

# agenda

## Briefing Session

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

**ON** TUESDAY, 6 DECEMBER 2011  
**COMMENCING AT** 6.30 pm

#### **PUBLIC QUESTION TIME**

Members of the public are requested to lodge questions in writing by close of business on **Monday, 5 December 2011**

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

#### **QUESTIONS TO**

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

PO Box 21 Joondalup WA 6919

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

## **BRIEFING SESSIONS**

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

### **INTRODUCTION**

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

A well-structured decision-making process that has established procedures will provide the elected body with the opportunity to:

- have input into the future strategic direction set by the Council;
- seek points of clarification;
- ask questions;
- be given adequate time to research issues;
- be given maximum time to debate matters before the Council;

and ensure that the elected body is fully informed to make the best possible decision for all the residents of the City of Joondalup.

### **PURPOSE OF BRIEFING SESSIONS**

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

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

### **PROCEDURES FOR BRIEFING SESSIONS**

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

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

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

## PROCEDURES FOR PUBLIC QUESTION TIME

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

### Questions asked verbally

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

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

- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question(s) would require a substantial commitment of the City's resources, the 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 at Briefing Sessions. Statements made at a Briefing Session must relate to a matter contained on the agenda.
- 2 A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 3 Public statement time will be limited to two minutes per member of the public.
- 4 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 5 Public statement time will be limited to a maximum of 15 minutes. Public statement time is declared closed following the 15 minute allocated time period, or earlier if there are no further statements.
- 6 Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- 7 Where an Elected Member is of the opinion that a member of the public is making a statement at a Briefing session, that is not relevant to a matter listed on the draft agenda, they may bring it to the attention of the Presiding Member who will make a ruling.
- 8 A member of the public attending a Briefing Session may present a written statement rather than making the Statement verbally if he or she so wishes.
- 9 Statements will be summarised and included in the notes of the Briefing Session.

## DEPUTATION SESSIONS

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

A time period of fifteen (15) minutes is set-aside for each deputation, with five (5) minutes for Elected Members' questions. Deputation sessions are open to the public.

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

## RECORDING OF THE PROCEEDINGS OF THE BRIEFING SESSION

Proceedings of the Briefing Session shall be electronically recorded for administrative purposes only, except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the Local Government Act 1995.



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#### **LATE ITEMS / ADDITIONAL INFORMATION**

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

[Additional Information061211.pdf](#)

## CITY OF JOONDALUP – BRIEFING SESSION

To be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday, 6 December 2011** commencing at **6.30 pm**

### ORDER OF BUSINESS

#### 1 OPEN AND WELCOME

#### 2 DEPUTATIONS

#### 3 PUBLIC QUESTION TIME

The following question was submitted to the Briefing Session held on 15 November 2011:

**Mr Gornisiewicz, Currambine:**

*Re: Item 4 – Proposed Telecommunication Facility at Currambine Train Station Car Park, Lot 11889 (8L) Citadel Way, Currambine*

*Q1 How can Telstra make a guarantee that continuous radiation from the tower located at the train station will not cause people living in the area to develop cancer related diseases?*

*A1 The City is unable to make such a guarantee. Your question should be directed to Telstra.*

#### 4 PUBLIC STATEMENT TIME

The following statement was submitted to the Briefing Session held on 15 November 2011:

**Mr Gornisiewicz, Currambine:**

*Re: Item 4 – Proposed Telecommunication Facility at Currambine Train Station Car Park, Lot 11889 (8L) Citadel Way, Currambine*

Mr Gornisiewicz raised his concerns with respect to the installation of a telecommunication tower at the Currambine Train Station and the possible affects this may have on the health and well-being of the community.

#### 5 APOLOGIES AND LEAVE OF ABSENCE

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

**7 REPORTS**

## **ITEM 1                      DEVELOPMENT,        CODE        VARIATION        AND SUBDIVISION APPLICATIONS - OCTOBER 2011**

**WARD:** All

**RESPONSIBLE  
DIRECTOR:** Ms Dale Page  
Planning and Development

**FILE NUMBER:** 07032 05961 101515

**ATTACHMENTS:**

Attachment 1	Monthly Development Applications Determined - October 2011
Attachment 2	Monthly Building Application Code Variations Decision - October 2011
Attachment 3	Monthly Subdivision Applications Processed - October 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 staff, 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 the administration with Delegated Authority powers during October 2011 (Attachments 1, 2 and 3 refers):

- 1 Planning applications (development applications and Residential Design Codes variations);
- 2 Building applications (Residential Design Code variations); and
- 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 28 June 2011 (CJ107-06/11 refers), Council considered and adopted the most recent Town Planning Delegation.

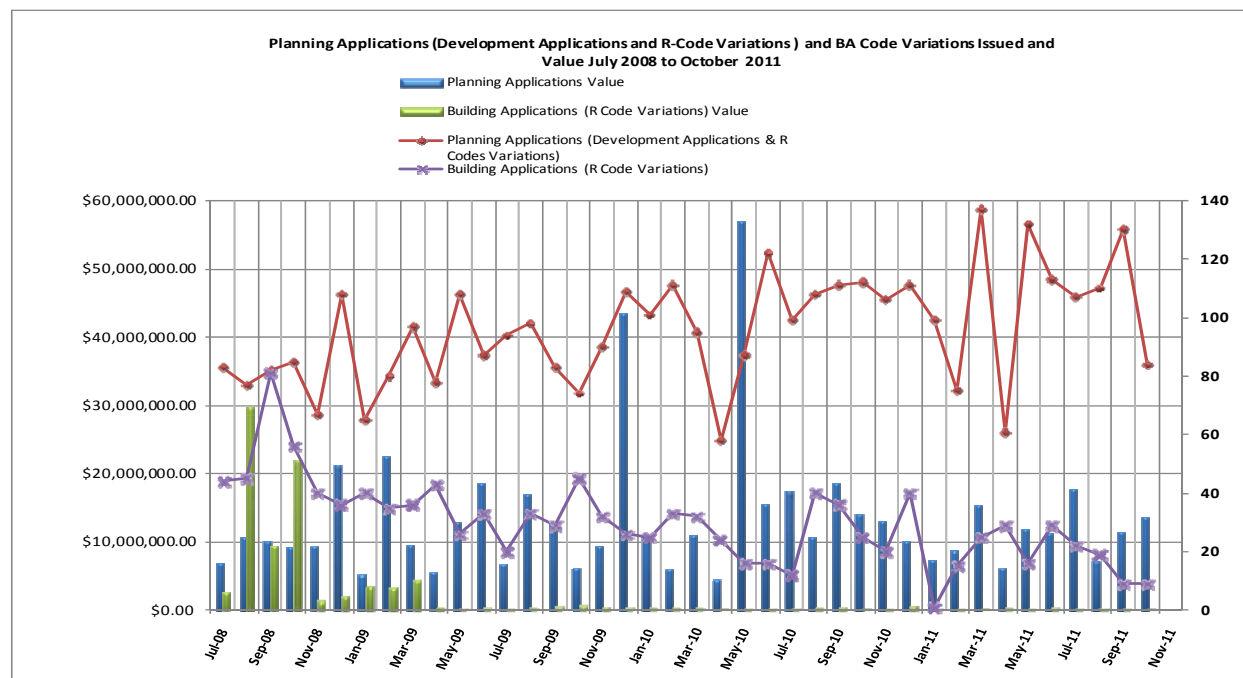
**DETAILS**

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

<b>Approvals determined under delegated authority – October 2011</b>		
<b>Type of Approval</b>	<b>Number</b>	<b>Value (\$)</b>
Planning applications (development applications & R-Codes variations)	81	\$ 12, 991,844
Building applications (R-Codes variations)	9	\$ 255, 855
<b>TOTAL</b>	<b>90</b>	<b>\$ 13, 247,699</b>

The number of development applications received during October was 105. (This figure does not include any applications that may become the subject of an R-Code variation as part of the building licence approval process).

The number of development applications current at the end of October was 186. Of these, 43 were pending additional information from applicants, and 65 were being advertised for public comment.



<b>Subdivision approvals processed under delegated authority From 1 October to 31 October 2011</b>		
<b>Type of approval</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	1	1
Strata subdivision applications	3	4

In addition to the above, 247 building licences were issued during the month of October with an estimated construction value of \$22,577,710.

### **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 90 applications were determined for the month of October with a total amount of \$48,382 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 DPS2.

Of the 81 development applications determined during October 2011, consultation was undertaken for 41 of those applications. Applications for Residential Design Codes variations as part of building applications are required to include comments from adjoining landowners. Where these comments are not provided, the application will become the subject of a planning application (R-Codes variation). The four subdivision applications processed during October 2011 were not advertised for public comment.

## **COMMENT**

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

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

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council NOTES the determinations made under Delegated Authority in relation to the:**

- 1 Development applications and R-Codes variations described in Attachments 1 and 2 to this Report during October 2011;**
- 2 Subdivision applications described in Attachment 3 to this Report during October 2011.**

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf061211.pdf](#)



## **ITEM 2                    PROPOSED CHANGE OF USE FROM SHOWROOM TO WAREHOUSE AT LOT 5004 (4) HOBSONS GATE, CURRAMBINE**

<b>WARD:</b>	North	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Development	
<b>FILE NUMBER:</b>	56612 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Location plan
	Attachment 2	Development plans

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### **PURPOSE**

To request Council's determination of an application for a proposed change of use from Showroom to Warehouse at Lot 5004 (4) Hobsons Gate, Currambine.

### **EXECUTIVE SUMMARY**

An application for planning approval has been received to change the use of a tenancy from Showroom to Warehouse at Lot 5004 (4) Hobsons Gate, Currambine.

The subject site is zoned 'Urban' under the Metropolitan Region Scheme, and 'Business' under the City's District Planning Scheme No 2 (DPS2). The site is located within the Currambine District Centre Structure Plan (CDCSP) area. Warehouse is a discretionary ('D') land use in the Business Zone under DPS2.

As a result of the change of use, the car parking required for the whole site under DPS2 is reduced from 144 to 142 bays. A total of 124 bays are provided on site. A shortfall of car parking will still exist as a result of this application, however it will be slightly less than previously approved by Council. Council needs to determine the application as the shortfall still exceeds 10%, even though the shortfall will be reduced by this change of use.

The application was not advertised as the land use and car parking provision are considered to have no adverse impact on the locality.

The land use is considered consistent within the objective of the Business Zone under DPS2. Furthermore, the car parking demand will be lessened from that which currently exists on-site, and the proposed car parking provision is considered adequate to service the existing and proposed uses.

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

## BACKGROUND

**Suburb/Location:** Lot 5004 (4) Hobsons Gate, Currambine.  
**Applicant:** Jordan Ennis  
**Owner:** Nodebits Pty Ltd.  
**Zoning:** **DPS:** Business  
**MRS:** Urban  
**Site Area:** 8,166m<sup>2</sup>  
**Structure Plan:** Currambine District Centre Structure Plan (CDCSP).

The subject site is located within the CDCSP area. The Currambine District Centre is bounded by Marmion Avenue to the west, Shenton Avenue to the south, and Delamere Avenue to the north and east. The subject site is located adjacent to Marmion Avenue immediately to the south of Hobsons Gate and to the west of Chesapeake Way (Attachment 1 refers).

Council previously approved a showroom and shop complex on the subject site at its meeting held on 16 December 2008. Council has also previously approved two applications for change of uses at the site, including an application for a change of use from a Shop to a Restaurant, and from a Showroom to an Office and a Shop at its meeting held on 16 March 2010, and an application for a change of use from Showroom to Take Away Food Outlet at its meeting held on 25 May 2010.

A number of change of use applications in 2009 and 2010 have also been approved under delegated authority, including:

- Change of use from Showroom to Recreation Centre;
- Change of use from Showroom to Office;
- Change of use from Showroom to Veterinary Hospital; and
- Change of use from Recreation Centre to Medical Centre.

## DETAILS

The application is for a change of use from Showroom to Warehouse. The business which will occupy the tenancy, Musclexworx, which sells products such as protein powders predominantly in bulk quantities on a wholesale basis, typically to gym and fitness stores.

The development plans are provided in Attachment 2.

### Car parking

Car parking for the site is calculated in accordance with DPS2. The following table sets out the car parking requirement for the site:

	<b>Car parking required</b>
Approved development (excluding the tenancy subject of this report)	137.67
Proposed Warehouse	3.8
<b>Total car parking required under DPS2</b>	<b>141.47 (142)</b>
<b>Total car parking provided on-site</b>	<b>124</b>

There are 18 car parking bays, or 12.67% less on-site car parking bays, than required under DPS2.

However, the proposed Warehouse has a lesser car parking requirement (3.8 bays) than the current approved Showroom (6.33 bays) and approval of the application will therefore reduce the car parking shortfall across the site by two bays.

In support of the application, the following justification has been provided:

- The proposed Warehouse will offer goods of a specialist nature selling nutrition supplements on a wholesale basis to other organisations and groups.
- The nature of the intended business operations will require the bulk of the tenancy's 180m<sup>2</sup> of floor area being utilised to house pallets containing nutrient supplements which will be wholesaled. The subject property will also store products for Musclevorx's other Perth Metropolitan Stores. Based on the above, a business of this nature is considered to achieve the objective of the Business zone.
- The nature of the building and nature of roads have been designed and considered through the structure planning process and have subsequently been developed in accordance with the Currambine District Structure Plan. The subject property/tenancy has been designed for a land use of a Warehouse or Showroom nature and is well serviced by an extensive car park, loading bays, and is located off a Regional Road (Marmion Avenue).
- The Currambine District Centre does not currently incorporate any Warehouse land uses. The addition of a Warehouse would therefore assist in creating a mix of land uses and reduce the dominance of Showroom and Fast Food Outlets within the Currambine Business Centre.

#### **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

'Warehouse' is a discretionary ('D') use within the Business Zone. A 'D' use means:

*"A Use Class that is not permitted, but to which the Council may grant its approval after following the procedures laid down by Subclause 6.6.2."*

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

6.8 *Matters to be considered by Council:*

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

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

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

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

- (a) the nature of the proposed use and its relationship to the use of other land within the locality;*
- (b) the size, shape and character of the parcel of land to which the application relates and the nature and siting of any proposed building;*

- (c) *the nature of the roads giving access to the subject land;*
- (d) *the parking facilities available or proposed and the likely requirements for parking, arising from the proposed development;*
- (e) *any relevant submissions or objections received by the Council; and*
- (f) *such other matters as the Council considers relevant, whether of the same nature as the foregoing or otherwise.*

In considering the appropriateness of the land use in the Business Zone, the purpose and objectives of the zone are to be given consideration.

3.6.1 *The Business Zone is intended to accommodate wholesaling, retail warehouses, showrooms and trade and professional services and small scale complementary and incidental retaining uses, as well as providing for retail and commercial business which require large areas such as bulky goods and category/theme based retail outlets that provide for the needs of the community but which due to their nature are generally not appropriate to or cannot be accommodated in a commercial area.*

*The objectives of the Business Zone are to:*

- (a) *provide for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets as well as complementary business services;*
- (b) *ensure that development which this zone creates an attractive facade to the street for the visual amenity of surrounding areas.*

Clause 4.5.1 and 4.8.2 give Council discretion to approve a lesser amount of on site car parking than that required under DPS2.

#### 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.*

#### 4.8 Car Parking Standards

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

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

### **Strategic Plan**

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

**Objective:** To encourage 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 \$278 (excluding GST) to cover all costs associated with assessing the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

There are not considered to be sustainability implications as a result of the change of use. These were predominantly addressed through the construction of the initial development.

**Consultation:**

The proposal was not advertised as there is not considered to be any impact on the locality as result of the development.

**COMMENT**

The application is for a change of use from Showroom to Warehouse, which is a discretionary (D) land use in the Business Zone.

In considering the appropriateness of the land use, it must be considered whether the purpose and objectives of the Business Zone are met. In this instance, the sale of bulk sports nutrition products on a wholesale basis is complementary to other land uses which operate within both the Commercial and Business Zones of the Currambine District Centre. Therefore, it is considered that the land use is appropriately located within the Business Zone.

Car parking

As a result of the change of use the car parking required for the site under DPS2 will be reduced from 144 to 142 bays. A total of 124 bays are provided on-site.

Council is required to determine whether the 124 bays provided on-site are sufficient to service the proposed land use and the existing land uses on-site. The options available to Council are:

- 1 Determine that the provision of 124 car parking bays currently provided on-site is appropriate;
- 2 Determine that the provision of 124 car parking bays provided on-site is not appropriate; or
- 3 Determine that a cash-in-lieu payment of \$466,722 is required for the 18 bay shortfall in parking.

The change of use will result in a lesser amount of car parking being required under DPS2. The land use will be less intensive than a showroom operating from the site, and therefore improve car parking availability for the site. The City has no record of complaints in relation to the availability of car parking at the site.

Given that the change of use will reduce the car parking required under DPS2, it is not considered appropriate to request cash in lieu payment for the shortfall in car parking, which has already been previously approved.

It is considered that the car parking provided on-site will be adequate to service the existing and proposed land use.

### Signage

One of the objectives of the CDCSP is to facilitate interaction between the street and the buildings fronting it. As such a condition of approval is recommended to prevent any obscure glazing. An advice note will also be included on the decision letter should the application be approved, advising that any signage is to be the subject of a separate application for planning approval.

### Conclusion

The proposed land use is considered appropriate for the site, and meets the objective of the Business Zone. The car parking requirement for the site is reduced as a result of the change of use, being a less intense land use than currently approved.

Given the above, the application is recommended for approval subject to conditions.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 DETERMINES that the land use 'Warehouse' under clause 6.6.2 of the City of Joondalup District Planning Scheme No.2 is appropriate;**
- 2 EXERCISES discretion under clauses 4.5.1 and 4.8.1 of the City of Joondalup District Planning Scheme No.2 and determines that the car parking provision of 124 bays in lieu of 142 bays is appropriate in this instance;**
- 3 NOTES that this application for development reduces the number of car parking bays of approved development required for the site under the City of Joondalup District Planning Scheme No 2 by two bays from 144 to 142; and**
- 4 APPROVES the application dated 8 November 2011, submitted by Jordan Ennis, on behalf of the land owners, Nodebits Pty Ltd, for change of use from Showroom to Warehouse at Lot 5004 (4) Hobsons Gate, Currambine, subject to the following condition:**
  - 4.1 Obscure glazing to windows and doors is not permitted.**

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf061211.pdf](#)



## **ITEM 3                      TOWN PLANNING DELEGATIONS - BURNS BEACH DISPLAY VILLAGE**

<b>WARD:</b>	North	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Development	
<b>FILE NUMBER:</b>	85614 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Location plan
	Attachment 2	Display village plan
	Attachment 3	Car parking plans

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### **PURPOSE**

To request that Council delegates, to the Director Planning and Development, the authority to determine applications for display homes on a maximum of 23 Lots in Burns Beach. These being, proposed Lots 316, 317, and 320-325 Grand Ocean Entrance, proposed Lots 1185-1188, and 1208-1210, Larvotto Turn, and proposed Lots 1220-1227 Umina Way in Burns Beach.

