<b>Date:</b>	08.02.11
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	City of Joondalup and A J and A R Turnbull
<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 652 (100) Chichester Drive, Woodvale
<b>Date:</b>	16.02.11
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Loan Agreement
<b>Parties:</b>	W A Treasury Corporation and City of Joondalup
<b>Description:</b>	Contract for Loan 6 of \$2,924K as approved in the Budget for RLCIP Projects
<b>Date:</b>	22.02.11
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	City of Joondalup and R C and G K Willsher
<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 572 (25) Sulina Place, Kallaroo
<b>Date:</b>	22.02.11
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Section 70A Notification
<b>Parties:</b>	City of Joondalup and C J and S L Swift
<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 777 (104) Lysander Drive, Heathridge
<b>Date:</b>	22.02.11
<b>Signed/Sealed:</b>	Sealed

<b>Document:</b>	Grant of Easement
<b>Parties:</b>	City of Joondalup and Waycrest Holdings Pty Ltd
<b>Description:</b>	Easement in Gross – Resubdivision of Strata Plan 7668-132 Coolibah Drive, Greenwood (Coolibah Plaza Shopping Centre)
<b>Date:</b>	22.02.11
<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

Nil.

**Policy**

Nil.

**Risk Management considerations:**

Nil.

**Financial/Budget Implications:**

Financial/Budget implications are dependent on the type of document that has been executed. Where the execution of a document results in a financial/budget implication, a dollar value has been stated in the Description provided in the Details section of this report.

**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 8 February 2011 to 22 February 2011 executed by means of affixing the Common Seal.**

## **CJ041-03/11 MINUTES OF POLICY COMMITTEE MEETING HELD ON 7 FEBRUARY 2011**

<b>WARD:</b>	All
<b>RESPONSIBLE</b>	Mr Jamie Parry, Director Governance and Strategy
<b>FILE NUMBER:</b>	26176, 101515, 21452, 09717, 45293, 101270, 01435
<b>ATTACHMENTS:</b>	<p>Attachment 1 Minutes of Policy Committee Meeting held on 7 February 2011</p> <p>Attachment 2 Draft Small Scale Renewable Energy Systems Policy</p> <p>Attachment 3 Draft Environmentally Sustainable Buildings in the City of Joondalup Policy</p> <p>Attachment 4 Draft Environmentally Sustainable Design Checklist</p> <p>Attachment 5 Schedule of submissions following the advertising of the Draft Small Scale Renewable Energy Systems and Draft Environmentally Sustainable Buildings in the City of Joondalup Policies</p> <p>Attachment 6 Draft Vandalism to Vegetation on Land Owned or Managed by the City Policy</p> <p>Attachment 7 Elected Members – Allowances Policy</p>

### **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 7 February 2011 to consider the following matters:

- Item 1 Draft Small Scale Renewable Energy Systems and Draft Environmentally Sustainable Buildings in the City of Joondalup Policies and Draft Environmentally Sustainable Design Checklist;
- Item 2 Draft Vandalism to Vegetation on land owned or managed by the City Policy;
- Item 3 Amendment to Elected Members - Allowances Policy – Conferences/Training.

### **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;

- 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 7 February 2011 are shown below, together with officer's comments:

#### **Item 1 Draft Small Scale Renewable Energy Systems and Draft Environmentally Sustainable Buildings in the City of Joondalup Policies and Draft Environmentally Sustainable Design Checklist.**

The following motion was carried:

*"That Council:*

- 1 *in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2 ADOPTS the following:*
  - 1.1 *Draft Small Scale Renewable Energy Systems Policy forming Attachment 1 to this Report;*
  - 1.2 *Draft Environmentally Sustainable Buildings in the City of Joondalup Policy forming Attachment 2 to this Report;*
  - 1.3 *Draft Environmentally Sustainable Design Checklist forming Attachment 3 to this Report;*
- 2 *NOTES the submissions received and advises the submitters of Council's decision."*

### Officer's Comment

No further comment required.

**Item 2 Draft Vandalism to Vegetation on land owned or managed by the City Policy.**

The following Officer's recommendation was presented to the Committee:

*"That the Policy Committee RECOMMENDS that Council ADOPTS the Draft Vandalism to Vegetation on Land Owned or Managed by the City Policy, forming Attachment 1 to this Report."*

The following motion was carried:

*"That the Policy Committee RECOMMENDS that Council ADOPTS the Draft Vandalism to Vegetation on Land Owned or Managed by the City Policy, forming Attachment 1 to this Report, subject to the following amendments:*

1 *An additional point 4) be added to the Policy to read as follows:*

*"Replacement planting and rehabilitation works will be determined on a site by site basis (and may include the placement of two or more of an appropriate plant species at the affected locality, of a similar maturity if possible) following the removal of the poisoned or damaged vegetation".*

2 *An additional point 5) be added to the Policy to read as follows:*

*"When ongoing vandalism occurs then further investigative responses including CCTV may be considered by the Chief Executive Officer."*

**Officer's Comment**

The amended Motion is supported.

**Item 3 Amendment to Elected Members - Allowances Policy – Conferences/Training.**

The following Officer's recommendation was presented to the Committee:

*"That the Policy Committee RECOMMENDS that Council:*

1 *GIVES CONSIDERATION to amending Clause 4.3 of Policy – Elected Members – Allowances to provide:*

1.1 *An entitlement for WA Local Government Association:*

*North Metropolitan Zone representatives (Member and/or Deputy Member); or*

*AGM voting delegates (as endorsed by the Council);*

*to attend the Annual WA Local Government Association Conference;*

1.2 *An entitlement for a Council endorsed Elected Member representative (Member and/or Deputy Member) on an external Board or Committee to attend a conference or training associated with the primary function of that Board/Committee.*

- 2 *GIVES CONSIDERATION to an appropriate budgetary amount to support the entitlement in part 1 above."*

The following motion was carried:

*"That the Policy Committee RECOMMENDS that Council:*

- 1 *AMENDS Clause 4.3 of Policy – Elected Members – Allowances to provide an entitlement for Elected Members to attend the Annual WA Local Government Association Conference.*
- 2 *ENDORSES the inclusion of appropriate funding in the Elected Members Conferences and Training budget to support the entitlement in part 1 above."*

#### Officer's Comment

The recommendation can be supported.

### **REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

Cr Young requested the Art Collection Advisory Committee consider reviewing the City's Art and Memorabilia Collections Policy in relation to:

- 1 An appropriate process and budget provision for the commissioning of artwork(s);
- 2 Appropriate flexibility within the Policy requirements that would not commit the City to the purchase of exhibits from the City's Art Awards and allow budgeted funds to be utilised on artworks that satisfy the City's acquisition guidelines;

and provide a report to the Policy Committee on any proposed amendments to the Policy.

#### Officer's Comment

A Report is being prepared in response to a resolution of Council at its meeting held on 16 November 2010 (Item C63-11/10 refers) with regard to the possibility of commissioning specific artwork for the City. This report will provide options to Council in establishing a process to commission artworks. The City's policy currently allows for flexibility to purchase artworks outside the two art awards. The CEO has delegated authority to purchase up to \$7,500 and the City has viewed other art shows to ascertain if these are suitable pieces.

It is therefore recommended that Council note its previous resolution of 16 November 2010 requesting that a report be provided detailing the possibility for the City to commission various artworks depicting iconic landmarks within the City of Joondalup. Matters raised by the Policy Committee will be addressed in that Report.

### **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:**

The Risk Management considerations for the Draft Vandalism to Vegetation on Land Owned or Managed by the City Policy, as detailed within Attachment 1 to this report, are as follows.

*“The City’s vegetation is currently at risk due to instances of vandalism of vegetation. The Draft Vandalism to Vegetation on Land Owned or Managed by the City Policy has been developed to address such risks by:*

- *providing a mechanism to encourage community members to report illegal damage to vegetation on land owned or managed by the City;*
- *sending a strong message to the community that illegal damage to vegetation on the City’s reserves will not be tolerated and to provide a deterrent against future damage to vegetation on land owned or managed by the City.”*

**Financial/Budget Implications:**

Financial Implications for the Draft Vandalism to Vegetation on Land Owned or Managed by the City Policy, as detailed within Attachment 1 to this report, are as follows:

*“There will be costs associated with implementation of the policy. Such costs relate to actions associated with investigation and deterrence measures. It is not possible to project the financial implications as the City’s response to vandalism to vegetation on land owned or managed by the City will be determined on a case by case basis, as outlined in the policy and the Operational Protocol.”*

The Financial Implications for the Amendment to Elected Members - Allowances Policy - Conferences/Training is an increase to the 2011/12 Conference and Training Allowance Budget of \$15,000.

**Regional Significance:**

Nil.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

Relevant officer's comments have been made regarding the matters considered by the Committee and are stated in the Details section of this Report.

**VOTING REQUIREMENTS**

Simple Majority

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

- 1 **NOTES** the unconfirmed minutes of the Policy Committee meeting held on 7 February 2011, forming Attachment 1 to Report CJ041-03/11;
- 2 **in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No 2 ADOPTS** the following:
  - 2.1 **Draft Small Scale Renewable Energy Systems Policy** forming Attachment 2 to Report CJ041-03/11;
  - 2.2 **Draft Environmentally Sustainable Buildings in the City of Joondalup Policy** forming Attachment 3 to Report CJ041-03/11;
  - 2.3 **Draft Environmentally Sustainable Design Checklist** forming Attachment 4 to Report CJ041-03/11;
- 3 **NOTES** the submissions received forming Attachment 5 to Report CJ041-03/11 and advises the submitters of Council's decision;
- 4 **ADOPTS** the Draft Vandalism to Vegetation on Land Owned or Managed by the City Policy, forming Attachment 6 to Report CJ041-03/11, subject to the following amendments:
  - 4.1 **An additional point (4) be added to the Policy to read as follows:**

**“Replacement planting and rehabilitation works will be determined on a site by site basis (and may include the placement of two or more of an appropriate plant species at the affected locality, of a similar maturity if possible) following the removal of the poisoned or damaged vegetation.”**
  - 4.2 **An additional point (5) be added to the Policy to read as follows:**

**“When ongoing vandalism occurs then further investigative responses including CCTV may be considered by the Chief Executive Officer.”**

- 5 **AMENDS Clause 4.3 of Policy – Elected Members – Allowances forming Attachment 7 to Report CJ041-03/11 to provide an entitlement for Elected Members to attend the Annual WA Local Government Association Conference;**
- 6 **ENDORSES the inclusion of appropriate funding in the Elected Members Conferences and Training budget to support the entitlement in Part 5 above;**
- 7 **in relation to the request for a report to be submitted to the Policy Committee on any proposed amendments to the City’s Art and Memorabilia Collections Policy NOTES the Council’s previous resolution of 16 November 2010 requesting that a report be provided detailing the possibility for the City to commission various artworks depicting iconic landmarks within the City of Joondalup.**

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8brf080311.pdf](#)

**CJ042-03/11 STATUS OF PETITIONS**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Jamie Parry, Director Governance and Strategy
<b>FILE NUMBER:</b>	05386, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Status of Petitions – 20 July 2010 to 15 February 2011

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**PURPOSE/ EXECUTIVE SUMMARY**

To advise Council of the status of outstanding petitions.

**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, which were received during the period 20 July 2010 to 15 February 2011, 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 NOTES:**

- 1 the status of outstanding petitions submitted to Council during the period 20 July 2010 to 15 February 2011, forming Attachment 1 to Report CJ042-03/11;
- 2 that a Consultation Plan is currently being prepared in relation to the petition regarding overflow car parking issues at Warwick Train Station;
- 3 that in relation to the petition requesting reinstatement of one (or two) soccer goals at Seacrest Park, Sorrento, one soccer goal be reinstalled at Seacrest Park, Sorrento for a trial period ending 30 September 2011;
- 4 that the petition requesting immediate action be taken to resolve the longstanding issues regarding overflow of commuter street parking in Willesden Avenue, Kingsley was considered at the Council Meeting held on 14 December 2010 (CJ223-12/10 refers);
- 5 that the petition objecting to the construction of a skate park at Mirror Park, Ocean Reef was considered at the Council Meeting held on 14 December 2010 (CJ212-12/10 refers);
- 6 that the petition in relation to the disused material at the front of a property in Periwinkle Road, Mullaloo was considered at the Council meeting held on 14 December 2010 (CJ209-12/10 refers);
- 7 that the petition supporting a modification to the Draft Local Housing Strategy to extend the opportunity of the Sorrento Housing Opportunity Area – 3 Laneway lots, north to Robin Avenue, Sorrento was considered at the Council Meeting held on 15 February 2011 (CJ006-02/11 refers);
- 8 that the petition requesting traffic calming in Trailwood Drive, Woodvale between The Rise in the east and The Return in the west was considered at the Council meeting held on 15 February 2011 (CJ026-02/11 refers);
- 9 that the petition requesting that properties within the south-eastern corner of Hillarys bordered by Marmion Avenue, Hepburn Avenue, Orbell Road, Waterford Drive and McWhae Road, Hillarys be included in Housing Opportunity Area 4 of the draft Local Housing Strategy was considered at the Council Meeting held on on 15 February 2011 (CJ006-02/11 refers);
- 10 that the petition requesting that properties in Barrallier Way, Padbury be included in Housing Opportunity Area 5 of the draft Local Housing Strategy was considered at the Council Meeting held on 15 February 2011 (CJ006-02/11 refers);
- 11 that the petition requesting that Syree Court Marmion be included in Housing Opportunity Area 3 of the draft Local Housing Strategy was considered at the Council Meeting held on on 15 February 2011 (CJ006-02/11 refers).

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf080311.pdf](#)

## **CJ043-03/11 AUSTRALIAN CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT**

**WARD:** All

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

**FILE NUMBER:** 07122, 101515

**ATTACHMENTS:** Nil.

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### **PURPOSE**

To seek Council endorsement of a position to support the Australian Local Government Association (ALGA) in lobbying for a national referendum in 2013 to amend the *Australian Constitution* in two ways:

1. Allow direct funding of local government bodies by the Federal Government; and
2. Include local government in any new Preamble to the *Australian Constitution*, if one is proposed.

### **EXECUTIVE SUMMARY**

In 2009, a High Court decision challenged the power of the Federal Government to provide direct funding to local governments under the *Australian Constitution* in any circumstance it chooses. This decision has resulted in a potential tightening of future fiscal Federal-local government relations, placing even greater relevance and importance on the issue of constitutional recognition for local government.

In late 2010 Prime Minister Julia Gillard announced the Federal Government's intention to put forward a referendum on constitutional recognition for local government at the 2013 Federal Election, confirming previous commitments made by Former Prime Minister Kevin Rudd in 2008.

To ensure this intention is translated into action, ALGA has engaged local government associations and individual Councils across the country to garner formal and wide-spread support for a 2013 referendum on this issue.

As part of the engagement process, ALGA is encouraging all Councils to pass a resolution supporting two forms of constitutional recognition; the first to allow direct Federal funding to local governments; and the second to include recognition of local governments within any amendments to the Constitution's Preamble.

If achieved before June 2011, Council representatives will be offered the opportunity to sign a *Constitutional Declaration for Councils* at this year's National General Assembly of Local Government in Canberra on 22 June 2011, confirming its support.

In order to ensure effective future Federal funding arrangements for local governments to achieve national and local objectives, it is recommended that Council resolves the following:

- 1 *CONFIRMS its previously endorsed position on constitutional recognition of local government (CJ115-07/08 refers), namely that Council SUPPORTS symbolic and financial recognition for local government in the Australian Constitution;*
- 2 *EXPANDS on the previously endorsed position stated in Point 1 by:*
  - 2.1 *SUPPORTING financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly;*
  - 2.2 *SUPPORTING the inclusion of local government in any new Preamble to the Constitution if one is proposed; and*
  - 2.3 *REQUESTING all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition;*
- 3 *SUPPORTS the Mayor in writing to the Prime Minister, Federal Opposition Leader and Local Federal Parliamentary Members to inform them of Council's support for constitutional recognition and to seek their support for reform within the Federal Parliament; and*
- 4 *REQUESTS the Chief Executive Officer to implement any further suggestions provided by the Australian Local Government Association to campaign for broad public support for constitutional recognition, consistent with the position detailed in Part 2 above, and as is deemed practical within existing resources.*

## **BACKGROUND**

In 2008, the City of Joondalup Council considered a proposal by the Western Australian Local Government Association (WALGA), to develop and endorse a local government position on constitutional recognition. It was anticipated that individual Council positions would form part of a broader State and National engagement framework, to inform the development of an industry-wide position on the issue. This would be utilised in the event of the Federal Government following through with its commitment to incorporate local government constitutional recognition as part of a national referendum agenda.

At its meeting held on 15 July 2008, Council resolved the following (*CJ115-07/08 refers*):

- “1. *NOTES the contents of the Discussion Paper – “Constitutional Recognition of Local Government” as shown in Attachment 1 to Report CJ155-07/08;*
2. *SUPPORTS symbolic and financial recognition for local government in the Australian Constitution; and*
3. *REQUESTS that a report be prepared outlining the Council's position on constitutional recognition for referral to the next meeting of the North Metropolitan Zone scheduled for 24 July 2008 and for the referral to the WALGA.”*

This position was then considered and endorsed, among others, at the WALGA North Metropolitan Zone Committee Meeting on 24 July 2008 and the WALGA State Council Meeting on 3 December 2008.

At the ALGA Local Government Constitutional Summit, held in Melbourne from 8-11 December 2008 and attended by the City of Joondalup Mayor, Troy Pickard, the following resolution was made:

*“Delegates of this Local Government Constitutional Summit resolve that:*

*to ensure the quality of planning and delivery of services and infrastructure provided to all Australians, and the ongoing sustainability of local government, any constitutional amendment put to the people in a referendum by the Australian Parliament (which could include the insertion of a preamble, an amendment to the current provisions or the insertion of a new Chapter) should reflect the following principles:*

*The Australian people should be represented in the community by democratically elected and accountable local government representatives;*

- The power of the Commonwealth to provide direct funding to local government should be explicitly recognised; and*
- If a new preamble is proposed, it should ensure that local government is recognised as one of the components making up the modern Australian Federation.”*

This resolution forms the current national position on constitutional recognition for local government, of which ALGA is seeking individual Council support to reiterate this position and ensure that it is considered as part of a national referendum in 2013.