### **EXECUTIVE SUMMARY**

In September 2011, the City approved an application for temporary car parks on proposed Lots 318, 319, 327, and 328 Grand Ocean Entrance, proposed Lots 1189 and 1190 Larvotto Turn, and proposed Lot 1211 Umina Way, Burns Beach. These car parks will contain a total of 148 car parking bays, including two bays for persons with disabilities in the car park located on Lots 327 and 328 Grand Ocean Entrance. They are intended to service a 23 dwelling display village and a land sales office (Attachments 2 and 3 refer). The approval for these car parks is valid for three years from 16 September 2011.

The City's District Planning Scheme No. 2 (DPS2) requires that five on-site car parking bays are provided per display home and/or land sales office. It is anticipated that none of the proposed dwellings will provide the required parking on-site, as the temporary car park will be constructed for this purpose. As such, under the current Register of Delegations from Council, development applications for display homes on these 23 sites, will be required to be presented to Council for determination. This is as a result of car parking shortfalls greater than 10% which will exist for each of the individual development sites.

As the approved temporary car parks provide adequate car parking to service all of the future developments, it is requested that Council delegates decision-making authority to the Director Planning and Development to determine applications for Display Homes on these 23 sites. This will enable the City to process these applications for development approval in a timely and efficient manner.

### **BACKGROUND**

**Suburb/Location:** Proposed Lots 316, 317, and 320-325 Grand Ocean Entrance; Proposed Lots 1185-1188, and 1208-1210, Larvotto Turn; and Proposed Lots 1220-1227 Umina Way in Burns Beach.

**Applicant:** Development Planning Strategies.  
**Owner:** Peet & Co.  
**Zoning:** **DPS:** Urban Development  
**MRS:** Urban  
**Site Area:** The above lots vary in size from approximately 500m<sup>2</sup> to 800m<sup>2</sup>  
**Structure Plan:** Burns Beach Structure Plan.

The subject sites are located within the Burns Beach Estate. The lots are situated immediately to the north of Grand Ocean Entrance, and immediately to the west of the circular recreation reserve, as indicated on Attachment 1. The sites are generally surrounded by vacant residential land.

Titles for these individual lots have not yet been issued, and as such the properties are referred to as 'proposed lots' rather than simply as lots. Approvals for display home developments cannot be issued until such time as the individual lots are created. However, the City has approved the development of the land sales office on proposed Lot 326 as part of the approval discussed below. Only minor variations to the requirements of DPS2 were supported for this proposal, and because all of the sites were contained on a single title at the time of determining the application, sufficient on-site parking is provided.

In September 2011, the City approved an application for a land sales office on proposed Lot 326, and temporary car parks on proposed Lots 318, 319, 327, and 328 Grand Ocean Entrance, proposed Lots 1189 and 1190 Larvotto Turn, and proposed Lot 1211 Umina Way, Burns Beach. These car parks will contain a total of 148 car parking bays, including two bays for persons with disabilities in the car park located on Lots 327 and 328 Grand Ocean Entrance. They are intended to service a 23 dwelling display village and a land sales office (Attachments 2 and 3 refer). The approval for these car parks is valid for three years from 16 September 2011.

## DETAILS

The City will shortly be receiving applications for Display Homes on the sites indicated on Attachment 2. It is anticipated that none of these developments will incorporate the five onsite car parking bays per dwelling required by DPS2.

Under the current Register of Delegations from Council, the applications for display homes on these 23 sites would need to be presented to Council for determination, as a car parking shortfall of greater than 10% will exist for each application.

The development of 23 Display Homes, as well as the approved land sales office, will require a total of 120 car parking bays, and the approved temporary car parks provide 148 parking bays. This is more than adequate to cater for car parking to service all 23 of the proposed developments, and as such, it is considered that the technical shortfall for each individual development site will not impact on the operation of the display village, or adversely impact on the amenity of surrounding property owners.

On this basis, it is requested that Council delegate decision making authority to the Director Planning and Development to determine applications for Display Homes on these 23 sites. Any approvals issued will be for a period of time that is consistent with the approval period of the temporary car park only.

**Issues and options considered:**

In this instance, Council may resolve to either:

- Delegate to the Director Planning and Development the authority to determine applications for Display Homes on proposed Lots 316, 317, and 320-325 Grand Ocean Entrance, proposed Lots 1185-1188, and 1208-1210, Larvotto Turn, and proposed Lots 1220-1227 Umina Way in Burns Beach; or
- Require that all the above mentioned applications are presented to Council for determination in accordance with the current Register of Delegations.

**Legislation/Strategic Plan/Policy Implications**

**Legislation** City of Joondalup District Planning Scheme No. 2 (DPS2)

Clause 4.8 of DPS2 sets out the Scheme's requirements in relation to car parking:

**4.8 CAR PARKING STANDARDS**

- 4.8.1 *The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS 2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the Council.*
- 4.8.2 *The number of on-site car parking bays to be provided for specified development shall be in accordance with Table 2. Where development is not specified in Table 2 the Council shall determine the parking standard. The Council may also determine that a general car parking standard shall apply irrespective of the development proposed in cases where it considers this to be appropriate.*

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

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

- 4.5.1 *Except for development in respect of which the Residential Planning Codes apply and the requirements set out in Clauses 3.7.3 and 3.11.5, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*
- 4.5.2 *In considering an application for planning approval under this clause, where, in the opinion of Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the Council shall:*
- consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 6.7.1; and*
  - have regard to any expressed views prior to making its decision to grant the variation.*

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

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

The matters listed under Clause 6.8 require consideration:

## 6.8 MATTERS TO BE CONSIDERED BY COUNCIL

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

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

Clause 8.6 of DPS2 allows Council to delegate decision making powers:

## 8.6 DELEGATION OF DEVELOPMENT CONTROL POWERS AND POWERS AND DUTIES IN RELATION TO OTHER PLANNING FUNCTIONS

8.6.1 *The Council may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or an employee of the City, the exercise of any of its powers or the discharge of any of its duties under the Scheme, under this power of delegation.*

8.6.2 *Sections 5.45 and 5.46 of the Local Government Act 1995 and the Regulations referred to in section 5.46 apply to the delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.*

**Strategic Plan**

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

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

**Policy:**

Not Applicable.

**Risk Management Considerations:**

The applicants for individual display homes will have a right to seek a review of any planning decision made under the *Planning and Development Act 2005* and the *State Administrative Tribunal Act 2004*.

**Financial/Budget Implications:**

Not Applicable. Fees will be payable for the determination of each Display Home application in accordance with the City's schedule of Fees and Charges.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

No public consultation has been undertaken in relation to this matter to date. The City will assess all applications against the requirements of the Burns Beach Structure Plan and where applications are submitted that seek variations to these requirements, the City will advertise these proposals as necessary.

**COMMENT**

The temporary car parks located throughout the proposed display village in Burns Beach will provide adequate car parking to service all of the proposed developments within the village. The proposed dwellings and the approved land sales office require five bays each under DPS2. This results in a minimum requirement of 120 bays, and 148 are provided within the temporary car park.

As such, it is considered that the shortfall for each individual development site is only a technical shortfall, and there will not be any adverse impact on the operation of the display village, or the amenity of surrounding property owners.

The development of the display village in this manner will result in a more attractive streetscape, as the display homes will not have large areas of car parking in their front setback areas, and will assist in the future conversion of these properties to single dwellings.

It is requested that Council delegate decision making authority to the Director Planning and Development to determine applications for Display Homes on these 23 sites as this will assist with the timely processing of these applications for development approval.

Any approvals issued will be for a period of time that is consistent with the approval period of the temporary car park only.

## **VOTING REQUIREMENTS**

Absolute Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 BY AN ABSOLUTE MAJORITY DELEGATES authority to the Director of Planning and Development under Clause 8.6 of the District Planning Scheme No 2 to determine development applications, in accordance with Clause 6.9 of the District Planning Scheme No. 2 for proposed Display Homes on proposed Lots 316, 317, and 320-325 Grand Ocean Entrance, proposed Lots 1185-1188, and 1208-1210, Larvotto Turn, and proposed Lots 1220-1227 Umina Way in Burns Beach; and**
- 2 NOTES that approvals issued for any Display Homes will be temporary, and for a period of time that is consistent with the approval period of the temporary car park; and that a change of use application from Display Home to Single House will be required at the end of these approval periods.**

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf061211.pdf](#)

## **ITEM 4                    PROPOSED AMENDMENT NO 62 TO DISTRICT PLANNING SCHEME NO 2- LOT 39 (14) LENNARD STREET,            MARMION            –            CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD:</b>	South	
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Development	
<b>FILE NUMBER:</b>	101734 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Location Plan
	Attachment 2	Coding plan
	Attachment 3	Schedule of submissions
	Attachment 4	Scheme amendment process flowchart

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### **PURPOSE**

The purpose of this report is for Council to consider submissions received during the public advertising of proposed Amendment No 62 to District Planning Scheme No 2 (DPS2), and to decide whether to adopt the amendment as final.

### **EXECUTIVE SUMMARY**

A proposal has been received to amend the DPS2 to amend the residential density code applicable to Lot 39 (14) Lennard Street, Marmion from R20 to R40.

The existing development is currently known as ‘Sunset Coast Holiday Accommodation and Conference Centre’. The site contains 11 holiday units, function rooms, dining halls and associated facilities, and has been used for school camps, accommodation, conferences and the like.

The current R20 code permits four grouped dwellings to be developed. An R40 code would potentially permit the site to be developed for nine grouped dwellings or 14 aged or dependent persons’ dwellings.

Whilst the proposed density increase is greater than that on the adjoining existing residential properties, the resultant development is considered to be less intense than the land use currently operating on the site, and also more in line with the ‘Residential’ zoning of the site.

The proposed scheme amendment was advertised for a period of 42 days, closing on 16 November 2011. A total of 11 submissions were received being four objections, two letters of support and two comments from nearby landowners and three comments of non-objection being received from service authorities.

It is recommended that Council adopt the proposed scheme amendment as final, and forwards the proposed amendment to the Western Australian Planning Commission (WAPC) for final approval.

## BACKGROUND

**Suburb/Location:** Lot 39 (14) Lennard Street, Marmion.  
**Applicant:** TPG  
**Owner:** Mr Philip George Haughan; Mr Grant Stephen Dorrington; Ms Glenys Marion Dorrington.  
**Zoning:** **DPS:** Residential  
**MRS:** Urban  
**Site Area:** 2144m<sup>2</sup>  
**Structure Plan:** Not applicable.

The subject site is located on the corner of Lennard Street and Cliff Street, Marmion. Access to the site is currently obtained from Lennard Street. The subject site accommodates 11 short stay units, a conference hall, a dining hall and associated recreational rooms. It appears that two residential lots were amalgamated to enable the development.

The subject site is relatively unique with regard to its current and approved use, being 'Holiday 'Accommodation and Conference Centre'. It was granted approval prior to the operation of the Wanneroo Town Planning Scheme No 1 (TPS1). The existing use, whilst not permitted within the 'Residential' zone under DPS2, may continue operation under a non-conforming use right, as it was approved prior to the operation of TPS1 and DPS2.

As a public building, the conference centre can accommodate up to 100 people on the site.

The applicant advises that the facilities are currently leased by a group for short-term accommodation purposes.

Council, at its meeting held on 16 August 2011 (CJ139-08/11 refers), resolved to initiate the amendment for the purpose of public advertising for a period of 42 days.

## DETAILS

An application has been received to increase the residential density code of Lot 39 (14) Lennard Street Marmion from R20 to R40. The zoning of the site ('Residential') is not proposed to change.

In support of the proposal, the applicant states:

*"The purpose of the increased residential density on the subject site is to seek its redevelopment with eight strata dwellings in place of the current short term 'Holiday Village' accommodation use that is approved for the land.*

*The subject site is well located to provide for medium density residential development that would take advantage of the high amenity and liveability of the area. Importantly the proposed rezoning would allow for the development of alternative housing types in the locality that meet the needs of less traditional household compositions, including the growing need to allow residents to age in place.*

*The subject site has a number of locational advantages, including close proximity to a neighbourhood activity centre, good public transport availability and proximity to the coast.*



*Given the existing and potential use of the subject site for short stay accommodation purposes, it is also considered that the proposed increase in residential density would facilitate a form of development that is more consistent with surrounding residential land use, and on this basis would not constitute a ‘spot’ rezoning.”*

**Issues and options considered:**

The issues to be considered by Council include:

- The suitability of the proposed Scheme Amendment; and
- The public submissions received.

The options available to Council in considering the proposal are:

- Adopt the proposed amendment as final;
- Adopt the proposed amendment as final, with modification; or
- Refuse to adopt the proposed amendment.

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

Part 5 of the *Planning and Development Act 2005* enables local government to amend a Local Planning Scheme and sets out the process to be followed. Council supported the initiation of the proposed amendment for the purpose of public advertising at its meeting held on 16 August 2011. The proposed amendment was then referred to the Environmental Protection Authority (EPA) for its comment. The EPA decided that a formal review of the amendment was not required.

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

**Strategic Plan**

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

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

**Policy:**

Not Applicable.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

The applicant has paid fees of \$4,583 (incl GST) to cover costs associated with assessing the request and document production. Advertising costs are borne by the applicant and are estimated to be \$2,557.

**Regional Significance:**

The short stay accommodation currently operating on site is not considered to significantly contribute to the available tourist accommodation within the City. Whilst the approved use of the site is 'Holiday Accommodation and Conference Centre' the site is currently used to accommodate students during school terms rather than providing real tourist accommodation. Additionally, should the current land use cease to operate a new approval for short stay accommodation could not be granted by the City as short stay accommodation is an 'X' use within the Residential zone. It is the landowners' preference to develop the site for residential purposes.

**Sustainability Implications:**

The proposed amendment would enable future residential subdivision and development on the site that will provide additional dwellings. Being an infill site, this will contribute to environmental, economic and social sustainability by providing dwellings near existing facilities and infrastructure in an established suburb.

**Consultation:**

The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 16 November 2011, as follows:

- 28 letters were sent to nearby landowners, and four letters to service authorities;
- A sign was placed on the site;
- A notice placed in the local and The West Australian newspapers; and
- A notice and documents were placed on the City's website.

A total of 11 submissions were received during the advertising period being four objections, two letters of support, two comments from nearby landowners and three comments of non-objection from service authorities. The objections and comments state that the density increase would set a precedent in the area, nearby residents do not want higher density due to situations like Innaloo, and there could be greater potential for rowdy rentals and more cars parked in the street. The City's comments on the submissions are provided in the schedule of submissions (Attachment 3 refers).

**COMMENT****Suitability of the density increase**

The site has unique characteristics in that it is not currently used for residential purposes, though it has the appearance of having many dwellings on it. It is larger in size than surrounding lots, and accommodates of a non-conforming use.

The density increase will provide the opportunity for single dwellings, grouped dwellings or aged persons dwellings to be accommodated on site which, albeit on a small scale, will contribute to the housing diversity in the area and potentially allow people to downsize yet remain in the area.

The advertising of the proposed scheme amendment has not raised any issues that would warrant not proceeding with the proposal. It is recommended that the proposed amendment be adopted, and the amending documents be endorsed and submitted to the WAPC for the Minister for Planning's determination.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 Pursuant to Regulation 17(2) of the Town Planning Regulations 1967 ADOPTS Amendment No 62 to the City of Joondalup District Planning Scheme No. 2, to recode Lot 39 (14) Lennard Street, Marmion from 'R20' to 'R40' as indicated on Attachment 2 to this Report;**
- 2 AUTHORISES the affixation of the Common Seal and to endorse the signing of the amendment documents by the Mayor and Chief Executive Officer;**
- 3 NOTES the submissions received and advises the submitters of Council's decision; and**
- 4 REFERS Scheme Amendment No 62 and Council's decision to the Western Australian Planning Commission for determination.**

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf061211.pdf](#)

## **ITEM 5                    PROPOSED AMENDMENT NO 63 TO DISTRICT PLANNING SCHEME NO 2 LOT 28 (67) WOODVALE DRIVE, WOODVALE       -        CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD:</b>	Central
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Development
<b>FILE NUMBER:</b>	101850 101515
<b>ATTACHMENTS:</b>	Attachment 1        Location plan Attachment 2        Approved buildings Attachment 3        Submissions Attachment 4        Plan of submitters Attachment 5        Scheme amendment flow chart

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### **PURPOSE**

The purpose of this report is for Council to consider submissions received during the public advertising of proposed Amendment No 63 to District Planning Scheme No 2 (DPS2), and to decide whether to adopt the amendment as final.

### **EXECUTIVE SUMMARY**

A proposal has been received to amend DPS2 to include Place of Worship, Place of Assembly and Caretaker's Dwelling as additional permitted land uses on Lot 28 Woodvale Drive, Woodvale. This would be achieved by amending DPS2 to include the subject lot and land uses in Schedule 2 – Section 1 – Additional Uses.

Currently, non conforming use rights exist in accordance with Part 7 of DPS2 for the existing land uses of Place of Worship and Caretaker's Dwelling as these uses were granted approval under former Town Planning Scheme No 1 (TPS1). The amendment would formalise those uses already established on site. Place of Assembly, currently a use that is not permitted in the 'Rural' zone, would permit the auditorium to be used for functions and events such as school graduations.

Council, at its meeting held on 19 July 2011, resolved to initiate Scheme Amendment No.63 for the purpose of advertising.

The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 26 October 2011. A total of 3 submissions were received, being 1 objection from a nearby landowner and 2 submissions from service authorities.

It is recommended that Council adopts the proposed scheme amendment as final, and forwards the proposed amendment to the Western Australian Planning Commission (WAPC) for final approval.