## **DETAILS**

Recent correspondence was received from ALGA, inviting the City of Joondalup Council to become directly engaged in the campaign for constitutional recognition.

It states that, following the 2010 Federal Election, Prime Minister Julia Gillard committed to holding a dual referendum on the constitutional recognition of local government and the recognition of Indigenous Australians. The referendum is anticipated to be held in conjunction with the 2013 Federal Election and ALGA provides that the challenge for local government is now threefold, being to:

- Ensure the referendum is held in 2013.
- Ensure that the type of constitutional recognition sought meets the industry's requirements.
- Ensure a positive result in any referendum on this issue is achieved.

It is requested that individual Councils now to contribute to an overall national campaign that will enable these three outcomes to be achieved.

### ***Direct Federal Funding Powers***

A campaign has been devised by ALGA to seek formal support from individual Councils across the country for a 2013 referendum on local government constitutional recognition. The importance of this campaign is compounded further by the recent High Court decision of *Pape v Federal Commissioner of Taxation*, in which the High Court set out the limitations of the Australian Government's powers and, in doing so, clearly indicated that the Australian Government does not have the power to fund local government directly in all circumstances. This could potentially impact on future Federal-local government funding arrangements, should the validity of current funding initiatives be challenged. The more immediate effect of this decision is a reduction in the certainty and security of funding for community services currently delivered by local governments through direct Federal assistance programs, as they would need to be directed through the States to administer. (For example, the *Nation Building Roads to Recovery Program*).

Legal advice obtained by ALGA following the *Pape* decision, considers a successful referendum to amend section 96 of the *Australian Constitution* as a sufficient means of overcoming the issues raised in this case. (This would allow Parliament to grant financial assistance to local governments on any term and condition it thinks fit).

It is acknowledged within the legal opinion that current direct funding arrangements would only be considered invalid in the unlikely circumstance that is challenged in a court of law. Despite this admittance, the advice still recommends that local governments pursue a sufficient safeguard through an appropriate constitutional amendment, given that future challenges cannot be ruled out regardless of how likely or unlikely they are to occur. This is congruent with ALGA's current position that the *Australian Constitution* should provide powers for the Federal Government to allow direct funding to local government.

### ***Symbolic Constitutional Recognition***

An amendment to the Constitution's Preamble is currently being considered by the Federal Government within the context of recognising Indigenous Australians. ALGA's position is that if any change to the Preamble is being considered as part of a national referendum, then local government recognition should be included on the amendment agenda.

A symbolic amendment to the Preamble of the *Australian Constitution* is supported by ALGA in order to recognise the existence of local government within a modern Australian Federal System of Government and to further entrench and acknowledge the important services that local governments deliver to communities, as the closest point of contact between governments and the people they represent.

### ***Additional Campaigning Initiatives***

In addition to formal Council resolutions to support a national approach to constitutional recognition for local government, ALGA has also invited individual Council's to write to the Prime Minister, Federal Opposition Leader and Local Members of Parliament to request bi-partisan support for a referendum on the issue at the 2013 Federal Election.

Draft correspondence templates have been provided by ALGA to assist Councils in conveying a consistent message to each Federal Parliamentary Representative.

Materials to assist Councils in undertaking broad public campaigns to win support for local government constitutional recognition are to be also provided by ALGA in the coming months.

**Issues and options considered:**

Council may choose to either support or reject ALGA's invitation to assist in campaigning for constitutional recognition for local government, however, based on previously endorsed positions on this issue, it is recommended that Council provides its full support to ALGA.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                      *The Australian Constitution*

**Strategic Plan**

**Key Focus Area:**      Leadership and Governance

**Objective:**                      Not applicable

**Policy**                              Not applicable

**Risk Management considerations:**

In order for the City of Joondalup to actively participate in the 2011 National General Assembly of Local Government, a resolution supporting ALGA's position on constitutional recognition for local government is required.

Should this not occur, it is unlikely the City would be able to sign the *Constitutional Declaration for Councils* that will significantly contribute towards the industry's campaign for constitutional recognition.

**Financial/Budget Implications:**

Supporting a position of constitutional recognition that seeks direct funding arrangements between Federal and local governments will assist in delivering greater financial certainty for local governments in the future.

**Regional Significance:**

If endorsed, Council's position will form part of a broader industry position with regional, state and national implications.

**Sustainability implications:**

Not applicable.

**Consultation:**

Not applicable.

**COMMENT**

Not applicable

**VOTING REQUIREMENTS**

Simple Majority

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

- 1 CONFIRMS its previously endorsed position on constitutional recognition of local government (CJ115-07/08 refers), namely that Council SUPPORTS symbolic and financial recognition for local government in the Australian Constitution;**
- 2 EXPANDS on the previously endorsed position stated in Point 1 by:**
  - 2.1 SUPPORTING financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly;**
  - 2.2 SUPPORTING the inclusion of local government in any new Preamble to the Constitution if one is proposed; and**
  - 2.3 REQUESTING all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition;**
- 3 SUPPORTS the Mayor in writing to the Prime Minister, Federal Opposition Leader and Local Federal Parliamentary Members to inform them of Council's support for constitutional recognition and to seek their support for reform within the Federal Parliament; and**
- 4 REQUESTS the Chief Executive Officer to implement any further suggestions provided by the Australian Local Government Association to campaign for broad public support for constitutional recognition, consistent with the position detailed in Part 2 above, and as is deemed practical within existing resources.**

**CJ044-03/11 TAMALA PARK COASTAL RESERVE – COASTAL DUAL USE PATH**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Jamie Parry, Director Governance and Strategy
<b>FILE NUMBER:</b>	67625
<b>ATTACHMENTS:</b>	Attachment 1 Burns Beach Reserve Numbers 38526 and 47831 Attachment 2 Tamala Park Coastal Reserve

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**PURPOSE**

To consider a contribution toward the cost of a study to determine the most appropriate alignment of the proposed coastal dual use path within the Tamala Park Coastal Reserve, between Burns Beach and Mindarie.

**EXECUTIVE SUMMARY**

The Council is represented on the Tamala Park Coastal Reserve Community Advisory Committee (TPCRCAC), an informal Department of Planning working group established to assist in the development of an Establishment Plan for the Parks and Recreation Land at Mindarie.

Identification of the best route for a proposed coastal dual use path within the Tamala Park Coastal Reserve, between Burns Beach and Mindarie, and management of reserves, are matters relevant to the role of the TPCRCAC.

The Department of Planning through the TPCRCAC has requested that a detailed survey and design be undertaken to determine a dual use path location that will provide universal access with minimum impact on areas of high environmental value. The estimated cost of undertaking such a study is \$150,000 (excluding GST). The Department have requested that the three affected parties, being the Cities of Wanneroo and Joondalup, and the Department of Planning, each contribute \$50,000 (excluding GST) to the study.

*It is recommended that Council:*

- 1 CONSIDERS for inclusion in the 2011/12 budget the sum of \$50,000 (excluding GST) toward the cost of a detailed study (managed by the Department of Planning) to determine the most appropriate alignment for the proposed coastal dual use path, that provides universal access with minimum environmental impact, within the Tamala Park Coastal Reserve, between Burns Beach and Mindarie;*
- 2 REQUESTS the Department of Planning formally request the Tamala Park Regional Council give consideration to making a contribution toward the cost of a detailed study (managed by the Department of Planning) to determine the most appropriate alignment for the proposed coastal dual use path, that provides universal access with minimum environmental impact, within the Tamala Park Coastal Reserve, between Burns Beach and Mindarie;*

- 3 *AUTHORISES the Chief Executive Officer to endorse the scope of the study on behalf of the City of Joondalup, prior to the study commencing;*
- 4 *NOTES that it has previously been resolved by Council that the cost of construction and maintenance of the coastal dual use path should be borne by the State Government;*
- 5 *ADVISES the City of Wanneroo, Tamala Park Regional Council, and the Department of Planning of its decision in Parts 1, 2 and 3 above.*

## **BACKGROUND**

- Suburb/Location:** Burns Beach Reserve Numbers 38526 and 47831 (refer to Attachment 1 to this Report).
- Owner:** Crown, City of Joondalup Management Order (2000 and 2004 respectively, originally gazetted 1984 and 1930 respectively).
- Zoning: DPS:** Parks and Recreation
- MRS:** Parks and Recreation (Bush Forever)

Council is represented on the TPCRCAC, an informal Department of Planning Working Group created to develop an Establishment Plan for the Parks and Recreation Land at Mindarie. 380 hectares of land was acquired from Tamala Park Regional Council and Burns Beach Property Trust as a condition of its respective adjoining urban developments (in the Cities of Wanneroo and Joondalup), and once the Establishment Plan is developed, the Committee plan to seek public comment for the establishment of the Park and identify the final boundary. The Committee will address the long-term management and vesting arrangements for the Parks and Recreation land, based on three options:

- 1 as a coastal reserve for conservation and recreation;
- 2 as an addition to Neerabup National Park;
- 3 as a regional park in its own right.