## BACKGROUND

**Suburb/Location:** Lot 28 (67) Woodvale Drive, Woodvale.  
**Applicant:** Statewest Surveying and Planning.  
**Owner:** Woodvale Baptist Church Inc.  
**Zoning:** **DPS:** Rural  
**MRS:** Rural  
**Site Area:** 1.071 hectares  
**Structure Plan:** Not applicable.

The site is triangular in shape with its northwest boundary abutting Woodvale Drive (Attachment 1 refers). To the south of the subject site is a rural lot with an area of 4.4192 hectares and to the east is Yellagonga Regional Park.

In 1988, the Council of the former City of Wanneroo approved a development consisting of the church building, Sunday school rooms and related amenities on the subject site. A Caretaker's Dwelling (Pearsall House) and associated shed also exist on site. The development was approved as a Place of Worship, which was an 'AA' use in the 'Rural' zone under previous TPS1. An 'AA' use is a use that is not permitted unless Council grants its approval.

In November 2000, DPS2 was gazetted, replacing TPS1. Under DPS2, a Place of Worship was identified as an 'X' or prohibited land use within the 'Rural' zone. The reason for the change of permissibility of Place of Worship from 'AA' to 'X' is unknown.

DPS2 defines a Place of Worship as:

'premises used for religious activities such as church, chapel, mosque, synagogue or temple.'

As the uses on site were lawfully operating when DPS2 was gazetted, the site then became subject to Part 7 – Non-Conforming Uses provisions of DPS2. These provisions, amongst other matters, permit a non-conforming use to continue to operate even though the land use is no longer permitted in that zone.

At its meeting held on 13 May 2008 (CJ082-05/08 refers), Council approved an auditorium addition to the existing church building. A condition of the approval limits the maximum number of persons using the auditorium and church to 650 persons at any given time. The new auditorium is currently under construction.

During the assessment of that development application, it was noted the Caretaker's Dwelling was being used to facilitate services for youth and children, and that it was also intended that the auditorium additions and the church be used for community conferences, weddings, concerts and performances. These uses were considered to fall under the land use Place of Assembly which is a prohibited use within the 'Rural' zone. As such the applicant was informed that approval for a Place of Assembly could not be granted.

At its meeting held on 19 July 2011 (CJ119-07/11), Council resolved to initiate Amendment No 63 to the City of Joondalup District Planning Scheme No 2 to include Lot 28 (67) Woodvale Drive, Woodvale in Schedule 2 – Section 1 – Additional Uses – Place of Worship, Place of Assembly and Caretakers dwelling, for the purpose of public advertising for the period of 42 days.

## DETAILS

A proposal has been received to amend DPS2 to include Place of Worship, Place of Assembly and Caretaker's Dwelling as additional permitted land uses on Lot 28 Woodvale Drive, Woodvale. This would be achieved by amending DPS2 to include the subject lot and land uses in Schedule 2 – Section 1 – Additional uses.

The Place of Worship and the Caretaker's Dwelling uses already exist on the site, and are non-conforming uses as approval for the uses on the site was granted under TPS1. The applicant proposes that these uses be formally recognised as permitted uses on the site.

Additionally, the applicant is seeking to include the use Place of Assembly as a permitted use. Under DPS2, a Place of Assembly is an 'X' or prohibited within the 'Rural' zone.

The applicant indicates that the uses are to be carried out within the buildings previously approved on site, and the applicant indicates that no additional buildings are proposed (Attachment 2 refers). The Place of Worship and Place of Assembly will operate from the church and auditorium.

The applicant indicates that Pearsall House (currently used as a Caretaker's Dwelling) may additionally accommodate a proposed Restaurant (café). The Restaurant use is an 'A' use in the 'Rural' zone, and would be subject to a development application.

The applicant has indicated the operation of the uses is proposed as follows:

### Place of Worship:

- Sundays at 7.30 am - 12.30 pm and 6.00 pm – 9.00 pm.
- Special church events at 6.00 pm - 9.30 pm approximately six times a year.
- Church programs at 6.00 pm – 9.00 pm on week nights.

### Place of Assembly:

- School assembly at 8.30 am - 3.30 pm on school days (this includes school music programs and classes in either the Place of Worship or the Place of Assembly).
- School classes such as Irish dancing lessons at 4.30 pm - 6.30 pm once or twice per school week.
- Other assemblies such as graduations which may occur about six times a year, to be held from 6.30 pm - 9.30 pm.

### Restaurant (café):

- To operate between and after services on Sundays initially from 9.00 am – 4.00 pm. The operating times may increase depending on demand.
- It is anticipated the Restaurant will cater for 60 people.

It is noted that the site currently has approval for the auditorium and church hall to accommodate a maximum of 650 people at any one time. Any increase in this number would require a new development application. Development approval would also be required for the Place of Assembly and the Restaurant which are not currently operating on site.

**Issues and options considered:**

The issues to be considered by Council include:

- The suitability of the proposed amendment; and
- The public submissions received.

The options available to Council in considering the proposal are:

- Adopt the proposed amendment as final;
- Adopt the proposed amendment as final, with modification; or
- Refuse to adopt the proposed amendment.

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

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

Part 5 of the *Planning and Development Act 2005* enables local government to amend a Local Planning Scheme and sets out the process to be followed. Council supported the initiation of the proposed amendment for the purpose of public advertising at its meeting held on 19 July 2011. The proposed amendment was then referred to the Environmental Protection Authority (EPA) for its comment. The EPA decided that a formal review of the amendment was not required.

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

**District Planning Scheme No 2 (DPS2)**

The following clauses of the DPS2 relate to the "Rural Zone", additional uses and nonconforming and as such require consideration:

**3.14 The Rural Zone**

The Rural Zone is intended to accommodate land that is included in the Rural Zone under the MRS.

If Council is required to consider an application in respect of a development, or use for land in the Rural Zone, then the Council shall, in addition to any other matters required by this Scheme to be considered, have regard to the following considerations:

- (a) As an overriding consideration, the intent of the applications;

- (b) Any comments the Commission may make in response to notice of the applications; and
- (c) The interests of orderly and proper planning, and concern for the amenity of the relevant locality in the short, intermediate and long term.

### **3.15 Additional Uses (Schedule 2 –Section 1)**

Notwithstanding anything contained in the Zoning Table, the land specified in Section 1 of Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

### **7.1 Non-conforming uses**

Except as otherwise provided in this Scheme, no provision of the Scheme shall be deemed to prevent:

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the Gazettal date of the Scheme; or
- (b) the carrying out of any development thereon for which, immediately prior to that time, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current; or
- (c) subject to clause 5.1.6, the continued display of advertisements which were lawfully erected, placed or displayed prior to the approval of this Scheme.

### **Draft Local Planning Strategy**

The City's draft Local Planning Strategy was adopted by Council in February 2010 and is pending endorsement by the Western Australian Planning Commission. The draft strategy includes the following recommendation:

“As part of a future omnibus amendment to the Metropolitan Region Scheme, consider rezoning the 3 rural lots within the City to ‘Urban’ and ‘Urban Development’ under the District Planning Scheme No. 2 to reflect the surrounding existing residential land uses.”

In the event that the current scheme amendment proposal is approved, the future zoning of the site will be further considered during the preparation of the new Local Planning Scheme.

### **Strategic Plan**

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

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

**Policy:**

Not Applicable.



**Risk Management Considerations:**

The Minister is able to issue a Section 76 order in accordance with the Planning and Development Act 2005 to direct a local government to adopt an amendment to a local planning scheme where it is considered the amendment ought to be adopted.

**Financial/Budget Implications:**

The applicant has paid fees of \$3,272 (incl GST) to cover all costs with assessing the request, public consultation and document production.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 26 October 2011 as follows:

- Letters sent to 41 nearby landowners and five letters to service authorities;
- A sign placed on the site;
- A notice placed in the local and the West Australian newspapers; and
- A notice and documents placed on the City's website.

A total of three submissions were received, comprising one objection from a nearby landowner and two no objections from service authorities. The schedule of submissions is provided at Attachment 3 and a map of the location of submitters is provided at Attachment 4.

**COMMENT****Suitability of the additional uses**

The inclusion of the proposed additional uses in Schedule 2 will formalise the approvals which currently have non conforming use rights, being the Place of Worship and the Caretakers dwelling. These uses are currently operating on site with little or no impact on the surrounding area. The inclusion of the Place of Assembly in Schedule 2 will allow for the landowners to apply for development approval for this land use which will facilitate community functions such as conferences and school graduation ceremonies.

Through the development approval process it will need to be demonstrated that the land use can be facilitated on site in accordance with the requirements of the City's DPS2.

The advertising of the proposed scheme amendment has not raised any issues that would warrant not proceeding with the proposals. It is recommended that the proposed amendment be adopted, and the amending documents be endorsed and submitted to the WAPC for the Minister for Planning's determination.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 Pursuant to Regulation 17(2) of the Town Planning Regulations 1967 ADOPTS Amendment No 63 to the City of Joondalup District Planning Scheme No. 2, to include Lot 28 (67) Woodvale Drive, Woodvale in Schedule 2 – Section 1 – Additional Uses- Place of Worship, Place of Assembly and Caretakers dwelling as follows:**

<b>NO</b>	<b>STREET/LOCALITY</b>	<b>PARTICULARS OF LAND</b>	<b>ADDITIONAL USE</b>
<b>1-23</b>	<b>67 Woodvale Drive, Woodvale</b>	<b>Lot 28</b>	<b>Place of Worship Place of Assembly Caretaker's Dwelling</b>

- 2 AUTHORISES the affixation of the Common Seal and to endorse the signing of the amendment documents by the Mayor and Chief Executive Officer;**
- 3 NOTES the submissions received and advises the submitters of Council's decision; and**
- 4 REFERS Scheme Amendment No 63 and Council's decision to the Western Australian Planning Commission for determination.**

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf061211.pdf](#)

## **ITEM 6                    PROPOSED ADDITIONS TO LAKESIDE SHOPPING CENTRE AT LOT 504 (420) JOONDALUP DRIVE, JOONDALUP**

**WARD:** Central

**RESPONSIBLE DIRECTOR:** Ms Dale Page  
Planning and Development

**FILE NUMBER:** 08431 101515

**ATTACHMENTS:**

Attachment 1	Location plan
Attachment 2	Development plans
Attachment 3	Building perspectives
Attachment 4	Environmentally sustainable design checklist
Attachment 5	Notes of the Joondalup Design Reference Panel

### **PURPOSE**

To request Council's determination of an application for proposed additions to Lakeside Shopping Centre, Lot 504 (420) Joondalup Drive, Joondalup.

### **EXECUTIVE SUMMARY**

An application for planning approval has been received for additions to Lakeside Shopping Centre. The proposed additions will incorporate 28,336m<sup>2</sup> net lettable area (NLA) (including a department store, mini majors, and specialty retail stores), a five level car park and an upgrade to station square.

The development is to the south of the existing shopping centre, which is bound by Collier Pass to the south, Joondalup Drive to the west, and Grand Boulevard to the east. The Clarkson railway line dissects the site (refer Attachment 1). The site is zoned 'City Centre' under the Metropolitan Region Scheme (MRS), and 'Centre' under the City's District Planning Scheme No 2 (DPS2).

The application has been assessed against the requirements of the DPS2, and the Joondalup City Centre Development Plan and Manual (JCCDPM). Regard has also been given to the draft Joondalup City Centre Structure Plan (JCCSP). Under the JCCDPM, the site is subject to the provisions for the 'Western Business District'. It is considered that the proposal meets the requirements of the DPS2 and the JCCDPM with the exception of car parking, as a shortfall of 379 bays is proposed. It is noted that all the provisions of the draft JCCSP have been met.

In addition to the above requirements the proposal must be considered against criteria in State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2). This is because the proposal constitutes major development under the policy, and currently an Activity Centres Structure Plan (ACSP) for the site does not exist. It is considered that the applicant has demonstrated conformance with this policy, with the exception of the location of the decked car park, which is not considered to be integrated at this stage with the existing urban form and is visually dominant as viewed from Joondalup Drive and Collier Pass.

The Department of Planning has advised that as the JCCDPM is an Agreed Structure Plan under the City's District Planning Scheme No 2, the City has delegation under the MRS to determine the application.

The development proposal was referred to the Joondalup Design Reference Panel (JDRP) on 5 October 2011. The panel queried a number of aspects of the development including building articulation, plausibility of future development to screen the decked car park and servicing of the department store.

The proposal has not been advertised as it is considered that the development generally conforms with the City's development requirements, and there is no adverse impact on the surrounding locality as a result of the development.

It is considered that the development will be a positive contribution to the Joondalup City Centre, and the amount of car parking proposed by the applicant will be adequate to service the existing and proposed development. It is therefore recommended that the application be approved subject to conditions.

## BACKGROUND

<b>Suburb/Location:</b>	Lot 504 (420) Joondalup Drive, Joondalup; and Lot 707 (25) Collier Pass, Joondalup.
<b>Applicant:</b>	TPG Town Planning & Design.
<b>Owner:</b>	Lend Lease Public Transport Authority of Western Australia.
<b>Zoning:</b>	<b>DPS:</b> Centre <b>MRS:</b> Central City Area
<b>Site Area:</b>	23.78ha
<b>Structure Plan:</b>	Joondalup City Centre Development Plan and Manual (JCCDPM); and Draft Joondalup City Centre Structure Plan (JCCSP).

Lakeside Shopping Centre originally opened in 1992. A major expansion was approved in 2006 and completed in 2009, and included a discount department store, a supermarket and decked car park. The centre currently contains three discount department stores, three supermarkets, one mini-major, a food court, a cinema complex, and a large range of specialty shops. An addition to the existing car parking deck was also approved under delegated authority in 2007. The centre itself is currently comprised of 71,128m<sup>2</sup> NLA. There are currently 4,420 car bays on site.

A development application for a department store to the west of the existing deck car park was approved under Delegated Authority in April 2008. Due to this approval lapsing, an identical application was subsequently approved in May 2010. The development that is the subject of this application will be constructed instead of this previously approved development.

A number of minor applications have also been approved for the centre under Delegated Authority, including signage and change of use applications for various tenancies.

At its meeting held on 15 February 2011, Council adopted the draft JCCSP, which will supersede the JCCDPM. The Structure Plan is currently with the WAPC for assessment and endorsement. The City has received preliminary feedback from the WAPC, and it is understood that aspects of the Structure Plan are to be revisited to be more in line with an ACSP as required under SPP 4.2. Whilst the City has received this preliminary feedback, the Structure Plan has not been refused, and has still been given regard to in the assessment of this application.

Notwithstanding that the City does not have an ACSP for the Joondalup City Centre, the Department of Planning has advised that the City has delegation to determine the application. In accordance with SPP 4.2 major development is required to demonstrate compliance with particular criteria of the policy, including local and regional context, land uses and diversity, deficiencies in pedestrian and transport linkages, urban form and sustainability.

The application was referred to the JDRP on 5 October 2011. The panel queried aspects of the development including building articulation, plausibility of future development to screen the decked car park and servicing of the department store. Following this meeting, further details and amendments were received addressing matters raised by the panel.

## **DETAILS**

The proposed development will incorporate the following:

- Two level retail expansion comprising an additional 28,336m<sup>2</sup> NLA increasing the overall NLA for the centre to 99,464m<sup>2</sup>. The retail expansion incorporates a department store, two mini majors, extension to an existing supermarket and specialty retail floor space;
- Five level decked car park and modifications to the southern car parking areas. There will be a net gain of 529 bays across the site. Trolley bays will also be provided within all car parking areas;
- Revitalisation of station square including an upgrade to the existing facade;
- New loading facilities, including a basement loading dock; and
- Relocation of the transit station drop off zone from the western to the eastern side of the station. This requires a land swap between Lend Lease and the Public Transport Authority.

The development plans and building perspectives for the proposal are provided in Attachments 2 and 3. A copy of the development plans has also been provided in the Councillor's Reading Room.

The proposal meets all requirements of the JCCDPM with the exception of car parking which is discussed further below. It is noted that the requirements of the draft JCCSP have been met.

In the absence of an ACSP, major development is also required to address particular criteria of SPP 4.2. The development is considered to address the criteria with the exception of the location of the deck car park which is not considered to be integrated with the overall development at this stage and is highly visible from the public realm (Joondalup Drive and Collier Pass).

A summary of the applicant's design philosophy is provided below:

*The proposed addition to Lakeside Joondalup has been planned and designed to ensure positive urban and contextual outcomes as well as to strengthen and development the current retail plan of the centre.*

*The proposed new addition seeks to provide for future development flexibility and adaptability and is positioned to:*

- *Create the opportunity to develop Station Square as a retail and civic space, celebrating the pedestrian linkage to the transit station and offering the ability for outdoor 'place making' to be realised;*
- *Create strong and robust retail plan with clear paths of travel in a form convenient to customers using the centre;*
- *Respond to the strong 45 degree planning disposition of the original shopping centre and support key architectural features of the existing centre as exemplified in the 'Great Space'; and*
- *Create a progressive contemporary architecture (interior and exterior) appropriate to the existing centre and the Joondalup City Centre context.*

### *Built Form*

*In general terms the built form and articulation proposed is focused around the key area of the new Station Square and the reconfigured 'porte cochere' proposed at the southern mall entry. These two areas carry a greater level of detail and external material variety due to their significance to the centre and relationship to the greater urban context. As a response to the generally low and strongly horizontal functional nature of the proposed addition, a 'vertical' truss element or mast is also located at these two key areas to signal the newly defined southern pedestrian entry points to the centre. A third feature 'truss element' is also proposed at the south west top corner of the new multi-deck car park to address an architectural feature' at the gateway location, the prominent intersection of Collier Pass and Joondalup Drive.*

*The proposed addition places a firm focus upon the opportunity presented by the enhancement of Station Square. The intent is to create a 'signature' highly activated and vibrant external civic space for the community and visitors. Offering a balance of both shaded and sunny areas during the day, this square will encourage positive social behaviour, and be attractive as a place to meet, linger and be seen for all age groups. The intention is to incorporate a transparent architecture that relates to the 'structural steelwork' expressed in the original internal architecture, as well as relate to the structural and sculptural quality of the existing station. The overall objective is to create an entry point to Lakeside Joondalup and the Joondalup City Centre with a square that supports the movement to and from the station and provides enhance amenity.*

### *Architecture and Materials*

*Lakeside Joondalup appropriately represents an efficiency and casual utility' in its architectural expression. In general, functional retail, natural light penetration and urban considerations characterise the design of the centre, with the structural and utilitarian requirements at the fore of the interior and some of the existing exterior expression.*

*The architecture of the proposed addition builds upon a primary structural steel expression with a series of applied proprietary metal finishes, which are typical of Australia. The feature metal cladding have been selected from conventional profiles and applied in a semi-random or collective nature referential to the 45 degree geometry that prevails in the planning and steelwork of the original centre. This progressive and contemporary approval allows for a dynamic composition and visual ‘movement’ or diversity at facade locations where glazing or activation are not possible.*

*An exterior colour palette that is compatible with and complimentary to the existing centre (both internally and externally) is proposed. The base colour proposed for the addition is a warm white and the majority of feature metal claddings to be in a range of white, silver and grey. A charcoal, dark grey is proposed as a highlight cladding at the department store location to align with future tenant requirements and to integrate future signage and branding within the centre addition. Importantly, a highlight feature finish is proposed as a signature finish near ground level at Station Square and the new ‘porte cochere’ to further delineate and signal the main southern pedestrian entry points to the centre.*

### Car parking

Car parking for the site is required to be provided in accordance with Table 2 of DPS2. Regard must also be given to the requirements of the draft JCCSP and SPP 4.2. The table below summarises the car parking requirement under these documents:

	<b>Parking standard</b>	<b>Parking required</b>	<b>Car parking provided</b>
JCCDPM	3000 bays for the first 50,000m <sup>2</sup> NLA plus 4.8 per 100m <sup>2</sup> NLA thereafter	5,375	<b>4,996</b>
Draft JCCSP	one bay per 30m <sup>2</sup> NLA for ground floor only	3,300	
SPP 4.2	Upper limit of five bays per 100m <sup>2</sup> NLA	4,949	

As demonstrated above, the car parking proposed is less than that required by DPS2 by 379 bays. The 4,996 bays provided on-site excludes the 50 parking bays which is required to be set aside for public transport commuter parking as part of the previous expansion in 2006.

In support of the amount of parking proposed, the applicant has submitted a traffic impact assessment with the following justification:

- *The planning scheme requirements for Shopping Centre are generally based on a maximum likely demand, and provision is made for discretionary reduction on the basis of substantiated surveys and analysis. It is therefore recommended that the Planning Scheme requirements should be seen as a guide, and that parking requirements for large development should be assessed on a case by case basis. It should also be acknowledged that the existing parking characteristics of an existing Centre generally provide the best indication of the future parking requirements after a proposed expansion;*

- *Previous surveys and analyses carried out by Uloth and Associates show that the parking requirement at Lakeside Joondalup Shopping centre have reduced from 7.23 spaces per 100 square metres prior to 1998 to 5.17 spaces per 100m<sup>2</sup> in 2011. It has been determined that the proposed expansion will reduce the overall parking requirement to 4.93 spaces per 100<sup>2</sup>NLA due to the change of character resulting from the introduction of a Department Store;*
- *It is also anticipated that these parking requirements will continue to decline along with further deregulation of retail trading hours, but also due to Lakeside Joondalup Shopping Centre attracting an increasing proportion of pedestrian and public transport trips in the long term, as employment and population numbers within Joondalup City Centre continue to grow;*
- *On the basis of a detailed and measured analysis of actual parking demand and usage associated with the existing development, Lend Lease is seeking to provide a total parking supply ratio of 5.0 spaces per 100m<sup>2</sup>, in order to satisfy parking demand. This ratio is at the upper limit of the Activity Centres Policy which recommended a ratio of between four and five cars per 100 m<sup>2</sup>;*
- *The methodology for the standard is based on a long term study and measurement of car usage at the centre and modelling of car park usage using relevant benchmark parking models;*
- *The development proposal envisages a five level structure car park which raises the proportion of covered car parks in the centre to approximately 50% which is an important improvement in customer amenity; and*
- *The location of the new car park increase the distribution of car parks west of the transit station and closer to the majority of retail space, which improves customer accessibility.*

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

Council has the discretion to:

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

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

**Legislation**                      City of Joondalup District Planning Scheme No 2.

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

#### **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 or wishes of any public or municipal authority received as part of the submission process;*
- (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:** 4.1 To ensure high quality urban development within the City.

### **Policy:**

State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2)

Clause 6.4 of SPP 4.2 requires that an ACSP be prepared for strategic metropolitan, secondary, district and specialised centres, and should be endorsed prior to any major development being approved. Under the policy this proposal constitutes major development. Clause 6.4(2) of the policy allows for consideration of major development in exceptional circumstances, provided that specific criteria of the policy are addressed.

The WAPC has advised that the JCCDPM and draft JCCSP do not satisfy all the criteria set out in SPP 4.2 and therefore there is no current ACSP for the Joondalup city centre. Notwithstanding this, as the JCCSPM is an Agreed Structure Plan under DPS2, the WAPC have confirmed that the City can still determine the application.

### **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 \$31,350 (excluding GST) to cover all costs associated with assessing the application.

### **Regional Significance:**

The proposal will enhance the role of Joondalup as the principal retail centre for the north-west corridor of the metropolitan area.

**Sustainability Implications:**

The applicant has completed the City's sustainability checklist for the development, indicating the use of some sustainability measures (Attachment 4 refers).

In addition to the checklist, the applicant has provided the following detail:

*Sustainability is important to Lend Lease projects. The proposed development will incorporate numerous sustainability features in both the design and construction of the centre.*

*The sustainability strategy will prioritise responses that reduce reliance on fossil fuels and scarce potable water sources whilst enhancing the shopper experience through improved occupant comfort and maximised interconnection with the local community.*

*Lakeside Joondalup already is directly integrated with the established rail and bus network. This reduces carbon emissions from cars and the amount of parking required. Good pedestrian and cycle access further encourages the use of alternate means of transport.*

*Passive design features such as the use of appropriate levels of thermal insulation, high thermal mass, minimisation of uncontrolled infiltration of cold air and natural ventilation of the car park will be incorporated at the design development stage.*

*Energy use within the proposed development will be targeted through metering, controls and zoning. Low water use fittings and tenant guidelines are an effective means of reducing water use.*

*The construction of any development 'locks' carbon into the structure and fabric of the building. Lend Lease has experience in minimising embodied energy (and water) through careful design and materials selection in the design development phase of the project.*

*Partnering with waste management contractors during construction will maximise the volumes of waste available for recycling and reuse. The design of the proposed extension limits the amount of demolition required.*

**End of trip facilities**

Additional bicycle parking facilities are proposed as part of the development, including parking for 28 bicycles at the southern entrance and 19 bicycles near the transit station, giving a total of 86 bicycle parking bays across the site. These facilities are located near the building entrances, and link with the external and proposed internal pedestrian/cycle network.

Shower and locker facilities were constructed as part of the previous expansion approved in 2006 and include male and female showers and lockers on the ground and upper floor. These facilities are available for staff only. No new facilities are proposed as part of this development.

Whilst a provision of the draft JCCSP requires end of trip facilities to be provided, the City does not currently have any development standards in relation to the number of facilities to be provided. As a guide, the Bicycle Council of Australia has released guidelines to end of trip facilities for development. It recommends that for major shopping centres, the number of bicycle parking facilities should be approximately 3-5% of the total number of staff (i.e regular users) and 1 per 1000m<sup>2</sup> for customers (e.g irregular users). Applying this to Lakeside Shopping Centre, a total of 129 bays will be required, being 99 for customers and 30 for staff (being 3% of the estimated number of employees).

In regard to changeroom facilities, the Bicycle Council of Australia recommends no less than eight showers for up to 500 employees (there is no standard for more than 500 employees), and one locker per two bicycle parking spaces. This would require not less than eight showers, and 65 lockers.

Whilst the number of facilities is less than that recommended by the Bicycle Council of Australia, the applicant has stated that the existing facilities are underutilised. Furthermore, given that customers visiting the shopping centre are generally on a short term basis, there is not considered to be any demand for end of trip facilities for customers.

The total number of facilities being provided is considered adequate for the Shopping Centre. Whilst the standards recommended by the Bicycle Council have been used as a guide, as the City does not currently have any development requirements regarding the number of facilities to be provided, it is considered that further facilities should not be requested.

Notwithstanding a condition of approval is recommended requiring all proposed bicycle parking to be constructed in accordance with the relevant Australian Standard.

### **Consultation:**

The proposal was not advertised as it is considered that the development is generally in line with development requirements, and there is no impact on surrounding land uses as a result of the development.

### **COMMENT**

The application is for expansion of the Lakeside Shopping Centre, increasing the total NLA for the Centre to 99,494m<sup>2</sup> NLA. The expansion includes a department store, two mini-majors, a range of specialty retail tenancies, multi deck car park and enhancement of station square. The key elements of the development, areas of non compliance and feedback from the JDRP are discussed below.

#### Station Square

As part of the development, an upgrade to Station Square is proposed, including the extension of retail tenancies on the ground and first floors of the area. This reduces the open area dimensions from being 40.8 metres long and 37.1 metres wide to 28.9 metres long by 21.3 metres wide.

The design of the building has provided a strong urban edge and coupled with glazing to these tenancies, has maximised passive surveillance of the open space. Whilst there will be a reduction in open space, enclosing the space will result in greater activation, rather than activities being dispersed through a greater area.

The applicant has advised that public artwork will also be incorporated within station square. Whilst the City does not have any requirement for public artwork to form part of the development, it is recommended that the applicant be encouraged to provide public artwork.

### Transit Station

The expansion of the shopping centre to the south will require relocation of the transit short term parking and a drop off zone from the west and to the east of the railway. This relocation will require a land swap between Lend Lease and the Public Transport Authority. As the development is proposed to occur on land owned by the PTA, a development application form signed by the PTA was submitted with the application.

The proposed new area will still provide a highly accessible drop off area for customers and commuters. The construction of the new interchange will be required prior to development commencing on the west side of the transit station. This will ensure that customer and commuter access is maintained during the construction process, and users will be accustomed to the relocation upon completion of all development.

### Access and Servicing

Three existing driveways will be upgraded as part of the development to accommodate increased vehicular activity and service vehicles accessing the site from Collier Pass. A new driveway is proposed immediately to the west of the transit station which will provide clear access for emergency and minor service vehicles to station square.

A traffic study was submitted as part of the application. In regard to points of ingress and egress, a minimum of two on-street parking bays are required to be removed. To improve sightlines and traffic flow it is recommended that all on-street parking on the north side of Collier Pass, west of the train station be removed, being a total of five bays. Whilst the removal of the bays will have an impact on the City's ability to raise parking revenue in the future for these bays if paid parking is introduced, sightline improvements for vehicle users must be considered.

A simulation of traffic activity and performance (PARAMICS Model) has confirmed that the access driveways, signalised and unsignalised intersections will operate at satisfactory service levels after the development is completed. However, in the medium to long term, additional traffic generation from future commercial developments within the vicinity of Collier Pass may require the need to modify Collier Pass road infrastructure to improve road capacity and intersection performance.

### Car parking

As outlined above, the car parking proposed is less than that required by DPS2 by 379 bays. However, the number of bays being provided is greater than that required under the draft JCCSP and SPP 4.2.

In support of the development, a traffic impact study was submitted. This demonstrated that, based on current trends of car parking utilisation, the number of bays proposed is adequate to service the existing and proposed developments. Furthermore, it is noted that the current trends which were modelled have not completely captured the changes in consumer behaviour with the late night and Sunday trading at the Centre which, coupled with increased public transport use, will reduce peak car parking demand.

Taking the above into account, it is accepted that a car parking standard of five bays per 100m<sup>2</sup> as outlined in SPP 4.2 would be more appropriate for the Centre. As such, it is considered that sufficient bays are being provided.

### Building Design

As outlined in the applicant's justification, the design of the proposed additions will carry through the architectural elements of the existing centre. This includes the use of metal cladding in grey and white colours, and vertical truss elements at entrance points.

All specialty retail shops at the proposed southern entrance and station square have been designed to provide glazing external to the building. In relation to the department store, access to the store will be provided from within the shopping centre and the internal layout will be such that the southern area of the tenancy will be storage area, and therefore glazing to these areas would not be beneficial. Rather, the graphic application of the word 'Joondalup' is proposed for a height of three metres, which will provide articulation at the pedestrian level.

It is noted that the previous approval for the department store to the east of the site (which will not be constructed) presented a similar facade.

It is considered that the building design is appropriate.

### Decked Car Park

Whilst the location of the deck car park on the south western corner of the site is setback from common boundaries it will still be a highly visible element from Collier Pass and Joondalup Drive. Articulation to the car park has been provided in the form of graphic application of the word 'Joondalup'. Furthermore, a cantilevered feature truss on the south west corner of the deck car park facing the intersection of Joondalup Drive and Collier Pass will provide an architectural element to the development.

The car park has been setback from the boundaries of Collier Pass and Joondalup Drive to facilitate future development of the site, as required under the draft JCCSP. The applicant has advised that this is likely to occur in the medium to long term (refer to the applicant's response to the JDRP below), with the area to remain as a drainage basin and car parking in the immediate future.

Whilst the applicant has expressed that development of this area is possible, it is noted that an easement for the purposes of drainage currently exists over this portion of the site. This may restrict the type of development that could be constructed in the future. However, should development of this area occur in the medium to long term, this will assist in obscuring the view of the car park from Joondalup Drive and Collier Pass.

### Joondalup Design Reference Panel

The development proposal was referred to the JDRP on 5 October 2011. Notes from this meeting are provided in Attachment 5. At this meeting, the Panel raised the following matters:

- 1 Requested that the design articulation of the multi-deck car park and the drainage reserve be addressed;

- 2 Queried the capacity for future office development, due to the impact of the ramps on the north and south of the development on Collier Pass;
- 3 Queried the entry point for service vehicles, and the entry point for the “Myer box”;
- 4 Queried the eastern and south western corner of the site and what the complications are if no development is completed at the front of the site;
- 5 The type of treatment that will be used in the public open space of the station square; and
- 6 Has the development design been undertaken with consideration of Crime Prevention through Environmental Design (CPTED) principles.

#### Applicant response to Item 1

*Based on discussions with the Design Review Panel on 5 October 2011, an innovative and unique applied finish strategy is proposed to visually articulate the multi-deck car park. Additionally, the originally proposed cantilever truss element at the south west top corner of the car park has now been significantly increased in size and cantilever distance.*

*The unique paint applied pattern proposed will provide dramatic visual interest to the leading “up-stand edge” of the car park levels visible from Collier Pass and Joondalup Drive. In a sense, this proposed applied finish visually abstracts the horizontal “banded” quality of the car park, creating a highly dramatic and artistic appearance. Unique in nature and specific to Joondalup, this proposed pattern will provide a highly visual statement on approach and passing this prominent road intersection. The word “Joondalup” has been selected as we feel it best represents the area.*

*The feature truss cantilever will accentuate and celebrate the prominent corner of the site and generate a highly striking architectural statement at this prime corner location.*

*The current landscaping of the drainage reserve will be cleaned up and enhanced to support the extension of the car park.*

#### City response to Item 1

The City accepts the applicants response and as outlined above, the design of the development is considered appropriate. The applicant has indicated that development is possible around the car park which will minimise the appearance of the decked car park from Collier Pass and Joondalup Drive.

#### Applicant response to Item 2

*The Draft Structure Plan requirement for development is for it to be either setback to allow for future development or for the development to be constructed to the street boundary. We believe that there is a future opportunity for the development to be constructed to the street boundary. We believe that there is a future opportunity for further small development along the boundary of the Lakeside Joondalup site and that the large box retail and car park should provide a suitable setback to allow this to occur.*

*The likelihood is that this development opportunity will only occur in the medium to longer term due to limited current demand and the ready supply of alternative sites. We remain confident that in time these Lakeside Joondalup site will be developed. The site on the corner of the Grand Boulevard and Collier Pass is the site most suited to meet relevant investment hurdles and is likely to be developed first.*

*With an appreciation to these timelines, the design of the facade has been amended to provide an enhanced architectural response that is attractive and interesting. Existing semi-mature landscape along the edge of the site will be maintained or supplemented where appropriate to support the setback.*

#### City response to Item 2

The City accepts the applicant's response. As outlined above, it is considered that the proposed articulation of the car park and upgrade of the drainage sump with landscaping is appropriate.

#### Applicant response to Item 3

*The entry point for the service vehicles is driveway 4 which leads to the Basement Loading Dock. The servicing for Myer occurs in the area set aside for Myer in the Basement Loading Dock.*

#### City response to Item 3

The incorporation of a basement loading dock removes this area being visible from the street, and is in accordance with the JCCDPM and draft JCCSP. As outlined above, the location of the service vehicle access points is appropriate.

#### Applicant response to Item 4

*The Development Proposal recognises the requirements for setbacks outlined in the Draft Structure Plan. Lend Lease believes there is a longer term opportunity for further smaller development along the boundaries of the centre. The design of the centre has been considered within respect to this likely time frame.*

#### City response to Item 4

See City response to Item 2.

#### Applicant response to Item 5

*Public artwork will be provided and will form an important feature of the Station Square design. The artwork will be produced by a recognised artist in consultation with the council.*

#### City response to Item 5

Whilst the City does not have any requirement for public artwork to form part of the development, it is recommended that the applicant be encouraged to provide public artwork.



### Applicant response to Item 6

*Yes, the design has incorporated CPTED principles such as passive surveillance and activation to encourage positive social behaviour and outcomes. Recessed areas along the perimeter of the building which present passive visual monitoring challenges have been avoided and/or mitigated wherever possible.*

### City response to Item 6

The enhancement of Station Square, by the incorporation of specialty retail shops and glazing around the periphery will mitigate the antisocial behaviour that is currently witnessed. The building has been designed such that sharp corners, creating blind areas, are reduced.

### Conclusion

The proposed development will result in an increase the size of the centre by 28,354m<sup>2</sup> NLA, increasing the overall size of the centre to 99,494m<sup>2</sup> NLA. The strengthening of this centre will further reinforce its role in relation to the Central Business District, and the role of Joondalup in the northern corridor.