The Council has given consideration, on a number of occasions, to the management of coastal strip reserves bordering the proposed Regional Park and the proposed coastal dual use path (Items CJ037-03/05; CJ161-08/05; and CJ244-11/08 refer).

The most recent decision of Council on this matter was at its meeting held on 21 July 2009 (Item CJ165-07/09 refers) whereby it was resolved as follows:

*That:*

- 1 *the Western Australian Planning Commission and the Tamala Park Community Advisory Committee be ADVISED that Council provides in principle agreement to maintain the Coastal Crown Reserve No 47831 in accordance with the current Management Order;*
- 2 *the support for retention of the Management Order is conditional on the State Government confirming that the costs for the construction and maintenance of the proposed path will be borne by the Department of Environment and Conservation or the State Government, the path route will not be on the Coastal Reserve No. 47831 and that the path route will be a direct connection between the existing path network along the coastline;*

- 3 *the Western Australian Planning Commission and the Tamala Park Community Advisory Committee be ADVISED that Council DOES NOT provide in principle agreement to maintain the Coastal Crown Reserve, No 38526;*
- 4 *Council REQUESTS that the Management Order for Reserve No 38526 be divested from the City of Joondalup;*
- 5 *details of this decision be CONVEYED to the City of Wanneroo and Tamala Park Regional Council.*

## **DETAILS**

The TPCRCAC recommended, at its 15 November 2009 meeting, that the proposed dual use path should be constructed as close to the shore line as the significant environmental and topographical constraints will permit (and in accordance with the stated position of both the Cities of Wanneroo and Joondalup), as this would form a physical edge, whilst still being contained within the Park. In order to progress this matter it has been proposed that a comprehensive flora, fauna and engineering study be undertaken to determine an appropriate alignment for the path taking these matters into account and to provide an indicative cost.

Whilst the path is part of the Regional Coastal Path Network, the City's residents will benefit from its construction and the City does have management responsibility for the maintenance of the Foreshore Reserve.

The Department have requested that the three affected parties, being the Cities of Wanneroo and Joondalup, and Department of Planning, each contribute \$50,000 (excluding GST) to the study.

The Council of the City Wanneroo considered this matter at its meeting held on 8 February 2011, and resolved as follows:

*That Council:*

- 1 *AGREES in principle to the City of Wanneroo accepting care and control of the land to be bounded by Longbeach Promenade, Alexandria View and the approved routes of the coastal dual use path and Clayton's Beach recreation facilities, noting that final boundaries are subject to detailed assessment and design; and*
- 2 *CONSIDERS for inclusion in the 2011/12 budget the sum of \$50,000 as a one third contribution towards the cost of a study to determine the best route for the coastal dual use path and recreational infrastructure, noting that it has previously been recommended by Council that the cost of construction and maintenance of the coastal dual use path should be borne by the State Government.*

In order to progress this matter it is considered appropriate for the City make an equal contribution, together with the City of Wanneroo and the Department of Planning, toward the cost of determining the most appropriate location for the coastal dual use path, taking into account environmental considerations.

It is noted in the City of Wanneroo resolution that recreational infrastructure components also be examined, which will relate to land within the City of Wanneroo, including road and path access to the beach (Clayton's Beach) and any requirements for car parking. The primary focus of the study will however relate to the alignment of the coastal dual use path. The Chief Executive Officer of the City of Joondalup will ensure that the scope of the project, once drafted, focuses on this primary intent.

It is further noted that a request for a funding contribution to the study has not been made of the Tamala Park Regional Council (TPRC). Whilst it is acknowledged that in 2003, the then Western Australian Planning Commission commenced a negotiated Planning Solution with the TPRC, representing seven local authorities, for the ceding and acquisition of approximately 90 hectares owned by them in the north and west of the park, it is considered that a request for funding should be formally considered by the TPRC.

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

There are two options as follows:

#### **Option 1**

Do not provide a contribution toward the study.

The Council resolution of 21 July 2009 (Item CJ165-07/09 refers) provides that the City agrees in principle to maintain the Coastal Crown Reserve No 47831 in accordance with the current Management Order. The support for retention of the Management Order is conditional on the State Government confirming that the costs for the construction and maintenance of the proposed path will be borne by the Department of Environment and Conservation or the State Government, the path route will not be on the Coastal Reserve No. 47831 and that the path route will be a direct connection between the existing path network along the coastline.

It could therefore be argued that the cost of any study should also be borne by the Department of Planning.

#### **Option 2**

Agree to make a contribution to cost of the study.

The path is part of the Regional Coastal Path Network and the City's residents will benefit from its construction. Further, it is unlikely that the project will progress unless the three parties agree to share some funding aspects of the project, and given the location of the path is an integral part of the Establishment Plan it can be argued that determining the best alignment of the path is critical to its progression.

Agreement to make a contribution to the cost of the study should not be interpreted that the Council will commit to further funding of the dual use path, in particular its construction.

This is the preferred option.

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

<b>Legislation</b>	The creation of Management Orders for crown land is in accordance with the Land Administration Act 1997 and Transfer of Land Act 1893.
<b>Strategic Plan</b>	Objective 2.2 - To engage proactively with the community and other relevant organisations in the preservation of the City's natural environmental assets.

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

**Policy** Not Applicable.

**Risk Management considerations:**

The Council has given its commitment to the TPCRCAC through its representation on the Committee, who support the study being undertaken.

Should the Council not contribute to the proposed study it is likely that the project will stall and community expectations will not be met. It is important that the City be an active participant in working to achieve the terms of reference of the TPCRCAC and development of an Establishment Plan for public comment.

**Financial/Budget Implications:**

It is considered that a study to determine the route of the coastal dual use path will cost approximately \$150,000 (excluding GST), of which the three affected parties, namely the Cities of Wanneroo and Joondalup and Department of Planning, would each contribute \$50,000 (excluding GST).

It is proposed that this be considered for funding in the 2011/12 budget.

All costs relating to the creation of new reserves and transfer of land will be the responsibility of Department of Planning.

The Council resolution of 20 July 2009 (Item CJ165-07/09 refers) provides that the City agrees in principle to maintain the Coastal Crown Reserve No 47831 in accordance with the current Management Order. The support for retention of the Management Order is currently conditional on the State Government confirming that the costs for the construction and maintenance of the proposed path will be borne by the Department of Environment and Conservation or the State Government, the path route will not be on the Coastal Reserve No. 47831 and that the path route will be a direct connection between the existing path network along the coastline.

There remains debate regarding who will pay for the construction of the dual use path. It is likely that the Council will be requested to further consider this matter at a later date.

**Regional Significance:**

The proposed outcome is a Regional Park between Burns Beach and Mindarie for the purposes of conservation.

The dual use path is part of the Regional Coastal Path Network and will provide an integral link between the Cities of Joondalup and Wanneroo, for the benefit of not only the residents of both Cities but regionally to tourists and visitors to the area.

**Sustainability Implications:**Environmental

The proposal supports the protection of natural assets and retains local biodiversity.

Social

The proposal maintains community access and amenity to the coastal strip.

**Consultation:**

The TPCRCAC will soon release its Establishment Plan for public comment. The objectives of the Establishment Plan are:

- 1 To develop the broad guidelines upon which the final Management Plan will be founded;
- 2 To allow for public comment on the establishment of the park;
- 3 To suggest options for management responsibility of the park;
- 4 To (consider issues of the interface) of the proposed Park with the urban developments to the north and south and associated public access;
- 5 To identify and describe any cultural (Aboriginal) heritage and environmental issues associated with the area;
- 6 To provide interim management of the reserve pending a decision on the type of park to be created and the final vesting arrangements.

A further report will be provided to the Council on the Plan and any implications for the City.

**COMMENT**

The alignment of the proposed coastal dual use path traverses areas of high environmental value and a detailed survey and design is required to locate the path to provide universal access with minimum environmental impact.

The flora and fauna survey can only be carried out in spring of each year to allow best identification of flowering species. The impact of earthworks for the coastal dual use path on the vegetation and the cost of mitigating this will be one of the main factors in determining the route.

The coastal dual use path is part of the Regional Coastal Path Network and will provide an integral link between the Cities of Joondalup and Wanneroo, for the benefit of not only the residents of both Cities but regionally to tourists and visitors to the area.

**VOTING REQUIREMENTS**

Simple Majority

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

- 1**      **CONSIDERS** for inclusion in the 2011/12 budget the sum of \$50,000 (excluding GST) toward the cost of a detailed study (managed by the Department of Planning) to determine the most appropriate alignment for the proposed coastal dual use path, that provides universal access with minimum environmental impact, within the Tamala Park Coastal Reserve, between Burns Beach and Mindarie;
- 2**      **REQUESTS** the Department of Planning formally request the Tamala Park Regional Council give consideration to making a contribution toward the cost of a detailed study (managed by the Department of Planning) to determine the most appropriate alignment for the proposed coastal dual use path, that provides universal access with minimum environmental impact, within the Tamala Park Coastal Reserve, between Burns Beach and Mindarie;
- 3**      **AUTHORISES** the Chief Executive Officer to endorse the scope of the study on behalf of the City of Joondalup, prior to the study commencing;
- 4**      **NOTES** that it has previously been resolved by Council that the cost of construction and maintenance of the coastal dual use path should be borne by the State Government;
- 5**      **ADVISES** the City of Wanneroo, Tamala Park Regional Council, and the Department of Planning of its decision in Parts 1, 2 and 3 above.