The development generally accords with the planning framework, with a variation to the car parking required under DPS2 supported. It is recommended that the application be approved subject to conditions.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 EXERCISES discretion under Clauses 4.5.1 and 4.8.1 of the City's District Planning Scheme No.2 and determines that a provision of 5,000 car bays in lieu of 5,375 car bays are appropriate in this instance;**
- 2 NOTES that the 4,996 on-site car bays excludes bays set aside for use by the Public Transport Authority of Western Australia;**
- 3 APPROVES the application for planning approval dated 24 June 2011, submitted by TPG Town Planning & Design, on behalf of the owners, Lend Lease and Public Transport Authority of Western Australia, for proposed additions at Lot 504 (420) Joondalup Drive, and Lot 707 (25) Collier Pass, Joondalup, subject to the following conditions:**
  - 3.1 This decision constitutes planning approval only and is valid for a period of two (2) years from the date of the decision letter. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect;**

- 3.2 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:**
- 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 to 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 A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to the commencement of construction;**
- 3.4 The lodging of detailed landscaping plans based on water sensitive urban design and Designing Out Crime principles shall be provided to, and approved by the City prior to the commencement of construction. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100, and shall incorporate the enhancement of the existing drainage basin located on the corner of Collier Pass and Joondalup Drive to the satisfaction of the City. All details relating to paving, treatment of verges, tree planting in the car park, pathways and other non vegetation landscaping elements are to be shown on the landscaping plan;**
- 3.5 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;**
- 3.6 Detailed drawings of the multi deck car park construction over the drainage easement (to the corner of Collier Pass and Joondalup Drive), to be provided to and approved by the City prior to the commencement of construction;**
- 3.7 Any proposed external building plant, including air conditioning units, piping ducting and water tanks being located so as to minimise 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 and approved by the City prior to the commencement of construction;**
- 3.8 An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be provided to, and approved by the City, prior to the commencement of construction;**

- 3.9 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;
  - 3.10 The nine parking bays located opposite the car bays marked as *staff parking only* on the ground floor of the deck carpark shall also be marked as *staff parking only*;
  - 3.11 Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided and approved by the City prior to the commencement of construction;
  - 3.12 Details of all changes to road carriageways and associated kerbing, pavements etc. as recommended in the Parking and Traffic study for the proposed development (revised study dated 18 October 2011) shall be provided to and approved by the City prior to commencement of construction, and shall be constructed to the satisfaction of the City;
  - 3.13 The five on-street parking bays on the north side of Collier Pass west of the train station shall be removed at the applicant's expense.
  - 3.14 A safety and security plan including lighting for all public spaces on the site and including after hours, is to be submitted to, and approved by the City prior to the commencement of construction;
  - 3.15 This approval is subject to a land swap Deed of Agreement between Lend Lease and the Public Transport Authority of Western Australia. The land swap is to be completed prior to occupation of the development;
  - 3.16 New and amended existing Easement in Gross in favour of the City are to be prepared by the City's Solicitors, where required to ensure that public access is maintained to land owned by the Public Transport Authority of Western Australia referred to in condition 3.15 of this approval is maintained. All costs associated with the preparation of amended or new easements shall be at the expense of the applicant. The registration of the approved easements shall occur before occupation of the development;
- 4 **STRONGLY ENCOURAGES** Lend Lease to incorporate public art in the enhancement of Station Square; and
  - 5 **ADVISES** Lend Lease that a traffic impact assessment which addresses the impact of traffic from the development subject of this approval, as well as that likely to be generated by future development will be required as part of the submission for the next significant development for the site.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf061211.pdf](#)

## **ITEM 7                      SORRENTO FOOTBALL CLUB'S REQUEST FOR A GRANDSTAND**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Garry Hunt Chief Executive Officer
<b>FILE NUMBER:</b>	29528
<b>ATTACHMENTS:</b>	Nil.

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### **PURPOSE**

For the Council to give consideration to the construction of temporary covered spectator seating at Percy Doyle Reserve, Duncraig.

### **EXECUTIVE SUMMARY**

Football West is the state association that governs football within Western Australia. The senior competition is split into two (2) leagues, consisting of Premier Division and Division one. Each league comprises a senior, reserves and under 18 teams. The Sorrento Football Club is based at Percy Doyle Reserve, Duncraig and is one of twelve teams playing in the Premier League.

In 2010, Football West advised all clubs competing within its competition that it had undertaken a review of the facilities and had updated the requirements for each venue. Alterations were required by January 2012, if that venue was to host premier league fixtures.

One of the more significant venue requirements was for the provision of covered viewing for 400 spectators, 100 of them to be seated. At the time, the facilities at Percy Doyle Reserve did not comply with this requirement.

As a result, the 2011/12 Budget included an amount of \$45,000 to erect a temporary structure on Percy Doyle Reserve prior to the commencement of the 2012 season. Such a structure was to ensure the venue was compliant with Football West's venue requirements.

However, since the adoption of the Budget, Football West has altered its minimum venue requirement and the need to provide covered spectator seating is no longer mandatory.

Whilst this requirement has been removed, the Sorrento Football Club has requested the City to proceed with some form of structure to provide covered spectator viewing.

## BACKGROUND

The Sorrento Football Club (SFC) is based at Percy Doyle Reserve and has been there since the early 1980's. The SFC leases the clubroom facilities located on the site from the City.

Football West is the state sporting association for football in Western Australia. The Football West State League includes:

- Premiere Division;
- Premier Division Reserves;
- Premier Division under 18's;
- Division One;
- Division One Reserves;
- Division One under 18's.

The SFC currently fields one side in each of the following Football West competition:

- Premier Division;
- Premier Division Reserves;
- Premier Division under 18's.

In addition, the SFC fields numerous junior teams in the various leagues across the state.

The Premier Division is the highest level of competition within the state for football, and consists of 12 teams. The competition is based on promotion and relegation for example the bottom sides are relegated to Division 1, where the top sides of that division would be promoted to the Premier League.

In 2010, Football West advised clubs and local governments that it was putting in place minimum venue requirements. For clubs to remain in the various leagues for the 2012 season, they were required to make the necessary alterations by 1 January 2012.

The minimum venue requirements concerned a range of issues with the major change that would impact the facilities at Percy Doyle Reserve was the requirement for covered spectator viewing of 400, with 100 being seated.

Based on that requirements and the status of the Percy Doyle Master Planning project, the Council agreed to list \$45,000 as part of the 2011/12 Budget. This amount was to cater for a temporary fixture to be erected for the period of the season while more definite plans to the Percy Doyle Reserve were agreed to. Quotes for permanent structures ranged from \$150,000 to \$600,000.

Following the adoption of the 2011/12 Budget, Football West reviewed its position and advised the City and SFC that the minimum venue requirements were no longer applicable, and following a recent audit the following alterations were required to the Percy Doyle facility:

### Summary of Inspection at Percy Doyle Reserve during 2011 Season

Venue Club Inspection Date	Percy Doyle Reserve Sorrento Football Club 16 March 2011
<b>Required Upgrades for 2012</b>	<ol style="list-style-type: none"> <li>1. Gaps in the perimeter fence must be closed on match day. The perimeter fence must be repaired where it is broken or protrudes from the frame of the fence.</li> <li>2. The match officials' change room is of adequate size but has multiple uses. On match day it is used as a store room and a coaches change room and this must cease. The room must be for the exclusive use of match officials and be free of extraneous equipment.</li> <li>3. A table and chair must be located in the match officials' change room.</li> </ol>
<b>Required Upgrades for 2014</b>	<ol style="list-style-type: none"> <li>1. Marks must be made 9.15m from each corner arc on the goal line and touch line. Lines should be 30cm long and NOT touch the FoP.</li> <li>2. The perimeter fence around the field of play must completely surround it with access controlled by gates which can be closed. The fence must be 4m from the touch line on the side of the field with the technical areas, and 2m from the opposite touch line and the goal lines.</li> <li>3. Seats in the Technical Areas must have backrests.</li> <li>4. Team change rooms must have power points.</li> <li>5. The match officials' change room must have a power point.</li> <li>6. The PA system must be able to play music.</li> </ol>

#### DETAILS

Following the advice from Football West, officers of the City met with the SFC to discuss the recommendations of Football West. Recently the SFC has written to the City advising that its position was for the City to progress with the construction of temporary covered spectator viewing in the form of a grandstand. In support of its request, the SFC have advised that the provision of sheltered seating will enhance the facilities at Percy Doyle Reserve, will be of benefit not only to the club's players and spectators but the community generally and will enhance participation in what is one of the most popular sports in the City of Joondalup. SFC further advised it would meet the other venue alterations as requested by Football West (detailed above), plus the construction of an additional changeroom for match officials (estimated \$34,000) and is currently under construction by the Club). The construction of a match official change room was not a requirement of Football West. In addition, SFC has requested any surplus funds from the construction of the sheltered seating be allocated to assist the club with its works.

## Options

The options that exist are:-

1. Agree to the club's request to fund the covered spectator seating;
2. Agree for the City to purchase temporary seating and erect at Percy Doyle Reserve for the soccer season (February to October), then allocate to other venues / events outside those dates;
3. Not fund the spectator seating and allocate the budget amount to other improvements at the SFC clubrooms; and
4. Not agree to fund any alterations to SFC facilities and identify the funds as savings in the 2011/12 Budget.

## Legislation/Strategic Plan/Policy Implications

### Legislation:

Not Applicable.

### Strategic Plan

**Key Focus Area:** Community Wellbeing.

**Objective:** 5.2 To facilitate healthy lifestyles within the community.  
5.2.1 The City provides high quality recreation facilities and programs.

### Policy:

Not Applicable.

### Risk Management Considerations:

Local government as an industry is faced with the risk where state sporting associations make arbitrary decisions in implementing changes for clubs to meet in order to continue to compete within its association. Where those decisions have a financial impact on the club which the club cannot meet, financial assistance is generally sought from the relevant local government, with little or no financial support from the state association.

It is important that local government ensures early communications with the relevant state sporting association when considering changes to sporting facilities and ground requirements.

### Financial/Budget Implications:

An amount of \$45,000 has been allocated as part of the City's 2011/12 Capital Budget to provide temporary covered spectator seating at Percy Doyle Reserve. This was on the basis that covered seating was mandatory for the 2012 season.

Indicative costs to hire the seating and locate it at Percy Doyle Reserve for the period of the football season ranges between \$35,000 (uncovered) and \$50,000 (covered). This would involve an external contractor erecting the structure, maintaining it and then disassembling the seating at the conclusion of the season. It would be the club's intent for this to occur if a more permanent structure could not be agreed upon. It is unlikely that a permanent structure would be installed outside the master planning project agreement for Percy Doyle Reserve, which may be 7-10 years.

The City has examined the option where it purchases prefabricated seating, houses it within the works operation centre and allocated it to various venues and/or events within the City. This option would see that its prime purpose would be to service the SFC at Percy Doyle during its annual season.

Indicative costs for the construction of such a structure is approximately \$125,000, this would not include roof or shade cover, nor pick up, transport or erection costs.

**Regional Significance:**

Not Applicable.

**Consultation:**

There was no community consultation undertaken.

**COMMENT**

The amount of funding was allocated within the 2011/12 Budget to provide a temporary structure that would meet the minimum venue requirements as required by Football West, which would allow the SFC to compete in the 2012 Premier Division. While the covered seating is no longer mandatory, the SFC has requested the City still construct some form of structure to provide cover for spectators.

As Percy Doyle Reserve is located in close proximity to the coast, and is elevated, it is subject to strong south westerly winds and rain during the winter months.

The average spectator attendance at a SFC Premier League game is approximately 500, with the current size of the clubrooms, covered spectator seating is limited and during inclement weather, spectator viewing is uncomfortable.

It is recommended that the Council notes the required works needed at Percy Doyle Reserve and given the current priority of pending projects that remain unfunded across its program, not agrees to fund the construction of temporary spectator seating.

**VOTING REQUIREMENTS**

Simple Majority.



## RECOMMENDATION

### That Council:

- 1 **NOTES** that Football West has altered its minimum venue requirements for club's competing in its Premier Division which no longer includes covered spectator viewing for 400 patrons with 100 being seated;
- 2 **NOTES** that as a result of the change in minimum venue requirements by Football West for club's competing in the Premier Division, Percy Doyle Reserve does not comply in the following areas:
  - 2.1 gaps in perimeter fencing to be closed on match day;
  - 2.2 a room for exclusive use on match day for officials;
  - 2.3 table and chair to be located in match day officials' room;
  - 2.4 marks must be made 9.15m from each corner arc on the goal line and touch line. Lines should be 30cm long;
  - 2.5 the perimeter fence around the field of play must completely surround it with access controlled by gates which can be closed. The fence must be 4m from the touch line on the side of the field with the technical areas, and 2m from the opposite touch line and the goal lines;
  - 2.6 seats in the Technical Areas must have backrests;
  - 2.7 team change rooms must have power points;
  - 2.8 the match officials' change room must have a power point; and
  - 2.9 the PA system must be able to play music,
- 3 **NOTES** that the items listed in (2) above will be funded by the Sorrento Football Club; and
- 4 **At this time NOT AGREE** to fund the construction and installation of temporary spectator seating at Percy Doyle Reserve, Duncraig and **IDENTIFIES** that the \$45,000 listed in the 2011/12 Capital Works Budget as savings.

## **ITEM 8                    2011/2012 SPORTS DEVELOPMENT PROGRAM - ROUND ONE**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Garry Hunt  
Chief Executive Officer

**FILE NUMBER:** 58536

**ATTACHMENTS:** Nil.

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### **PURPOSE**

To provide a recommendation for funding as part of the City's 2011/2012 Sports Development Program – Round One.

### **EXECUTIVE SUMMARY**

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

The City reviewed four (4) applications in Round One of the 2011/2012 Sports Development Program. Round Two will open in March 2012.

The applications from ECU Joondalup Soccer Club, Joondalup Athletics Club, Wanneroo Basketball Association and Whitford Hockey Club are presented to Council for consideration.

It is recommended that Council:

- 1        APPROVES a \$20,000 grant to the ECU Joondalup Soccer Club for their 'Towards Tomorrow' program, subject to the club entering into a formal funding agreement with the City of Joondalup;
- 2        APPROVES a \$11,136 grant to the Whitford Hockey Club for their 'Development of Volunteers and Junior Development Pathway Program', subject to the club entering into a formal funding agreement with the City of Joondalup;
- 3        NOT APPROVE a grant of \$28,000 to the Joondalup Athletics Club for equipment for their newly formed senior athletics club; and
- 4        NOT APPROVE a grant of \$20,000 to the Wanneroo Basketball Association for their 'High Performance Plan'.

## BACKGROUND

In June 2002, Council resolved to establish a sporting club support scheme whereby assistance can, upon application, be made available to district level clubs in lieu of individual sponsorship support (item CJ136-06/02).

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

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

- To support local district sporting clubs in the creation and implementation of Sports Development Planning;
- To assist local district sporting clubs to enhance the profile and delivery of sport to all local residents within the City of Joondalup;
- To promote community based sport, through the growth of developmental programs initiated and conducted by local district sporting clubs;
- To ensure the success of local district sporting clubs through the establishment of identified pathways for local junior talent development; and
- To develop partnerships within the community.

Round one of the 2011/2012 Sports Development Program was promoted directly to all eligible clubs in September 2011. The clubs that were sent information include:

- Arena Swim Club
- ECU Joondalup Soccer Club
- Joondalup & Districts Rugby League Club
- Joondalup Brothers Rugby Union Club
- Joondalup Lakers Hockey Club
- Joondalup Netball Association
- Whitford Hockey Club
- North Coast Triathlon Club
- Ocean Reef Sea Sports Club
- Stirling Basketball Association
- Wanneroo Basketball Association
- Wanneroo Lacrosse Club
- Whitfords Amateur Football Club

Seven (7) clubs were not eligible to apply as they had recently received grants or other funding from the City: Sorrento Football Club, Joondalup Districts Cricket Club, Breakers Swim Club (2010/11 Sports Development funding), Mullaloo Surf Life Saving, Sorrento Surf Life Saving (Community Service), Sorrento Tennis Club and West Perth Football Club (Sponsorship).

## DETAILS

### ECU Joondalup Soccer Club

The ECU Joondalup Soccer Club is based at ECU Sports Centre and currently has 230 members. The club currently participates in the Football West State League in the Men's competition and the Premier Division for each age group.

The Towards Tomorrow program will target over 200 junior players. It involves three phases: up-skilling of coaches and employment of specialist coaching staff; junior soccer clinics and junior elite clinics. The program will be conducted over one year, January to December 2012.

The City reviewed the ECU Joondalup Soccer Club application. The program will enhance partnerships between the club and other soccer clubs provide pathways for players of all abilities, lift the profile of the club and sport, and enhance the quality and professionalism of coaching staff within the club and the wider community through education and training programs.

	<b>Amount Requested from the City</b>	<b>Amount Recommended by the City</b>
The costs of the program are		
Employment of Professional Coaches	\$ 6,200	\$ 6,200
Clinics	\$ 6,200	\$ 6,200
School visits	\$ 2,740	\$ 2,740
Employment of a Director of Coaching	\$ 4,860	\$ 4,860
<b>Total Cost</b>	<b>\$ 20,000</b>	<b>\$ 20,000</b>

The City has funded the ECU Joondalup Soccer Club through the Sports Development Program previously.

<b>Year</b>	<b>Amount Funded</b>
2006/2007	\$18,000

### Whitford Hockey Club

The Whitford Hockey Club is based at McDonald Reserve, Padbury and Arena Joondalup and currently has 531 members. The club currently participates in the 3<sup>rd</sup> Division in the Mens competition, Willow Bridge 2<sup>nd</sup> Division for the Womens competition, A Reserves for each junior age group and A Grade for the 15s boys. The club is aspiring to compete in the top level of Classic Division.

The Development of Volunteers and Junior Development Pathway Program will target over 4000 local primary school children through the school clinics. Talented participants will be invited to participate in the junior elite program and the current under 15s players will be developed as umpires and coaches to deliver the Minkey/Graduates program (modified junior hockey program). The program will be conducted over two seasons, April 2012 to September 2013.

The City reviewed the Whitford Hockey Club application. The program will enhance partnerships between the club and the local schools provide pathways for players of all abilities, lift the profile of the club and sport and enhance the quality and professionalism of umpires and coaches within the club through education and training programs.

	<b>Amount Requested from the City</b>	<b>Amount Recommended by the City</b>
The costs of the program are		
<u>School Program</u>		
Coach Fees	\$ 3,000	\$ 3,000
Hockey Sticks (40)	\$ 1,000	\$ 1,000
<u>Summer Junior Program</u>		
Turf Hire	\$ 1,500	\$ 1,500
Bibs	\$ 198	\$ 198
Balls	\$ 615	\$ 615
Cones	\$ 123	\$ 123
AIS Coaches	\$ 1,000	\$ 1,000
<u>Minkey and Graduates Program</u>		
Goals	\$ 1,500	\$ 1,500
First Aid Kits	\$ 600	\$ 600
Coach Trainer	\$ 800	\$ 800
Umpire Trainer	\$ 800	\$ 800
<b>Total Cost</b>	<b>\$ 11,136</b>	<b>\$ 11,136</b>

The City has funded the Whitford Hockey Club through the Sports Development Program previously.

<b>Year</b>	<b>Amount Funded</b>
2007/2008	\$ 6,590

### **Joondalup Athletics Club**

The Joondalup Athletics Club is a newly forming club. There are currently no members. The club plans to operate from Arena Joondalup under the Joondalup Little Athletics Centre.

The project aims to provide a pathway from junior to senior athletics through forming a senior club that has not previously existed. The application requested funding to purchase equipment and uniforms required for senior athlete participation.

The City reviewed the Joondalup Athletics Club application. The club is not listed on the eligible clubs list as it did not exist until now. The Joondalup Little Athletics Centre has historically focused on junior participation. There was no letter of support from the Joondalup Little Athletics Centre to support the application. The application was submitted prior to the opening of this round using last year's form and was incomplete. The project dates identified on the application were already past and therefore the application was deemed retrospective and not eligible under the guidelines. The following required documentation was not provided:

- quotes that support the amounts requested in the budget;
- clear budget showing how the City's funding would be spent;
- a project plan providing valuable information to allow the assessment panel to fully understand the project;
- audited financial statements;
- future budget;
- strategic plan;

- program objectives and outcomes were not identified;
- in-kind and club contributions were not clear;
- any benefits the community would receive was not available; and
- The lack of information meant the assessment panel was unable to support funding for the project.

	<b>Amount Requested from the City</b>	<b>Amount Recommended by the City</b>
The costs of the program are		
Equipment	\$ 20,000	NIL
Uniforms	\$ 5,000	NIL
Coaches	\$ 5,000	NIL
<b>Total Cost</b>	<b>\$ 30,000</b>	<b>\$0</b>

The budget submitted in the application amounted to \$30,000, however, the requested amount was \$28,000.

The City has not funded the Joondalup Athletics Club previously.

### **Wanneroo Basketball Association**

The Wanneroo Basketball Association is based at the Wanneroo Basketball Stadium in Joondalup and currently has over 1,100 members. The Association currently participates in the WA Basketball League in the Men's and Women's competition and the top division for junior age groups.

The Wanneroo Basketball High Performance Plan is about achieving excellence through improved performance. It is about identifying gaps in the current system and developing state of the art training methods and techniques to ensure success. A head coach will be employed who will also mentor club coaches to improve delivery of the sport providing development pathways for male and female players to the highest level. Coaches will attend courses in the areas of strength and conditioning, sports psychology, recovery, physiotherapy, rehabilitation, both individual and team coaching concepts and biomechanics will be available to coaches, athletes and officials. The program will be conducted over one year, December 2011 to December 2012.

The City reviewed the Wanneroo Basketball Association application. The application was incomplete and did not include required information to clearly identify elements of the program. The current application requires further planning. The following required documentation was not provided:

- a completed application form;
- clear budget showing how the City's funding would be spent;
- quotes that support the amounts requested in the budget;
- a project plan providing valuable information to allow the assessment panel to fully understand the project;
- audited financial statements;
- future budget;
- program objectives and outcomes specifically for this project;
- in-kind and club contributions were not clear; and
- any benefits the community would receive was not available.

	<b>Amount Requested from the City</b>	<b>Amount Recommended by the City</b>
The costs of the program are		
Head Coach and Network Coaches	\$ 5,000	NIL
Strength and Conditioning Coach	\$ 5,000	NIL
Equipment	\$ 1,000	NIL
Drug Awareness Education	\$ 300	NIL
Referees, Officials, food	\$ 800	NIL
<b>Total Cost</b>	<b>\$ 12,100</b>	<b>\$0</b>

In their application, the WBA requested \$20,000 funding from the City for their two year project and the Club would provide \$5,000 in kind contribution. However their supporting budget documentation indicated a per annum cost of \$12,100, with an additional \$14,712 provided from in kind contribution.

The City has funded the Wanneroo Basketball Association through the Sports Development Program previously:

<b>Year</b>	<b>Amount Funded</b>
2007/2008	\$ 14,290

The application from Wanneroo Basketball Association was incomplete however the concept was consistent with the guidelines for the Sports Development Program. The City will suggest to Wanneroo Basketball Association they resubmit their application for Round 2 in early 2012 and provide the relevant supporting documentation.

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

Not Applicable.

#### **Strategic Plan**

Key Focus Area: Community Wellbeing.

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

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

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

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

#### **Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

<b>Account No:</b>	1.443.A4409.3293.4023
<b>Budget Item:</b>	Sponsorship
<b>Budget Amount:</b>	\$90,000
<b>Amount Spent To Date:</b>	NIL
<b>Proposed Cost:</b>	\$31,136
<b>Balance:</b>	\$58,864

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

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

The ECU Joondalup Soccer Club and Whitford Hockey Club communicated with City Officers prior to their final submission. Wanneroo Basketball Association and Joondalup Athletics Club did not meet with City Officers prior to their final submission.

**COMMENT**

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

The City considered the funding request from the ECU Joondalup Soccer Club and Whitford Hockey Club against the program guidelines, identified priorities and the level of sponsorship exposure offered to the City. The total amount of funding recommended to the ECU Joondalup Soccer Club is \$20,000 and the Whitford Hockey Club is \$11,136.

In assessing the ECU Joondalup Soccer Club application, the benefit to the coaches and wider community was evident. Coaches play an important role in player development within the club and advancing the coaches knowledge will also further advance the players development. The program will benefit the broader soccer community through their involvement in the coaching courses and clinics. Participants will be selected into ongoing elite development programs that will ensure talented athletes are available to the clubs State League team and a successful future. This program will assist the club to extend their sustainability to provide a soccer excellence pathway within the community.



In assessing the Whitford Hockey Club application, the benefit to the coaches and wider community was evident. Clinics will develop skills and create awareness of the Whitford Hockey Club. The program will include conducting a Junior Summer Program to develop talented junior players assisted by the existing junior players developed to be umpires and coaches through the Minkey/Graduates Program. This program will assist the club to increase the profile of hockey within the community.

The Joondalup Athletics Club application was assessed and found to be ineligible. The City met with the club and advised that as a new club the project would be better suited to a Community Funding Program application.

The Wanneroo Basketball Association application requires more detailed information and supporting documentation. The City will work with the club to develop an application for the next round of funding.

The Chief Executive Officer, under delegated authority, can approve applications for funding up to \$10,000. The funding requested by ECU Joondalup Soccer Club and Whitford Hockey Club, Joondalup Athletics Club and Wanneroo Basketball Association is greater than \$10,000 and therefore requires the approval/non approval of Council.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 APPROVES a \$20,000 grant to the ECU Joondalup Soccer Club for their 'Towards Tomorrow Program', subject to the club entering into a formal funding agreement with the City of Joondalup;**
- 2 APPROVES an \$11,136 grant to the Whitford Hockey Club for their 'Development of Volunteers and Development Pathway Program', subject to the club entering into a formal funding agreement with the City of Joondalup;**
- 3 NOT APPROVE a grant of \$28,000 to the Joondalup Athletics Club for equipment for their newly formed senior athletics club; and**
- 4 NOT APPROVE a grant of \$20,000 to the Wanneroo Basketball Association for their 'High Performance Plan'.**

## **ITEM 9                      DEVELOPMENT OF A NEW CITY ACCESS AND INCLUSION PLAN 2012 - 2014**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Garry Hunt  
Chief Executive Officer

**FILE NUMBER:** 71568 101515

**ATTACHMENTS:** Attachment 1              City of Joondalup Draft Access and Inclusion Plan  
2012 – 2014

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### **PURPOSE**

To seek Council approval of a new City Access and Inclusion Plan 2012 – 2014.

### **EXECUTIVE SUMMARY**

The Disability Services Act 1993, requires public authorities to ensure that their services, buildings and information are accessible to people with disabilities. Actions and strategies relating to access are required to be managed by an Access and Inclusion Plan.

The City's current Access and Inclusion Plan 2008-2011 expires in December 2011 and a new Access and Inclusion Plan for the period 2012–2014 has been prepared. Council approval of this plan is sought, prior to submitting the plan to the Disability Services Commission (DSC).

### **BACKGROUND**

The Disability Services Act 1993, requires public authorities to ensure their services, buildings and information are accessible to people with disabilities. This is managed through an Access and Inclusion Plan (AIP).

The City of Joondalup recognises that diverse members of the community experience access and inclusion issues. These members include people with disabilities, their families and carers, people from diverse backgrounds and cultures, the elderly and people who experience other access and inclusion issues, such as parents with prams.

To include all elements of the local community, the City has developed an Access and Inclusion Plan which incorporates and expands upon the standard six outcome requirements as determined by the Disability Services Commission. In 2008, Council agreed to include two additional outcome areas (outcomes seven and eight) and these have been retained in the Access and Inclusion Plan 2012-2014.

The outcome areas provide a framework for translating the principles and objectives of the Disability Services Act into tangible and achievable results. The eight desired outcomes of the City's AIP are as follows:

- 1 People with disabilities have the same opportunities as other people to access the services of, and any events organised by the City of Joondalup;
- 2 People with disabilities have the same opportunities as other people to access the buildings and other facilities of the City of Joondalup;
- 3 People with disabilities receive information from the City of Joondalup in a format that will enable them to access the information, as readily as other people are able to access it;
- 4 People with disabilities receive the same level and quality of service from the staff of the City of Joondalup;
- 5 People with disabilities have the same opportunities as other people to make complaints to the City of Joondalup;
- 6 People with disabilities have the same opportunities as other people to participate in any public consultation by the City of Joondalup;
- 7 Provide information, opportunities and encouragement to raise awareness of the community regarding disability, access and inclusion; and
- 8 People with disabilities and from diverse backgrounds have the same opportunities as other people to be employed by the City of Joondalup.

In accordance with the Disability Services Act requirements, the City's AIP will continue to be reviewed at least every five years.

An Implementation Plan 2012-2014 will be developed to ensure that the desired outcomes of the AIP will be translated into practical and measurable actions. This will be an internal City document and will outline which business unit area will be responsible for each action. Some actions in the Implementation Plan will apply to all areas of the City, while others will apply to a specific area.

Planning for the future is imperative since the number of people with access and inclusion requirements is predicted to increase significantly over the next 15 years. The City wants residents to be able to live in the City for as long as they wish to do so, and to enable people of all abilities to continue to participate successfully in local community life, access and inclusion issues need to be addressed.

## **DETAILS**

Four million Australians (18.5%) reported having a disability in the Survey of Disability, Ageing and Carers (SDAC) conducted in 2009. The study considers disability to include any impairments, activity limitations and participation restrictions which impede everyday activities for a period of at least six months. At this time 2.6 million unpaid carers were also providing assistance to family or friends in need of help due to disability or age.

The likelihood of having or acquiring a disability increases with age. To illustrate, 88% of people aged 90 years and over have some form of disability, whereas in the population group aged between 0-4 years only 3.4% of people have a disability.

In 15 years time the number of people with a disability in Western Australia is expected to increase from 1 in 5 people (20%) to 1 in 4 people (25%). Much of this expected increase can be attributed to the ageing population, particularly the baby boomers, developing disabilities after the age of 65 years. The needs of this population group are considered as part of both the City's Access and Inclusion and Positive Ageing plans.

Based on figures sourced from the 2006 census, 3515 people within the City of Joondalup currently have a core activity limitation associated with communication, mobility or self-care for which they require regular assistance.

The outcome areas of the City's Access and Inclusion Plan 2012-2014 are consistent with those of the Access and Inclusion Plan 2008-2011, as are the majority of the overarching strategies which support these. The primary differences between the AIP 2008-2011 and AIP 2012-2014 take place within the Access and Inclusion Implementation Plan 2012-2014, which contains specific and measurable actions for maintaining and/or improving accessibility. In order to improve transparency and accountability for City residents however, key performance indicators for each outcome have also been incorporated into the Access and Inclusion Plan 2012-2014.

Some of the main highlights achieved during the implementation of the Access and Inclusion Plan 2008-2011 include:

- Implementation of a general access and inclusion awareness induction session which all new staff members since September 2011 have attended;
- Active participation in the You're Welcome WA access initiative – "Accessible Joondalup" provides people with disabilities clear access to information about a wide range of facilities in the Joondalup City Centre including restaurants, hotels, car parks, toilets and different businesses and services. To date, 35 business and service providers have been assessed. Business and service providers were also provided with information on practical ways to improve their accessibility;
- On request, assisted local residents who use mobility devices i.e. gophers and wheelchairs, to access their local area through the upgrade of connecting pathways, pedestrian access ways and ramps, and through personalised way finding advice;
- Produced and distributed a new 'Accessible and Inclusive Communities for Everyone' brochure promoting accessible City services, programs and events;
- Provided regular English Conversation Classes through the City's libraries;
- Operated an integrated School Holiday Program through the Anchors Youth Centre, which offers places for young people with special needs, and includes a variety of centre-based activities and excursions which are offered at a subsidised rate;
- Enabled a group of local residents with intellectual disabilities to become actively involved in City activities such as Art of Ageing events and the Keep Australia Beautiful Adopt-a-Spot Program;
- Acquired a Beach Wheelchair for use during the summer months at Hillarys Marina, made possible through assistance from Surf Life Saving Western Australia; and
- Provided accessible facilities at Craigie Leisure Centre that are utilised by disability based community groups such as the Belridge Buddies and a Special Olympics swimming group, as well as the Platinum 50+ adventure program.

**Legislation/Strategic Plan/Policy Implications**

**Legislation**                    Disability Services Act 1993  
                                        Western Australian Equal Opportunity Act 1994  
                                        Commonwealth Disability Discrimination Act 1992  
                                        Western Australian Carers Recognition Act 2004  
                                        Access to Premises Standards (2010)

**Strategic Plan**

**Key Focus Area:**        Community Wellbeing

**Objective:**                5.1 – To ensure the City’s facilities and services are of a high quality and accessible to everyone

**Policy:**

City Policy- Access and Equity  
Council Policy- Community Development

**Risk Management Considerations:**

Non-adherence to the relevant legislative requirements could result in action against the City by the Disability Services Commission, the Australian Human Rights Commission and individuals.

**Financial/Budget Implications:**

It is expected that there will be budget implications in respect to the implementation of the AIP, particularly with regards to accessibility improvements to City facilities.

Improvements to City facilities will be subject to the requirements of the new (disability) Access to Premises Standards, and will need to be considered during the determination of future capital works budgets.

The Access to Premises standards became effective in May 2011 and will apply to all new City buildings, and works undertaken on existing buildings which entail a building license, such as extensions or renovations.

Budget estimates will be put forward by City business units for individual areas of responsibility each financial year as part of the City’s budget deliberation process.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**Social and Economic

In planning for better access the City positions itself as a strong and progressive local government authority, responsive to the changing needs of its local community as well as national and state government legislative and policy requirements.

Aside from ethical considerations, everyone benefits from improved accessibility which enhances opportunities for all residents to access information, facilities, local businesses, employment, education, events and services, and to connect with the broader community.

Accessibility equates to usability and supports the efficiency and effectiveness of customer service delivery to the maximum number of current and future residents. A focus on increasing accessibility improves a city's 'liveability' and enables people to comfortably remain in, and contribute to, their local community throughout their life cycle irrespective of ability.

### **Consultation:**

Community consultation took place during May and July 2011, for the purpose of determining priority areas of focus for the new Access and Inclusion Plan 2012-2014.

The consultation process was designed to maximise input from a range of organisations, groups, individuals and local residents likely to be affected by, or have an interest in the development of a new Access and Inclusion Plan.

The methodology included development of a survey instrument, conducting a staff focus group and individual interviews with interested community members.

The consultation was advertised in community newspapers, customer service centres, libraries and on the City's website. Surveys were also distributed upon request to the general public and in soft copy form to the following groups and organisations:

- Culturally and Linguistically Diverse (CALD) organisations and interest groups including the Australian Asian association and the Northern Suburbs Multicultural Reference Group (NOMUC);
- Disability service providers and community groups such as Community Vision Inc, Kira, Disability Services Local Area Coordinators, Creative and Therapy Activities (CATA); and
- Older people through former Seniors Interests Advisory Group networks.

Seventy seven surveys were completed and returned in total as part of the consultation.

Feedback from this process indicates that while progress has definitely been made in relation to improving access and inclusion, much can still be done to improve the quality of life for City residents, in particular through:

- More effective planning to meet access and inclusion needs in the community;
- Greater cooperation and collaboration between City business units, particularly when planning public events;
- Promotion of services that have been adapted or created to ensure inclusion; and
- An organisational culture that recognises access and inclusion issues and focuses on opportunities for improving access and inclusion during the annual business planning cycle.

The feedback received during community consultation has been incorporated into the development of new targets for the AIP 2012 – 2014, and corresponding Access and Inclusion Implementation Plan.

## COMMENT

The City continues to comply with the Disability Services Commission legislative requirements and the new AIP provides an opportunity to document the continuation of programs and practices already being undertaken by the City.

Planning for the future is imperative since the number of people with access and inclusion requirements is predicted to significantly increase over the next 15 years. The Access and Inclusion Plan 2012-2014 will enable the City to address issues of access and inclusion in a strategic manner, in line with identified community priorities and a planned allocation of resources.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

### That Council:

- 1 **ADOPTS the Draft Access and Inclusion Plan 2012-2014 forming Attachment 1 to this report; and**
- 2 **SUBMITS the approved Access and Inclusion Plan 2012-2014 to the Disability Services Commission.**

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf061211.pdf](#)

## ITEM 10 MINUTES OF EXTERNAL COMMITTEES

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Jamie Parry  
Governance and Strategy

**FILE NUMBER:** 67625 03149 09151 48543 101515

**ATTACHMENTS:**

Attachment 1	Minutes of the Tamala Park Coastal Reserve Community Advisory Committee meeting held on 5 October 2011
Attachment 2	Minutes of the Special Mindarie Regional Council meeting held on 26 October 2011
Attachment 3	Minutes of the Wanneroo/Joondalup Local Emergency Management Committee meeting held on 3 November 2011 (including Draft Revised Terms of Reference as at 1 November 2011)

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

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### PURPOSE

To submit minutes of external Committees and bodies to Council for information.

### EXECUTIVE SUMMARY

The following minutes are provided:

- Meeting of the Tamala Park Coastal Reserve Community Advisory Committee held on 5 October 2011.
- Special Meeting of the Mindarie Regional Council held on 26 October 2011.
- Meeting of the Wanneroo/Joondalup Local Emergency Management Committee held on 3 November 2011.