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf080311.pdf](#)*

## **CJ045-03/11 LIST OF PAYMENTS MADE DURING THE MONTH OF JANUARY 2011**

<b>WARD:</b>	All
<b>RESPONSIBLE</b>	Mr Mike Tidy, Director Corporate Services
<b>FILE NUMBER:</b>	09882, 101515
<b>ATTACHMENTS:</b>	Attachment 1 CEO's Delegated Municipal Payment List for the month of January 2011. Attachment 2 CEO's Delegated Trust Payment List for the month of January 2011. Attachment 3 Municipal and Trust Fund Vouchers for the month of January 2011.

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### **PURPOSE**

To present to Council the list of accounts paid under the CEO's delegated authority during the month of January 2011 for noting.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of January 2011 totalling \$7,834,219.49.

*It is recommended that Council NOTES the Chief Executive Officer's list of accounts for January 2011 paid under delegated authority in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations in Attachments 1, 2 and 3 to Report CJ045-03/11, totalling \$7,834,219.49.*

### **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 January 2011. 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 88858 - 89017 and EF016117 – EF016513 Net of cancelled payments	\$4,809,440.26
	Vouchers 785A – 788A and 792A - 793A and 795A	\$2,999,692.03
Trust Account	Cheques 203937 - 203994 Net of cancelled payments	\$ 25,087.20
<b>Total</b>		<b>\$7,834,219.49</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 2010/11 Annual Budget as adopted by Council at its meeting held on 6 July 2010.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

Not Applicable.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is in accordance with the 2010/11 Annual Budget as adopted by Council at its meeting held on 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 January 2011 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 CJ045-03/11, totalling \$7,834,219.49.**

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf080311.pdf](#)*

## **CJ046-03/11 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JANUARY 2011**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Mike Tidy, Director Corporate Services
<b>FILE NUMBER:</b>	07882, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Financial Activity Statement for the period ended 31 January 2011

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### **PURPOSE**

The January 2011 Financial Activity Statement is submitted to Council to be noted.

### **EXECUTIVE SUMMARY**

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

The January 2011 Financial Activity Statement report shows an overall favourable variance from operations and capital for the period of \$17,123k when compared to the 2010/11 Adopted Budget.

This variance can be summarised as follows:

- The **Operating** surplus is \$7,066k above budget made up of higher revenue of \$2,750k and lower operating expenditure of \$4,316k.

Operating revenue is above budget mainly in Rates \$348k, Contributions, Reimbursements and Donations \$521k, Fees and Charges \$953k and Investment Earnings \$916k. Additional revenue arose from interim rates levied, insurance reimbursements from the previous year's storm damage and legal fees recovered. Additional Sports and Recreation income from the Learn to Swim program together with increased revenue from parking and infringements constitute the main increases in fees and charges. Income from investments exceeded the budget due to higher funds being invested.

The operating expenditure variance includes Employee Costs \$2,036k, Materials and Contracts \$2,560k and Utilities \$225k which is partly offset by higher Depreciation \$513k.

Lower employment costs have been the result of recruiting for vacant positions later than expected and the outstanding budgeted salary increases.

The Materials and Contracts favourable variance includes external contract services \$922k primarily due to timing differences and contributions and donations with savings identified for the CSRFF program \$126k and the FESA levy on City buildings \$42k.

- The **Capital Revenue and Expenditure** deficit is \$9,491k below budget and is made up of lower revenue of \$1,259k and under expenditure of \$10,750k.

Capital Expenditure is below budget on Capital Projects \$1,886k and Capital Works \$8,034k.

In Capital Works the primary areas of projects being below budget for the period include \$2,329k for Regional Local Community Infrastructure Projects, \$1,533k Traffic Management works, \$907k for Road Preservation / Resurfacing and \$960k for Building Works. It should be noted that at the end of January 2011 there was \$5.6 million of purchase order commitments not included in actual capital works expenditure.

The Capital Projects variance mainly relates to the Ocean Reef Development \$1,237k, and the expected contribution to the Wanneroo MRF \$245k.

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 January 2011 forming Attachment 1 to Report CJ046-03/11.*

## **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 January 2011 is appended as Attachment 1.

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

#### **Legislation**

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

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

#### **Strategic Plan**

**Key Focus Area:** Leadership and Governance

**Objective:** 1.3 To lead and manage the City effectively.

**Risk Management considerations:**

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

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

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

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the Financial Activity Statement for the period ended 31 January 2011 forming Attachment 1 to Report CJ046-03/11.**

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf080311.pdf](#)*

**CJ047-03/11 ROAD SAFETY ACTION PLAN 2011-2015**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Martyn Glover, Director Infrastructure Services
<b>FILE NUMBER:</b>	56534, 101515
<b>ATTACHMENTS:</b>	Attachment 1 City of Joondalup Road Safety Action Plan 2011-2015

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**PURPOSE**

To seek Council's approval of the *Road Safety Action Plan 2011-2015*.

**EXECUTIVE SUMMARY**

In accordance with the requirements of the City's Strategic Plan 2008-2011, the *Road Safety Action Plan 2011-2015* (refer Attachment 1) provides the comprehensive Road Safety Program to address road safety in the City. This will assist in achieving the vision of reducing the number of car crashes, reducing road trauma and improving perceptions towards the way the City addresses road safety.

The *Road Safety Action Plan 2011-2015* uses the 'Safe System' approach, adopted in the State Road Safety Strategy, to guide programs and actions. The Safe System approach encompasses four cornerstones:

- 1 Safe road use;
- 2 Safe roads and roadsides;
- 3 Safe speeds; and
- 4 Safe vehicles.

It is anticipated that the application of the 'Safe System' approach will reduce the likelihood of road crashes resulting in injury and death in the City of Joondalup.

*It is recommended that Council APPROVES the City of Joondalup Road Safety Action Plan 2011-2015 forming Attachment 1 to Report CJ047-03/11.*

**BACKGROUND**

Responsibility for road safety is an issue that needs to be shared by the whole community, both at the State and Local level. Shared responsibility, along with the implementation of effective actions, can result in significant achievements specifically the reduction of deaths and serious injury resulting from car crashes.

The State Government, through the Road Safety Council, has a key leadership role to play in road safety in terms of funding, implementation and evaluation. The Western Australian Local Government Association (WALGA) represents local government on the Road Safety Council and provides leadership to and advocacy for local government.

Local Governments are uniquely placed to provide a focus for coordinating road safety initiatives at the local community level because they can understand the community's road safety needs directly at the local community level.

In the five year period from January 2005 to December 2009, the City of Joondalup had a total of 11,260 recorded road crashes, including 21 fatal crashes and 497 hospitalisations. The highest number of crashes and fatal crashes in any one year occurred in 2007 where there were 2,328 crashes and nine fatalities. The City has now identified that a coordinated local approach will assist in the reduction of car crashes, fatalities and injuries.

## DETAILS

The *Road Safety Action Plan 2011–2015* will assist the City in the coordinated delivery of road safety programs to the local community. It provides a clear framework and direction for the City to progress road safety as a priority.

The purpose of the *Road Safety Action Plan 2011–2015* is to:

- outline and prioritise current road safety programs and services within the City;
- identify areas for improvement to guide future direction.

The *Road Safety Action Plan 2011–2015* is guided by the 'Safe System' approach. This approach was utilised at a Federal level in delivering the *National Road Safety Action Plan 2009 and 2010* and forms the foundation for the new draft *National Road Safety Strategy 2011-2020*. The 'Safe System' approach has also been used at the State level for the *Towards Zero — Road Safety Strategy 2008–2020*, as well as being used successfully in both Sweden and the Netherlands.

The 'Safe System' approach views the road transport system holistically by seeking to manage the interaction between road users, roads and roadsides, travel speeds and vehicles. The 'Safe System' approach recognises it is probably not possible to prevent all crashes but aims to prevent those that result in death and serious injury.

Central to the 'Safe System' approach is the acknowledgement of our limited ability as humans to tolerate physical force. It also recognises that human error in the system is inevitable no matter how educated and compliant we are in obeying traffic laws. When crashes do occur due to human error, a 'Safe System' will help reduce the severity of the crash by ensuring the road and roadside is safe, the person is driving in a safe vehicle, and there are reduced posted speed limits. The key focus areas of the City's *Road Safety Action Plan 2011–2015* align with the four key cornerstones of the 'Safe System' approach; Safe road use, safe roads and roadsides, safe speeds and safe vehicles.

These key focus areas are detailed below:

### **Key focus area 1 — Safe road use**

'Safe road use' involves reducing the likelihood of crashes resulting in injury or death through education, encouragement and enforcement of the road and traffic laws.

### **Key focus area 2 — Safe roads and roadsides**

'Safe roads and roadsides' aims to reduce the likelihood of crashes resulting in injury or death by improving the design of the infrastructure within the roads, paths and roadsides.

**Key focus area 3 — Safe speeds**

'Safe speeds' aims to reduce the severity of crashes and consequently reducing the probability of crashes resulting in injury or death by regulating travel speeds. This focus area takes into account the community's need to travel and the likelihood of a car crash occurring on different parts of the road network.

**Key focus area 4 — Safe vehicles**

'Safe vehicles' aims to reduce the likelihood of crashes resulting in injury or death by improving the community's awareness of vehicle safety features and ANCAP ratings (Australasian New Car Assessment Program ratings) and encouraging the purchase of safe vehicles.

There are also five Safe System guiding principles which assist in the implementation of the four focus areas:

- 1 The limits of human performance - we are human and sometimes make mistakes on the road.
- 2 The limits of human tolerance to violent forces – there are physical limits to the amount of force our bodies can take before we are injured.
- 3 Shared responsibility - we are all responsible for improving road safety together.
- 4 A forgiving road system - designing a road which is safe so that if crashes do occur, death or serious injury does not occur.
- 5 Increased use of public transport - buses and trains are safer modes of transport and encouraging people to use these forms of transport will reduce death and serious injury.

The *Road Safety Action Plan 2011-2015* provides a list of actions to be delivered in an agreed timetable. The Plan also includes a series of key performance indicators to determine the success of the individual actions set out in the plan.

The *Road Safety Action Plan 2011–2015* will be reviewed annually to:

- Evaluate current actions;
- Incorporate any additional actions required, based on advice from the State Government's Office of Road Safety and/or the WALGA RoadWise Program; and
- Determine progress towards achieving the objectives through review of key performance indicators.

A final review will be conducted in 2015 at the conclusion of the *Road Safety Action Plan 2011–2015*. The final review will determine the efficacy of the actions in achieving the Plan's 'vision', which will be measured by analysing the City's crash data and the customer satisfaction survey results for traffic and road safety.

It is anticipated that the successful implementation of the *Road Safety Action Plan 2011–2015* will achieve the aims of reducing the likelihood of road crashes resulting in injury or death in the City of Joondalup, and further encourage more positive perceptions of road safety in the Joondalup community.

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

**Legislation**                      Road Traffic Act 1974

**Strategic Plan**

**Key Focus Area:**              Community Wellbeing

**Objective:**                      5.4              To work collaboratively with stakeholders to increase community safety and respond to emergencies effectively.

**Strategy:**                        5.4.4              The City develops and implements a comprehensive Road Safety Program.

**Risk Management considerations:**

The implementation of the Road Safety Action Plan 2011-2015 will ensure that actions are completed in a cost-effective, timely manner and will put the City in a position to proactively address road safety. Without the Plan, actions may be disorganised, potentially unsuccessful and potentially more costly. The Plan will aim to target and reduce the cause of crashes resulting in death and injury in the City and improve road safety for the community.

**Financial/Budget Implications:**

The actions listed in the *Road Safety Action Plan 2011-2015* will be funded through the City's Capital Works Budgets, Operational Budgets and the Five Year Capital Works Program.

**Regional Significance:**

The WALGA RoadWise Program is currently assisting Local Governments to embed the 'Safe System' approach into their policies and plans, which is consistent with the shared responsibility philosophy.

**Sustainability Implications:**

The Road Safety Action Plan 2011-2015 has the potential reducing deaths and injuries on local roads in the City which, if successful, will be reflected in the crash data over time. Evaluation of the actions set out in the plan will assist in the identification of successful strategies, which will mean that resources are allocated appropriately. The Plan may also facilitate partnerships with organisations that may assist with the implementation of the actions, which would be beneficial in terms of reducing cost and increasing the reach of the actions to the community. The Plan will assist the City to deliver planned, coordinated and evaluated road safety actions to the community in the long-term.

**Consultation:**

The Plan has been reviewed by a Senior Research Officer from the Office of Road Safety and amended to reflect feedback provided.

**COMMENT**

The *Road Safety Action Plan 2011-2015* is congruent with the Western Australian State Road Safety Strategy '*Towards Zero 2008-2020*' which requires shared responsibility for road safety through the 'Safe System' approach. It will assist the City in working towards lower severity of crashes and reduced road trauma within the City.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council APPROVES the City of Joondalup Road Safety Action Plan 2011-2015 forming Attachment 1 to Report CJ047-03/11.**

*Appendix 14 refers*

To access this attachment on electronic document, click here: [Attach14brf080311.pdf](#)

## **CJ048-03/11 INVESTIGATION OF IMPROVED ACCESS TO PUBLIC TOILET BUILDINGS**

**WARD:** All

**RESPONSIBLE:** Mr Martyn Glover, Director Infrastructure Services

**FILE NUMBER:** 46612, 101515, 07096, 29086, 16294, 02126, 02146, 00145

**ATTACHMENTS:** Nil.

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### **PURPOSE**

To investigate options for improved access to the City's public toilets including locking mechanisms to accommodate automatic public access.

### **EXECUTIVE SUMMARY**

The City has 47 public toilet blocks however only 15 have 24 hour access. The remaining 32 toilet blocks are situated in parks across the City and are locked unless booked by sporting and community groups.

All of the City's public toilets previously allowed 24 hour public access however due to incidents of vandalism and anti-social behaviour, primarily at night, the current restricted access to the toilet blocks was implemented by an operational directive prior to the formation of the City of Joondalup.

Since restricted access to the toilets has been in place, members of the public have raised concerns about the lack of accessibility and have requested that toilets be kept open for public convenience. Options have been considered to make the 32 toilet blocks more accessible to the public. These include; City Rangers / City Watch manually opening and closing toilet blocks and automated time lock mechanisms. It is proposed that a trial be undertaken of both methods.

*It is recommended that Council:*

- 1 *APPROVES the implementation of a six month trial to open Windermere Park, Prince Regent Park and Camberwarra Park public toilets from 6.00am to 8.00pm using City Watch and to open Barridale Park, MacDonald Park and Juniper Park public toilets from 6.00am to 8.00pm using automatic time locks at a cost of approximately \$27,000 (excluding GST);*
- 2 *REQUESTS a report from the Chief Executive Officer on completion of the trial providing details on the impact of increased accessibility and the preferred method of locking the toilets (manual or automatic).*

## **BACKGROUND**

At the Briefing Session of 8 December 2009 the Mayor requested a report on the investigation of suitable technology for a time locking mechanism on public toilet buildings.

The City has 47 public toilet blocks distributed within its boundaries. The toilet blocks are either stand alone facilities servicing parks or contained within community buildings with separate public entrances.

Twelve toilet blocks are located on the coastal foreshore between Burns Beach in the north and Marmion in the south and are open 24 hours a day to accommodate the large volumes of people enjoying the coastal infrastructure. Three inland toilet facilities at Central and Neil Hawkins Parks in Joondalup and Mawson Park in Hillarys also allow 24 hour public access in response to historically high public usage.

The remaining 32 toilets are situated in parks across the City and are kept locked unless opened by the sporting and community groups who utilise the park during specific booked periods.

All the City's public toilets previously allowed public access 24 hours a day, however vandalism to the blocks and anti-social behaviour, primarily at night, prompted the current restricted access to the toilet blocks.

## **DETAILS**

Members of the public have raised concerns that all public toilets are not accessible and have requested that the toilets be kept open for public convenience.

### **Options and Issues considered:**

In order to make the 32 toilets more accessible to the public the following three options have been considered:

#### **1 Manually opened and locked by City Rangers/City Watch:**

This option raises the following issues that need to be considered prior to making the toilets more accessible using City Rangers/City Watch:

- There is likely to be an increase in vandalism and anti-social behaviour as the toilets would be open longer and during periods when they are not being used by sporting clubs or community groups.
- City Rangers previously opened and locked the City toilets but due to competing priorities were regularly unable to provide the access the public, sporting and community groups required.
- It is anticipated that increased accessibility and usage will result in an increase in on-going costs such as utilities, cleaning, maintenance, and damage through vandalism will increase due to the increased accessibility and usage.
- Cost of using City Rangers/City Watch to open and close the toilet blocks.

## **2 Automatically opened and locked using time lock mechanisms.**

This option raises the following issues that need to be considered prior to making the toilets more accessible through the installation of the time locks:

- There is likely to be an increase in vandalism and anti-social behaviour as the toilets would be open longer and during periods when they are not being used by sporting clubs or community groups.
- Time locks used in the City of Stirling have been tampered with, allowing undesirable elements to enter the toilets at night and then lock themselves in undetected.
- On-going costs such as, utilities, cleaning, maintenance and damage through vandalism will increase due to the increased accessibility and usage.
- Costs of installing and maintaining the time locking devices and equipment.

## **3 A combination of manually opened and locked AND automatically opened and locked using time lock mechanisms.**

This combines both Options 1 and 2 above in a trial of three manually opened/locked toilet blocks and three automatically opened/locked toilet blocks for a period of six months to determine the best long term solution for the City.

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

#### **Strategic Plan**

**Key Focus Area:** Community Wellbeing. 5.1: To ensure the City's facilities are of a high quality and accessible to everyone.

**Objective:** To investigate alternative options to enable public access to all public toilets.

**Policy** While there is currently no policy on Public Toilets within the City of Joondalup, the Beach Management Plan adopted by Council on 21 September 2010 states:

*"The City supports access to coastal toilet and change room facilities provided between the hours of dawn to dusk to reduce incidences of vandalism and anti-social behaviour.*

*After-hours access to coastal public toilets facilities, that are located within community buildings, should continue to be provided under the current hire and lease arrangements for the building (this does not extend to general public access)."*

**Risk Management considerations:**

Where the City provides public toilet facilities, the City has an obligation to ensure that the public toilet facilities are safe, accessible, clean and environmentally responsible.