### DETAILS

#### **Tamala Park Coastal Reserve Community Advisory Committee Meeting – 5 October 2011**

A meeting of the Tamala Park Coastal Reserve Community Advisory Committee (TPCRCAC) was held on 5 October 2011.

The Council's representative on the TRCRCAC is Cr Kerry Hollywood.



For the information of Council, the following matters of interest to the City of Joondalup were resolved at the TPCRCAC meeting:

### **13.9.2 Potential Name for New Park**

It was resolved by the TRCRCAC as follows:

*“That the Tamala Park Coastal Reserve Community Advisory Committee supports the name Booyeembara Conservation park and that this suggestion be considered by DEC in development of its management plan.”*

### **13.9.4 Shared Path Funding and Study**

It was resolved by the TRCRCAC as follows:

*“That the Tamala Park Coastal Reserve Community Advisory Committee notes the report.”*

### **13.11.1 Fencing of the Southern Area of Burns Beach**

With respect to Items 13.9.4 and 13.11.1, the City of Joondalup at its Council meeting held on 16 August 2011 (CJ144-08/11 refers), resolved as follows:

- “1 NOTES its position regarding the construction of a shared path from Burns Beach to Mindarie:*
  - 1.1 That the path route will not be on the Coastal Reserve No. 47831 and that the path route is to be a direct connection between the existing path network along the coastline (CJ165-07/09 refers);*
  - 1.2 That the City of Joondalup has included a \$50,000 (excluding GST) contribution in 2011/2012 toward the cost of a detailed study (managed by the Department of Planning) to determine the most appropriate alignment of a proposed coastal shared path, in accordance with Part 1.1 above, that provides universal access with minimum environmental impact, within the Tamala Park Coastal Reserve, between Burns Beach and Mindarie (CJ044-03/11 refers);*
- 2 SUPPORTS the position of the Tamala Park Reserve Coastal Advisory Committee that the Department of Environment and Conservation should be responsible for managing the area vested in the Conservation Commission of Western Australia as a conservation park;*
- 3 SUPPORTS further investigation into the establishment of a fenced hard-stand public access road and associated infrastructure and facilities off Long Beach Promenade and agrees, in principle, to prohibiting vehicular access beyond the hard-stand area, other than for management purposes;*
- 4 SUPPORTS the undertaking and full funding of comprehensive weed mapping and flora and fauna surveys by the Department of Environment and Conservation to inform the development of a Management Plan for the proposed Tamala Conservation Park area;*

- 5 *SUPPORTS the undertaking and full funding by the Department of Environment and Conservation of a planning study as part of the development of a Management Plan, which considers issues and actions to maintain and enhance the east-west ecological and open space link from the coast through Tamala park to Neerabup National Park;*
- 6 *SUPPORTS the incorporation of recommendations from the Western Australian Planning Commission's Aboriginal Heritage Survey into the Department of Environment and Conservation's Management Plan; and*
- 7 *PROVIDES in principle support for the purchase and installation of appropriate fencing around the perimeter of the proposed Tamala Conservation Park area to minimise and prevent unauthorised vehicle access to the area, but provides no commitment to contribute funds towards this action in the future."*

### **Mindarie Regional Council Special Council Meeting – 26 October 2011**

A special meeting of the Mindarie Regional Council (MRC) was held on 26 October 2011.

The Council's representatives on the MRC are Cr Russ Fishwick (Chair) and Cr Kerry Hollywood. On this occasion, Cr Liam Gobbert deputised for Cr Hollywood as she was unable to attend this meeting.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the MRC Special Council meeting:

#### **7 Appointment of Councillors to the following Committees:**

- o CEO Recruitment Committee;
- o Process Review Committee;
- o Audit Committee;
- o CEO Performance Review Committee;
- o Municipal Waste Advisory Council (part of WALGA);
- o Project Advisory Group.

#### **8.1 Acting CEO – Extension of Contract (Confidential Item)**

### **Wanneroo/Joondalup Emergency Management Committee Meeting – 3 November 2011**

A meeting of the Wanneroo/Joondalup Local Emergency Management Committee (LEMC) was held on 3 November 2011.

The Council's representative on the LEMC is Cr John Chester, who was an apology for this meeting.

### **VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Minutes of the:**

- 1 Tamala Park Coastal Reserve Community Advisory Committee meeting held on 5 October 2011 forming Attachment 1 to this Report;**
- 2 Mindarie Regional Council – Special Council meeting held on 26 October 2011 forming Attachment 2 to this Report; and**
- 3 Wanneroo/Joondalup Local Emergency Management Committee meeting held on 3 November 2011 (including Draft Revised Terms of Reference as at 1 November 2011) forming Attachment 3 to this Report.**

*To access this attachment on electronic document, click here: [Externalminutes061211.pdf](#)*

## **ITEM 11                    STATUS OF PETITIONS**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	05386 101515
<b>ATTACHMENTS:</b>	Attachment 1            Status of Petitions – 16 November 2010 to 22 November 2011

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### **PURPOSE**

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 16 November 2010 to 22 November 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 16 November 2010 to 22 November 2011, forming Attachment 1 to this Report;
- 2 that in relation to the petition requesting reinstatement of soccer goals at Sorrento Park, Sorrento, the Council AGREES to retain a single soccer goal post in the northern portion of the western playing surface;
- 3 that a report in relation to the petition on the enhancement of the park and upgrade of play equipment at Byrne Park, Padbury was considered at the Council Meeting held on 20 September 2011 (CJ169-09/11 refers);
- 4 that a report in relation to the petition regarding the impact of increased traffic flow within the vicinity of the Craigie Senior High School site will be presented to Council at its meeting to be held on 13 December 2011;
- 5 that a report in relation to the petition requesting the retention of sheoak trees in Flinders Park until substitute trees provide shade, or alternatively provide artificial shade, was considered at the Council Meeting held on 20 September 2011 (CJ170-09/11 refers);
- 6 that a report will be presented to Council at its meeting to be held on 20 March 2012 addressing the following petitions:
  - 6.1 vehicular movement within Hepburn Heights and the request to prepare a Business case to divest 12 Blackwattle Parade, Padbury to provide funds to address residents' concerns;
  - 6.2 vehicular movement within Hepburn Heights and a request for a pedestrian overpass over Hepburn Avenue, the request to prepare a Business case to divest 12 Blackwattle Parade, Padbury to provide funds to address residents' concerns;
- 7 that a report in relation to the petition requesting that Council addresses the speeding and hooning cars on Meridian Drive, Mullaloo was considered at the Council Meeting held on 11 October 2011 (CJ196-10/11 refers);
- 8 that a report in relation to the petition requesting Council to take immediate steps to reduce both the volume and speed of vehicles on Delgado Parade, Iluka will be presented to Council at its meeting to be held on 21 February 2012;
- 9 that a report in relation to the petition regarding the acquisition of a portion of Timberlane Park, Woodvale, the rezoning of Reserve 40169 to allow for aged care accommodation, and allocation of sale proceeds to enhance facilities at Timberlane Park, Woodvale will be presented to Council at its meeting to be held on 21 February 2012;
- 10 that a report in relation to the petition requesting an upgrade to the public park on the corner of Moolanda Boulevard and Harness Street, Kingsley will be presented to Council at its meeting to be held on 20 March 2012;

- 11 that in relation to the petition requesting options to provide a suitable venue(s) for Taoist Tai Chi classes in the City of Joondalup, that no suitable site currently exists, however the City will continue to liaise for possible other options;
- 12 that a report will be presented to Council at its meeting to be held on 13 December 2011 addressing the following petitions:
  - 12.1 all day parking in Piccadilly Circle and Aldgate Street to two hour parking with exemption permits issued to the residents of those streets;
  - 12.2 Parking By-laws to enable residents and non residents to have improved access to parking throughout the day on the east side of Lakeside Drive between Shenton Avenue and Moorhen Court, Joondalup;
- 13 that a report in relation to the petition requesting the change of Parking By-Laws to enable residents and non-residents to have improved access to parking throughout the day on the East side of Lakeside Drive, between Shenton Avenue and Moorhen Court, Joondalup, will be presented to Council at its meeting to be held on 13 December 2011;
- 14 that a report in relation to the petition requesting that Council investigates, with appropriate remedial action, the traffic safety concerns in and around Tuart Road, Greenwood will be presented to Council at its meeting to be held on 20 March 2012;
- 15 that a report in relation to the petition requesting that Council considers retaining the natural state of Lot 971 (52) Creaney Drive, Kingsley and installing a sculpture park will be presented to Council at its meeting to be held on 21 February 2012; and
- 16 that a report in relation to the petition requesting that Council resurface the vacant school site and Burns Beach Road, Burns Beach with grass, and the removal of a sign will be presented to Council at its meeting to be held on 20 March 2012.

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8brf061211.pdf](#)

## **ITEM 12                    LIST OF PAYMENTS MADE DURING THE MONTH OF OCTOBER 2011**

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

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### **PURPOSE**

To present to Council the list of accounts paid under the Chief Executive Officer's delegated authority during the month of October 2011 for noting.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of October 2011 totalling \$10,124,092.67

*It is recommended that Council NOTES the CEO's list of accounts for OCTOBER 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 this Report, totalling \$10,124,092.67.*

### **BACKGROUND**

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

### **DETAILS**

The table below summarises the payments drawn on the funds during the month of OCTOBER 2011. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.



<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Municipal Account	Municipal Cheques 91021 - 91214 & EF20881 - EF21349 Net of cancelled payments	\$6,650,027.33
	Vouchers 887A & 892A	\$3,424,100.69
Trust Account	Trust Cheques 204480 - 204550 Net of cancelled payments	\$49,964.65
<b>Total</b>		<b>\$10,124,092.67</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 City's Annual Budget as adopted or revised by Council.

**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 incurred in accordance with the Annual Budget as adopted or revised by Council or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the CEO's list of accounts for October 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, totalling \$10,124,092.67.**

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf061211.pdf](#)

## **ITEM 13                      TENDER 017/11 PROVISION OF TRANSACTIONAL BANKING SERVICES**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Mike Tidy  
Corporate Services

**FILE NUMBER:** 101674

**ATTACHMENTS:** Attachment 1              Schedule of Items  
Attachment 2              Summary of Tender Submissions

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### **PURPOSE**

To seek the approval of Council to accept the Tender submitted by Westpac Banking Corporation Limited for the provision of transactional banking services.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 25 June 2011, through state wide public notice, for the provision of transactional banking services for a period of five (5) years. Tenders closed on 19 July 2011. Four (4) Submissions were received from:

- Westpac Banking Corporation Limited;
- National Australia Bank Limited;
- Australia and New Zealand Banking Group Limited; and
- Commonwealth Bank of Australia Limited.

The submission from Westpac Banking Corporation Limited represents best value to the City. Westpac Banking Corporation currently provides full transactional banking services to ten local governments in the Perth Metropolitan area including Cities of Stirling, Bayswater and Melville, and is the City's current Contractor.

Westpac Banking Corporation is a major Australian Bank having adequate capacity, resources and facilities and has demonstrated sufficient understanding of the requirements to successfully provide transactional banking services to the City.

*It is recommended that Council ACCEPTS the tender submitted by Westpac Banking Corporation Limited for the provision of transactional banking services for a period of five (5) years in accordance with requirements specified in Tender 017/11 at the submitted schedule of rates, and with annual price variations subject to the percentage change of the Perth CPI (All Groups) Index.*

### **BACKGROUND**

The City requires a well established financial institution to provide it with transactional banking services, including payments, receipts, electronic funds transfer and investments, among others, to meet current and future needs of the City.

The City last called a tender for this service in 2004 and Westpac Banking Corporation was contracted to provide transactional banking services to the City. The services continued thereafter under the State Government Common Use Agreement, culminating in a new tender after the completion of the CUA contract.

## **DETAILS**

Tenders were advertised on 25 June 2011, through state wide public notice, for the provision of transactional banking services for a period of five (5) years. The tender period was for three weeks and tenders closed on 19 July 2011.

### **Tender Submissions**

Four (4) Submissions were received from:

- Australian and New Zealand Banking Group Limited;
- Commonwealth Bank of Australia Limited;
- National Australia Bank Limited; and
- Westpac Banking Corporation Limited.

The schedule of items as listed in the RFT is provided in Attachment 1.

A summary of the Tender submissions including the location of each tenderer is provided in Attachment 2.

### **Evaluation Panel**

The evaluation panel comprised of four members:

- One with tender and contract preparation skills; and
- Three with the appropriate technical expertise and involvement in supervising the Contract.

The panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

### **Compliance Assessment**

The following Offers were assessed as fully compliant and were considered for further evaluation.

- Australian and New Zealand Banking Group Limited;
- Commonwealth Bank of Australia Limited; and
- Westpac Banking Corporation Limited.

The Offer from National Australia Bank Limited was subject to several qualifications to the conditions of contract. Its submission proposes that where inconsistencies arise between the Contract terms and the bank's conditions for the use of specific products, such as merchant cards, etc. the latter should take precedence. National Australia Bank is a self insurer under the Commonwealth workers compensation legislation and therefore does not carry separate worker's compensation insurance. The bank also reserves its right to review prices in accordance with variations arising from time to time and payment terms are to accord with the payment mechanisms as set out in its Offer.

These clauses do not represent significant variation to the City's standard contract terms and may not result in additional costs to the City. On that basis the submission from National Australia Bank was also included for further evaluation.

### Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Demonstrated experience in providing similar services	40%
2	Capacity	40%
3	Demonstrated understanding of the required tasks	15%
4	Social and economic effects on the local community	5%

Australian and New Zealand Banking Group Limited (ANZ) scored 61.2% and ranked fourth in the qualitative assessment. Its submission indicates that ANZ provides transactional banking services to two Local Governments only, being Redland City Council in Queensland for over 15 years and more recently to the City of Perth. Eleven other organisations were cited as receiving full banking services with no specific number of government entities given.

ANZ submission did not demonstrate fully the type of services provided to its specific clients. The responses tended to be short and of a general nature and did not provide sufficient details of processes such as transactional security. An overview of the proposed methodology for managing the transfer of services was included.

ANZ has five branches within the City and supports local community activities such as the 'Relay for Life', however its offer did not address the employment of local residents or the use of local suppliers.

Commonwealth Bank of Australia Limited (CBA) scored 69.4% and ranked third in the qualitative assessment. The bank provides transactional banking services to 73 of Western Australian Local Governments and gave the State Governments of Queensland and Western Australia, Water Corporation, Synergy and the City of Swan as other examples. When clarification was sought details of a further seven local governments were supplied, including over 40 years in the case of the City of Belmont and 9 years in the case of the Cities of Swan and Wanneroo.

CBA team of Local Government specialists supports the banks customers. Services offered were summarised including the proposed implementation methodology. Technical data of specialist products and services were also detailed in appendices to the submission including security systems and monitoring.

CBA actively promotes local community programs through opportunities for staff volunteer work for charities, support to partner organisations and services to schools through sponsorships and network programs. There are three branches within the City; however no specific response was given to employment of residents or the use of local suppliers.

National Australia Bank Limited (NAB) scored 70% and ranked second in the qualitative assessment. The bank provides transactional banking services to nine local governments in the Perth Metropolitan area and 25 regional Governments. The duration of its service contracts ranges from three to five years. Details of the contract with the City of Canning were provided, however no other specific dates or periods of service were supplied.

NAB maintains a specialist relationship team for major financial and banking services to the Government sector. Details of the specific services offered were provided covering electronic banking, corporate accounts, funds management, merchant cards and specialist services. The bank received the 2011 Choice Award for Best Bank and Canstar Cannex 2011 Innovation Excellence Award. A comprehensive overview of the proposed implementation plan was provided and a brief description of systems security.

NAB has a history of supporting not for profit charities, art foundation and sports groups. It is also involved in programs to strengthen the relationship between schools and local communities. The response did not specify any employment details of local residents.

Westpac Banking Corporation Limited (WP) scored 74.3% and was ranked first in the qualitative assessment. Its submission demonstrated a thorough understanding of the requirements. The bank currently provides full transactional banking services to ten cities in the Perth Metropolitan area and has provided transactional banking services to the City of Joondalup since 2004. A list of six local governments in other states, plus ten State Government and ten Federal Government Agencies was also supplied.

An organisation chart was provided of the Westpac Commercial Business Centre located in Osborne Park and includes details of a specialist team to support the Contract. The submission included full details of the banking services offered, reporting, security guarantees and monitoring and disaster recovery facilities.

Westpac Banking Corporation has four local branches within the City boundaries and vigorously supports the local community. It supports a number of community partnerships over a diverse range of activities. Promotional programs include Westpac Foundation, Westpac Women's Markets and employee involvement in volunteer programs. It did not specifically address the use of local suppliers or employment of local residents.

### **Price Assessment**

Following the qualitative assessment of the submissions against the specified criteria in detail, and with the clarification of any issues, the panel carried out a comparison of the rates offered by each Tenderer in order to assess value for money to the City.

Tendered rates are fixed for the first year of the Contract, but are subject to a price variation on each anniversary date thereafter limited to the percentage change in the Perth CPI (All Groups) Index from the corresponding quarter of the previous year. For estimation purposes, a 3% annual CPI increase was applied to the tendered rates after the first year of the contract.

The schedules of rates offered by the respondents were not consistent and in several instances unclear regarding their application to different types of transactions, which required further scrutiny and subsequent confirmation from each bank.

The following table provides comparative estimated expenditure during the term of the contract, based on the tendered rates as submitted and subsequently confirmed by each Tenderer.

<b>Tenderer</b>	<b>Estimated Year 1</b>	<b>Estimated Year 2</b>	<b>Estimated Year 3</b>	<b>Estimated Year 4</b>	<b>Estimated Year 5</b>	<b>Total</b>
Westpac Banking Corporation	\$259,988	\$267,788	\$275,822	\$284,096	\$292,619	<b>\$1,380,313</b>
National Australia Bank Limited	\$260,504	\$268,319	\$276,369	\$284,660	\$293,200	<b>\$1,383,052</b>
Australian and New Zealand Banking Group Limited	\$225,829	\$232,604	\$239,582	\$246,769	\$254,173	<b>\$1,198,957</b>
Commonwealth Bank of Australia	\$259,518	\$267,304	\$275,323	\$283,582	\$292,090	<b>\$1,377,817</b>

ANZ Bank offered the lowest overall price, however the evaluation panel is not confident that the classifications given by ANZ to several of the standard interchange rates is as determined by the major merchant card providers.