The potential risks of allowing greater access to City toilets include:

- 1 Members of the public tampering with the time lock mechanisms to gain undetected access to the City asset for purposes other than ablutions.
- 2 Increase in anti-social behaviour which may adversely affect residents in the vicinity of the toilets.
- 3 City Rangers being unable to provide the required access, due to competing priorities, required resulting in complaints from the public, sporting and community groups.

**Financial/Budget Implications:**

**Option 1:** The estimated annual additional cost for City Watch to open and close the toilet blocks would be approximately \$52,000 per year. This is based on a dedicated officer to perform the opening/closing procedures to all toilets which would take an estimated three hours each morning and evening.

**Option 2:** The estimated once off cost for fitting automatic time locks is \$8,000 per toilet block (\$256,000 in total for 32 toilets).

Both options would incur an estimated annual additional running cost of \$10,300 to keep a toilet block open for 14 hours a day, seven days a week. This includes \$7,000 for cleaning, \$1,800 for utilities and \$1,500 to repair damage through vandalism (\$329,600 in total for 32 toilets).

**Option 3:** Trial public access to the following six toilets situated in active parks every day for six months from 6.00am to 8.00pm:

North Ward: Windermere Park, Joondalup.

North Central Ward: Prince Regent Park, Heathridge.

Central Ward: Camberwarra Park, Craigie.

South-East Ward: Barridale Park, Kingsley.

South-West Ward: MacDonald Park, Padbury.

Southern Ward: Juniper Park, Duncraig.

It is proposed that City Watch open and close the toilets in Windermere Park, Prince Regent Park and Camberwarra Park during the trial period, which will cost approximately \$3,000 and automatic time locks be fitted to Barridale Park, MacDonald Park and Juniper Park which will cost approximately \$24,000. The trial will be funded through the operational budget.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Residents adjacent to the park and within 500 metres of the public toilet will be consulted prior to the trial commencing for the toilet blocks being made more accessible to the public.

**COMMENT**

Allowing the public permanent access to City toilets has previously proved to be problematic which resulted in the City deciding to restrict access to 32 of the 47 public toilets. This has in turn resulted in complaints from the public on the lack of access to public facilities and an underutilisation of City assets.

To gauge the current impact of making the toilets more accessible to the public, it is proposed that the following six toilets situated in active parks be open every day for six months from 6.00am to 8.00pm:

North Ward: Windermere Park, Joondalup.

North Central Ward: Prince Regent Park, Heathridge.

Central Ward: Camberwarra Park, Craigie.

South-East Ward: Barridale Park, Kingsley.

South-West Ward: MacDonald Park, Padbury.

Southern Ward: Juniper Park, Duncraig.

It is proposed that City Watch open and close the toilets in Windermere Park, Prince Regent Park and Camberwarra Park during the trial period, which will cost approximately \$3,000 and automatic time locks be fitted to Barridale Park, MacDonald Park and Juniper Park which will cost approximately \$24,000.

Following the six months time trial; ratepayer reaction, level of use, level of anti-social activity, vandalism occurrence, and any other issues that may have arisen will be reviewed by the City.

Based on the review outcomes, Council may then consider;

- reverting to the current policy of restricted access;
- increasing accessibility to toilets using City Watch;
- increasing accessibility to toilets by installing time locking devices.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 APPROVES the implementation of a six month trial to open Windermere Park, Prince Regent Park and Camberwarra Park public toilets from 6.00am to 8.00pm using City Watch and to open Barridale Park, MacDonald Park and Juniper Park public toilets from 6.00am to 8.00pm using automatic time locks at a cost of approximately \$27,000 (excluding GST);**
- 2 REQUESTS a report from the Chief Executive Officer on completion of the trial providing details on the cost of increased accessibility and the preferred method of locking the toilets (manual or automatic).**

**11 REPORT OF THE CHIEF EXECUTIVE OFFICER**

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer</b>
<b>Item No/Subject</b>	CJ049-03/11 – Minutes of the Audit Committee Meeting held on 9 March 2011 - Item 2 - CEO's Credit Card Expenditure for the quarter ended 30 September 2010
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	The CEO is the card holder

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer</b>
<b>Item No/Subject</b>	CJ049-03/11 – Minutes of the Audit Committee Meeting held on 9 March 2011 - Item 3 - CEO's Credit Card Expenditure for the quarter ended 31 December 2010
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of Interest</b>	The CEO is the card holder

## **CJ049-03/11 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 9 MARCH 2011**

**WARD:** All

**RESPONSIBLE:** Mr Mike Tidy, Director Corporate Services

**FILE NUMBER:** 50068, 51567, 100160, 57618, 53469, 63627

**ATTACHMENTS:** Attachment 1 Unconfirmed Minutes of the Audit Committee meeting held on 9 March 2011

### **PURPOSE**

To submit the minutes of the Audit Committee meetings to Council for noting and endorsement of the recommendations contained therein.

### **EXECUTIVE SUMMARY**

A meeting of the Audit Committee was held on 9 March 2011 to consider the following matters:

- Item 1 Setting of Meeting Dates for 2011.
- Item 2 Chief Executive Officer's Credit Card Expenditure for the Quarter Ended 30 September 2010.
- Item 3 Chief Executive Officer's Credit Card Expenditure for the Quarter Ended 31 December 2010.
- Item 4 Half Yearly Report - Contract Extensions – 1 July 2010 to 31 December 2010.

- Item 5 Half Yearly Report - Write Off Of Monies - 1 July 2010 to 31 December 2010.
- Item 6 2010 Compliance Audit Return.

## **BACKGROUND**

The Council's Audit Committee was established in May 2001 to oversee the internal and external Audit, Risk Management and Compliance functions of the City. The City has also employed an internal auditor since May 2002.

## **DETAILS**

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

The Motions moved at the Audit Committee meeting held on 9 March 2011 are shown below, together with officer's comments.

### **Item 1 Setting of Meeting Dates for 2011**

The following motion was carried:

*"That the Audit Committee APPROVES the following meeting dates for 2011:*

*7.00 pm on Wednesday, 4 May 2011;  
3.00 pm on Tuesday, 16 August 2011;  
6.00 pm on Wednesday, 2 November 2011."*

#### Officer's Comment

No further comment required.

### **Item 2 Chief Executive Officer's Credit Card Expenditure for the Quarter Ended 30 September 2010**

The following motion was carried:

*"That the Audit Committee NOTES the Report on the corporate credit card usage of the Chief Executive Officer for the quarter ended 30 September 2010 forming Attachment 1 to this Report."*

#### Officer's Comment

No further comment required.

**Item 3 Chief Executive Officer's Credit Card Expenditure for the Quarter Ended 31 December 2010**

The following motion was carried:

*"That the Audit Committee NOTES the Report on the corporate credit card usage of the Chief Executive Officer for the quarter ended 31 December 2010 forming Attachment 1 to this Report."*

Officer's Comment

No further comment required.

**Item 4 Half Yearly Report - Contract Extensions - 1 July 2010 to 31 December 2010**

The following motion was carried:

*"That the Audit Committee NOTES the Report detailing Contracts extended by the Chief Executive Officer during the period 1 July 2010 to 31 December 2010 forming Attachment 1 to this Report."*

Officer's Comment

No further action required.

**Item 5 Half Yearly Report - Write Off Of Monies - 1 July 2010 to 31 December 2010**

The following motion was carried:

*"That the Audit Committee RECEIVES the Report of monies written off under delegated authority for the period 1 July to 31 December 2010."*

Officer's Comment

No further action required.

**Item 6 2010 Compliance Audit Return**

The following motion was carried:

*"That the Audit Committee RECOMMENDS that Council:*

- 1 *ADOPTS the completed Local Government Compliance Audit Return for the period 1 January 2010 to 31 December 2010 forming Attachment 1 to this Report;*
- 2 *in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed Compliance Audit Return to the Department of Local Government."*

Officer's Comment

This matter will be the subject of a separate report in the agenda for the Council meeting to be held on 15 March 2011 – CJ050-03/11 refers.

**REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

Nil.

**Legislation/Strategic Plan/Policy Implications**

**Legislation** Section 5.8 of the Local Government Act 1995 provides for a local government to establish a committee to assist Council.

Part 7 of the Act sets out the requirements in relation to Audits. Division 1A of Part 7 deals with the establishment, membership, decision-making and duties that a local government can delegate to an Audit Committee.

**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** Not Applicable.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

Not Applicable.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That Council NOTES the unconfirmed Minutes of the Audit Committee meeting held on 9 March 2011, forming Attachment 1 to Report CJ049-03/11.**

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15aqn150311.pdf](#)*

**CJ050-03/11      2010 COMPLIANCE AUDIT RETURN**

<b>WARD:</b>	All
<b>RESPONSIBLE:</b>	Mr Garry Hunt, Chief Executive Officer
<b>FILE NUMBER:</b>	09492, 50068
<b>ATTACHMENTS:</b>	Attachment 1      2010 Compliance Audit Return

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**PURPOSE**

To present the completed 2010 Compliance Audit Return ("the Return") to the Audit Committee prior to its submission to Council for final adoption.

**EXECUTIVE SUMMARY**

The Department of Local Government's ("the Department") Compliance Audit Return for the period 1 January 2010 to 31 December 2010 has been completed by the City and is required to be submitted to the Department by 31 March 2010.

**BACKGROUND**

The Department issued the 2010 Return for local governments on 22 December 2010 for online completion on its website.

The structure of the Return is generally similar to that of previous years, however, changes have been made to reduce the areas of compliance covered by the Return. This includes areas that are already monitored by the Department or where checking compliance is the responsibility of the local government's external auditor. This has reduced the number of questions included in the 2010 Return, particularly under the Finance heading. Amendments to Regulation 13 of the Local Government (Audit) Regulations 1996 have been made in order to allow these changes to occur.

The Return includes the compliance categories of:

- Caravan Parks and Camping Grounds.
- Cemeteries.
- Commercial Enterprises by Local Governments.
- Delegation of Power/Duty.
- Disclosure of Interest.
- Disposal of Property.
- Elections.
- Executive Functions.
- Finance.
- Local Government Employees.
- Local Laws.
- Meeting Process.
- Miscellaneous Provisions.
- Official Conduct.
- Swimming Pools.
- Tenders for Providing Goods and Services.

At its meeting held on 9 March 2011, the Audit Committee gave consideration to the 2010 Compliance Audit Return and *recommended*:

*“That Council:*

- 1 *ADOPTS the completed Local Government Compliance Audit Return for the period 1 January 2010 to 31 December 2010 forming Attachment 1 to this Report;*
- 2 *in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed Compliance Audit Return to the Department of Local Government.”*

Prior to the Audit Committee meeting held on 9 March 2011, it was noticed that amendments to two responses on the 2010 Compliance Audit Return were required. The Chief Executive Officer explained the required changes at the meeting, which are reflected in Part 1 of the Recommendation for Council's consideration.

## **DETAILS**

There has been only one omission from the 2010 Return which relates to Section 6.41 of the Local Government Act 1995 - Service of Rate Notice. The Department does not require a response to be made for any provisions which have been omitted.

### **Link to Strategic Plan:**

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

### **Legislation – Statutory Provisions:**

Regulations 14 and 15 of the Local Government (Audit) Regulations 1996 state as follows:

#### **14 Compliance audit return to be prepared**

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3) A compliance audit return is to be:
  - (a) presented to the council at a meeting of the council;
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted.

#### **15 Completion of compliance audit**

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with:
  - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and

- (b) any additional information explaining or qualifying the compliance audit;

is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

- (2) In this regulation:

**certified** in relation to a compliance audit return means signed by;

- (a) The mayor or president; and
- (b) The CEO.

**Risk Management considerations:**

The risk associated with the Council failing to adopt the Return would result in non-compliance with the legislative requirements of the Local Government (Audit) Regulations 1996.

**Policy Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

The responses to the questions were collected from the relevant Directors, Managers and other City officers by the City's Internal Auditor and entered on the Return on the Department's website. The 2010 Return reveals an extremely high level of compliance with legislation for the City of Joondalup.

**VOTING REQUIREMENTS**

Simple Majority

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

- 1** ADOPTS the completed Local Government Compliance Audit Return for the period 1 January 2010 to 31 December 2010 forming Attachment 1 to Report CJ049-03/11, subject to Item 15 on Page 10 of 27, being amended to read 'Yes' and Item 27 on Page 11 of 27, being amended to read 'N/A';
- 2** in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed Compliance Audit Return to the Department of Local Government.

*Appendix 16 refers*

To access this attachment on electronic document, click here: [Attach16agn150311.pdf](#)

**CJ051-03/11 MINUTES OF THE STRATEGIC FINANCIAL MANAGEMENT COMMITTEE MEETING HELD ON 8 MARCH 2011****WARD:** All**RESPONSIBLE:** Mr Mike Tidy, Director Corporate Services**FILE NUMBER:** 51567, 46717, 52582, 63627**ATTACHMENTS:**  
Attachment 1 Minutes of the Strategic Financial Management Committee Meeting held on 8 March 2011  
Attachment 2 Summary of all Valuations  
Attachments 3 to 7 Valuation and Planning Information on the Subject Five City Freehold Properties

*(Please Note: These attachments are confidential and will appear in the official Minute Book only)*

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This Item is Confidential – Not for Publication

A full report has been provided to Elected Members under separate cover.

**12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**13 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

**14 CLOSURE**



**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 * <span style="float: right;"><i>* Delete where not applicable</i></span> Interest that may affect impartiality*
<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.*



**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:

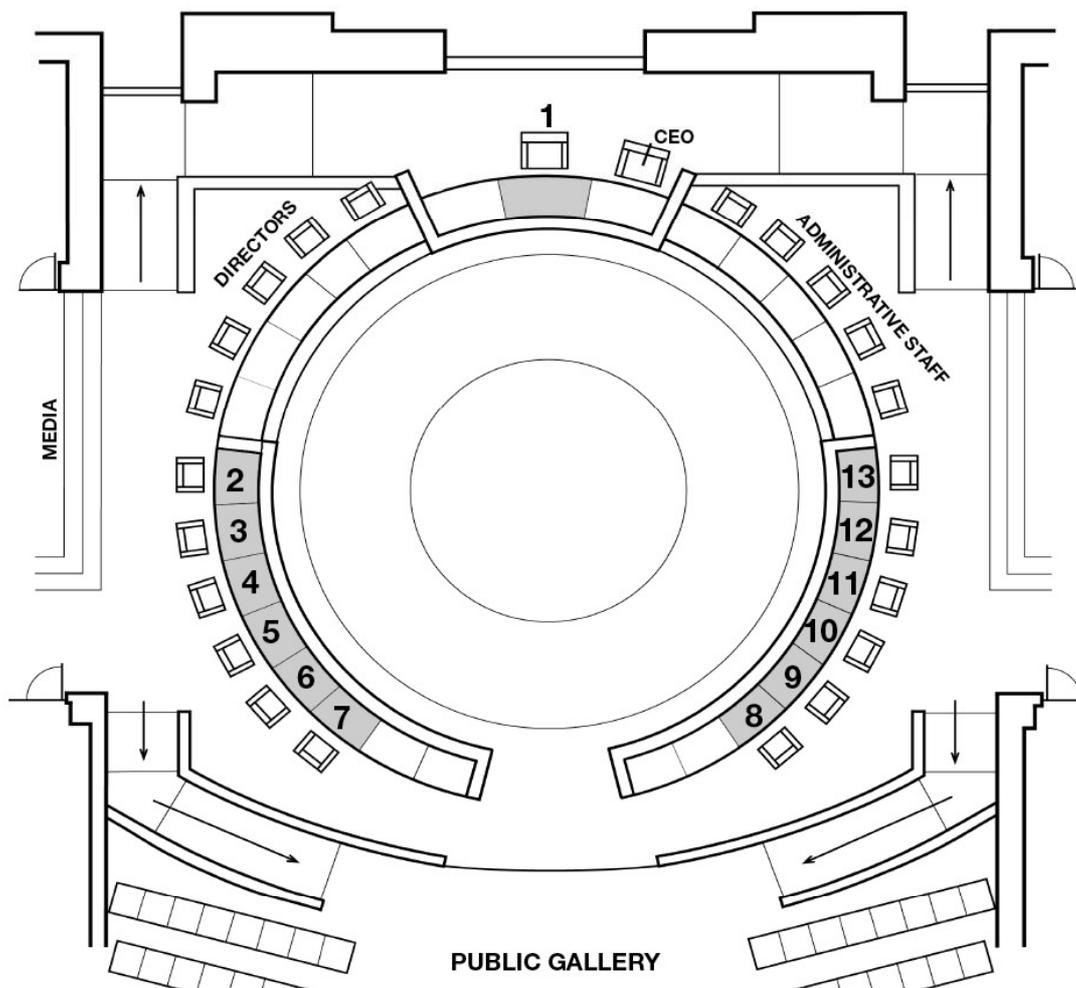
- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

**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



## Council Chamber – Seating Diagram



### Mayor

1 His Worship the Mayor, Troy Pickard (Term expires 10/13)

### North Ward

- 2 Cr Kerry Hollywood (Term expires 10/13)
- 3 Cr Tom McLean (Term expires 10/11)

### North-Central Ward

- 4 Cr Philippa Taylor (Term expires 10/13)
- 5 Cr Trona Young (Term expires 10/11)

### Central Ward

- 6 Cr Liam Gobbert (Term expires 10/13)
- 7 Cr Geoff Amphlett (Term expires 10/11)

### South-West Ward

- 8 Cr Christine Hamilton-Prime (Term expires 10/13)
- 9 Cr Mike Norman (Term expires 10/11)

### South-East Ward

- 10 Cr John Chester (Term expires 10/13)
- 11 Cr Brian Corr (Term expires 10/11)

### South Ward

- 12 Cr Russ Fishwick (Term expires 10/13)
- 13 Cr Fiona Diaz (Term expires 10/11)