During the last financial year 2010/11, the City incurred \$253,812 for the provision of transactional banking services and is expected to incur in the order of \$1,380,000 over the five (5) year Contract period.

### **Evaluation Summary**

The following table summarises the result of the qualitative and price evaluation as assessed by the evaluation panel.

<b>Tenderer</b>	<b>Estimated Contract Price Year 1</b>	<b>Estimated Total Contract Price</b>	<b>Price Rank</b>	<b>Qualitative Score</b>	<b>Qualitative Rank</b>
Australian and New Zealand Banking Group	\$225,829	\$1,198,957	1	61.2%	4
Commonwealth Bank of Australia	\$259,518	\$1,377,817	2	69.4%	3
National Australia Bank	\$260,504	\$1,383,052	4	70.0%	2
Westpac Banking Corporation	\$259,988	\$1,380,313	3	74.3%	1

A reference check was conducted on the ANZ Bank with two large local governments. Comments received ranged from being positive and supportive of the claims of ANZ to a level of dissatisfaction with experiences in executing a planned software interface and communication difficulties with the bank's relationship support teams.

Accordingly the evaluation panel is not satisfied that ANZ can provide the transaction banking services at a quality level that would be accepted by the City.

The panel determined that the price differential between the other three institutions are not material, particularly that of Westpac and the second lowest price offered by the Commonwealth Bank.

Given that Westpac achieved the highest qualitative score, reference checks were undertaken on its services with the City of Melville and the City of Stirling. The comments received were positive and confirmed a high level of satisfaction in both cases, which matched the City of Joondalup's experience.

The panel has therefore concluded that the submission from Westpac represents best value to the City and recommends that its offer be accepted.

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

Transactional banking services are required to meet both the day to day activities and future operational needs of the City. The City does not have in-house resources or facilities to undertake such a service and requires an appropriate external provider for the service.

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

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

#### **Strategic Plan**

**Key Focus Area:** Leadership and Governance.

**Objective:** To Lead and Manage the City Effectively.

#### **Policy:**

Not Applicable.

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

Should the contract not proceed, the risk to the City will be high as the City will not be in a position to process the financial transactions relating to its operational activities.

It is considered that the Contract will represent a low risk to the City as the recommended Tenderer is one of the major banking institutions in Australia and is ranked in the top five listed companies by market capitalisation on the Australian Stock Exchange. The Tenderer is the current provider of transactional banking services and has satisfactorily provided banking services to the City since 2004.



**Financial/Budget Implications:**

<b>Account No:</b>	323.A3206.3251.0000 323.A3206.3252.0000
<b>Budget Item:</b>	Bank and Credit Card Fees
<b>Budget Amount 11/12:</b>	\$290,119
<b>Expenditure from 1 July 2011 to 30 December 2011:</b>	\$195,225
<b>Proposed Contract Cost 1 January 2012 to 30 June 2012 (New Contract):</b>	\$63,852
<b>Remaining Budget 11/12:</b>	\$31,042

All figures quoted in this report are exclusive of GST.

The projected expenditure on these Services is subject to change and dependent on the price variation and volumes of requirements throughout the Contract period. Based on historical and known requirements, it is estimated that the expenditure over the Contract period will be in the order of \$1,380,000.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

The provision of effective banking services will facilitate and support the financial servicing of future operational and capital requirements within the City.

**Consultation:**

Not Applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMENT**

The evaluation panel carried out the evaluation of the Submissions in accordance with the Qualitative Criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by Westpac Banking Corporation Limited.

**RECOMMENDATION**

**That Council ACCEPTS the tender submitted by Westpac Banking Corporation Limited for the provision of transactional banking services for a period of five (5) years in accordance with requirements specified in Tender 017/11 at the submitted schedule of rates, and with annual price variations subject to the percentage change of the Perth CPI (All Groups) Index.**

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf061211.pdf](#)*

## **ITEM 14                    TENDER 029/11 SUPPLY, INSTALLATION AND MAINTENANCE OF PLAYGROUND SOFTFALL SURFACING AND SUPPLY AND DELIVERY OF CRICKET WICKET COVERS**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	101899 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Schedule of Items
	Attachment 2	Summary of Tender Submissions

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### **PURPOSE**

To seek the approval of Council to accept the Tender submitted by GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber for the supply, installation and maintenance of playground softfall surfacing and the supply and delivery of cricket wicket covers (Tender 029/11).

### **EXECUTIVE SUMMARY**

Tenders were advertised on 15 October 2011 through state wide public notice for the supply, installation and maintenance of playground softfall surfacing and the supply and the delivery of cricket wicket covers for a period of three (3) years. Tenders closed on 3 November 2011. Four (4) Submissions were received from:

- Techlay, a subsidiary of Synthetic Turf Products Pty Ltd;
- Surfacing Contractors Australia (WA) Pty Ltd;
- GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber ; and
- Astro Synthetic Turf Pty Ltd.

The submission from Retech Rubber represents best value to the City and is the lowest priced compliant Tender. They have sufficient resources and the appropriate experience to complete the City's requirements. Their breakdown of price also reflects an appropriate understanding of the requirements. The recommended Tenderer provides similar services to the City of Wanneroo, the City of Vincent and the City of Belmont. The evaluation panel has confidence in their ability to complete the works in the required timeframe.

It is recommended that Council ACCEPTS the Tender submitted by GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber, for the Supply, Installation and Maintenance of Playground Softfall Surfacing and the Supply and Delivery of Cricket Wicket Covers as specified in Tender 029/11, for a three (3) year period at the submitted schedule of rates with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.

## **BACKGROUND**

This requirement is for the supply, installation and maintenance of playground softfall surfacing and supply and delivery of cricket wicket covers in accordance with the specification.

The installation of rubberised safety softfall surfacing is used to minimise the impact from falls at playground areas at the City's parks. The cricket wicket covers are used to protect the playing surface at various cricket grounds during the winter season.

The City currently has a single Contract for the supply, installation and maintenance of playground softfall surfacing and the supply and delivery of cricket wicket covers that is due to expire on 14 December 2011. Retech Rubber is the current Contractor.

## **DETAILS**

Tenders were advertised on 15 October 2011 through state wide public notice for the Supply, Installation and Maintenance of Playground Softfall Surfacing and the Supply and Delivery of Cricket Wicket Covers for a period of three (3) years. The Tender period was for two weeks and Tenders closed on 3 November 2011.

### **Tender Submissions**

Four (4) Submissions were received from:

- Techlay, a subsidiary of Synthetic Turf Products Pty Ltd;
- Surfacing Contractors Australia (WA) Pty Ltd;
- GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber; and
- Astro Synthetic Turf Pty Ltd.

The schedule of items as listed in the RFT is provided in Attachment 1.

A summary of the Tender submissions including the location of each Tenderer is provided in Attachment 2.

### **Evaluation Panel**

The evaluation panel comprised of four members:

- one with tender and contract preparation skills; and
- three with the appropriate technical expertise and involvement in supervising the Contract.

The panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

## Compliance Assessment

The Submission from Astro Synthetic Turf Pty Ltd was not fully compliant and was not considered for further evaluation for the following reasons:

- It did not submit the schedule of rates in the format stated in Addendum 1;
- Its Submission offered a different rubber product than stated in the Specification; and
- It stated that it will not be able to fulfil requirements from its own resources, in response to the Financial Capacity criterion.

The remaining three (3) Offers were fully compliant and considered for further evaluation.

## Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Demonstrated experience in completing similar projects	40%
2	Capacity	30%
3	Demonstrated understanding of the required tasks	25%
4	Social and economic effects on the local community	5%

Techlay, a subsidiary of Synthetic Turf Products Pty Ltd scored 48.7% and was ranked last in the qualitative assessment. The company based its demonstration of experience in performing similar services on an employee who performed the services under his own business entity. Overall, its responses did not provide enough detail to satisfy the selection criteria.

Surfacing Contractors Australia (WA) Pty Ltd scored 49.2% and was ranked second in the qualitative assessment. Its response only listed one project that was performed locally by the WA branch of this nationwide company, with the other two projects having been performed in Adelaide, South Australia. While the company submitted a thorough methodology to perform the required tasks, the maximum softfall area it can install without joints is 90m<sup>2</sup> which is the least of all Respondents.

GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber scored 56.9% and was ranked first in the qualitative assessment. Retech Rubber demonstrated its experience in providing similar services through works provided to three other local governments, the City of Wanneroo, the City of Vincent and the City of Belmont. It is also the City of Joondalup's current Contractor. Its response demonstrated sufficient capacity to perform the required works and referee checks confirmed that the company completes projects to a very high standard.

## Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted rates offered by each tenderer to assess value for money to the City.

Tendered rates are fixed for the first year of the Contract and are subject to a price variation on each anniversary date thereafter limited to the percentage change in the Perth CPI (All Groups) Index from the corresponding quarter of the previous year.

For estimation purposes, a 3% annual CPI increase was applied to the tendered rates after the first year of the contract.

The following table provides comparative estimated expenditure during the term of the contract, based on estimated work volumes and the tendered rates of each Tenderer.

Tenderer	Estimated Cost			Total
	Year 1	Year 2	Year 3	
GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber	\$420,000	\$432,600	\$445,578	<b>\$1,298,178</b>
Techlay, a subsidiary of Synthetic Turf Products Pty Ltd	\$425,236	\$437,993	\$451,133	<b>\$1,314,363</b>
Surfacing Contractors Australia (WA) Pty Ltd	\$423,958	\$436,676	\$449,776	<b>\$1,310,410</b>

During the 2010/11 financial year, the City incurred \$188,504 for the supply, installation and maintenance of playground softfall surfacing and supply and delivery of cricket wicket covers. The City's capital works program for this requirement for the next 3 years however is more extensive and it is expected to incur in the order of \$1,298,178 over the three (3) year Contract period.

### Evaluation Summary

The following table summarises the result of the qualitative and price evaluation as assessed by the evaluation panel.

Tenderer	Estimated Contract Price (Year 1)	Estimated Contract Price (Total)	Price Rank	Evaluation Score	Qualitative Rank
GRRO Pty Ltd – Trustee Murdoch Trust, DEBPHI Pty Ltd – Trustee Ericson Trust, trading as Retech Rubber	\$420,000	\$1,298,178	1	56.9%	1
Surfacing Contractors Australia (WA) Pty Ltd	\$423,958	\$1,310,410	2	49.2%	2
Techlay, a subsidiary of Synthetic Turf Products Pty Ltd	\$425,236	\$1,314,363	3	48.7%	3

Based on the evaluation result the panel concluded that the Tender that provides best value to the City is that of GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber and is therefore recommended.

**Issues and options considered:**

The supply, installation and maintenance of playground softfall surfacing and supply and delivery of cricket wicket covers is essential for the continuous improvement of the recreation facilities of the City. The City does not have the internal resources to supply the required services and as such requires an appropriate external service provider.

**Legislation/Strategic Plan/Policy Implications**

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

**Strategic Plan**

**Key Focus Area:** Community Wellbeing

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

**Policy:**

Reserves, Parks and Recreation Grounds

**Risk Management Considerations:**

Should the contract not proceed, the risk to the City will be high as the City must ensure that recreational facilities are in a condition that reduces the impact of injuries associated with falls at playgrounds. There is a community expectation that the City will provide safe recreation facilities.

It is considered that the Contract will represent a low risk to the City as the recommended Respondent is well established with significant industry experience and the capacity to provide the services to the City.

**Financial/Budget Implications:**

<b>Account No:</b>	3359
<b>Budget Item:</b>	Multiple Parks
<b>Budget Project Cost 11/12:</b>	\$436,000
<b>Expenditure 1 July 2011 to 14 December 2011:</b>	\$104,446
<b>Proposed Contract Cost 15 December 2011 to 30 June 2012:</b>	\$245,000
<b>Balance:</b>	\$86,554

All figures quoted in this report are exclusive of GST.

The projected expenditure on these Services is subject to change and dependent on the quantity and type of requirements throughout the Contract period. Based on historical and known requirements, it is estimated that the expenditure over the Contract period will be in the order of \$1,298,178.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The rubberised safety softfall surfacing enhances the amenity of the City's playgrounds. Installation of softfall surfacing is used to minimise the impact from falls at playground areas and provides for safer recreational facilities to be utilised by residents and visitors to the City. The provision of cricket wicket covers at various sporting ovals will assist with the preservation of playing surfaces during the winter season, improving public amenities for recreational usage.

**Consultation:**

Not Applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMENT**

The evaluation panel carried out the evaluation of the Submissions in accordance with the Qualitative Criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber.

**RECOMMENDATION**

**That Council ACCEPTS the Tender submitted by GRRO Pty Ltd Trustee for Murdoch Trust and DEBPHI Pty Ltd Trustee for Ericson Trust, trading as Retech Rubber, for the Supply, Installation and Maintenance of Playground Softfall Surfacing and the Supply and Delivery of Cricket Wicket Covers as specified in Tender 029/11, for a three (3) year period at the submitted schedule of rates with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.**

*Appendix 11 refers*

To access this attachment on electronic document, click here: [Attach11brf061211.pdf](#)



## **ITEM 15                    TENDER    038/11    PROVISION   OF   PLUMBING MAINTENANCE SERVICES AND MINOR WORKS NOT EXCEEDING \$100,000 IN VALUE**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	102045 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Schedule of Items
	Attachment 2	Summary of Tender Submissions

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### **PURPOSE**

To seek the approval of Council to accept the Tender submitted by RW & JA Olsen T/as Joondalup Plumbing Service for the provision of plumbing maintenance services and minor works not exceeding \$100,000 in value.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 19 October 2011 through state wide public notice for the provision of plumbing maintenance services and minor works not exceeding \$100,000 in value for a period of three (3) years. Tenders closed on 3 November 2011. Five (5) Submissions were received from:

- RW & JA Olsen T/as Joondalup Plumbing Service;
- RWE Robinsons & Sons Pty Ltd T/as Robinson Buildtech;
- CPD Group Pty Ltd;
- Galway Asset Pty Ltd T/as MCD Plumbing & Gas Services; and
- Zeus Nominees Pty Ltd T/as Clinton & Co Plumbers and Gasfitters.

The submission from Joondalup Plumbing Service represents best value to the City and is the lowest priced Tender. The company demonstrated considerable experience providing similar services to the City of Wanneroo and Mindarie Regional Council and has been the City's Contractor for these services since 2002. The evaluation panel has confidence in the company's ability to meet all work requests and meet the expected response times.

*It is recommended that Council ACCEPTS the Tender submitted by RW & JA Olsen T/as Joondalup Plumbing Service for the provision of plumbing maintenance services and minor works not exceeding \$100,000 in value for a three (3) year period for requirements as specified in Tender 038/11 at the submitted schedule of rates.*

### **BACKGROUND**

This requirement is for the provision of plumbing maintenance services to City owned infrastructure comprising 150 buildings at various sites, public showers, drinking fountains, ablutions and similar facilities. The Contractor may also be required to periodically undertake new minor works not exceeding \$100,000 in value.

The City currently has a single contract with Joondalup Plumbing Service which expires on 13 January 2012.

## DETAILS

Tenders were advertised on 19 October 2011 through state wide public notice for the provision of plumbing maintenance services and minor works not exceeding \$100,000 in value for a period of three (3) years. The Tender period was for two (2) weeks and Tenders closed on 3 November 2011.

### Tender Submissions

Five (5) Submissions were received from:

- RW & JA Olsen T/as Joondalup Plumbing Service;
- RWE Robinsons & Sons Pty Ltd T/as Robinson Buildtech;
- CPD Group Pty Ltd;
- Galway Asset Pty Ltd T/as MCD Plumbing & Gas Services; and
- Zeus Nominees Pty Ltd T/as Clinton & Co Plumbers and Gasfitters.

The schedule of items as listed in the RFT is provided in Attachment 1.

A summary of the Tender submissions including the location of each Tenderer is provided in Attachment 2.

### Evaluation Panel

The evaluation panel comprised of three members:

- one with tender and contract preparation skills; and
- two with the appropriate technical expertise and involvement in supervising the Contract.

The panel carried out the assessment of submissions in accordance with the City's evaluation process in a fair and equitable manner.

### Compliance Assessment

All Offers received were fully compliant and were considered for further evaluation.

### Qualitative Assessment

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

Qualitative Criteria		Weighting
1	Demonstrated experience in providing similar services	40%
2	Capacity	30%
3	Demonstrated understanding of the required tasks	25%
4	Social and economic effects on the local community	5%

Clinton & Co Plumbers and Gasfitters scored 44.4% and ranked fifth in the qualitative assessment. It demonstrated experience providing general breakdown maintenance plumbing and gas fitting services, but did not supply any dates substantiating how recently the works were undertaken. The company did not supply sufficient information demonstrating the individual experience of its plumbers proposed to undertake the services. The company also did not provide a work methodology for undertaking the services other than its response time to requests.

MCD Plumbing & Gas Services scored 51.3% and ranked fourth in the qualitative assessment. It demonstrated experience in providing similar services through its maintenance contract for the north zone of schools, which it has held for the past five years. The company demonstrated an understanding of the requirements. The company has sufficient plumbers to provide the services, but did not provide adequate information regarding its equipment, after-hours contact, the source of additional resources or safety management.

CPD Group Pty Ltd scored 60.5% and ranked third in the qualitative assessment. The company demonstrated experience providing similar services to the Cities of Subiaco and Fremantle. It demonstrated an understanding of the requirements for the tender. It is a large organisation with a plumbing services division of six plumbers. It did not state how many of its staff are located within the vicinity of the City of Joondalup to support the Contract or how the company would respond to after hour callouts. Details of specialised equipment to be used were not provided.

Robinson Buildtech scored 64.6% and ranked second in the qualitative assessment. It demonstrated a good understanding of the requirements addressing both maintenance and minor works. The company has the capacity to meet the City's work requirements with four maintenance plumbers and a further six plumbers available for additional requirements. The company demonstrated experience in providing similar plumbing and building maintenance services to the Cities of Melville, Subiaco, Stirling, Gosnells and Rockingham.

Joondalup Plumbing Service scored 76.7% and ranked first in the qualitative assessment. It thoroughly demonstrated its capacity to meet the City's volume of work and is located locally to respond promptly to after-hours requests. The Company also demonstrated a thorough understanding of the City's work requirements. Joondalup Plumbing Service has considerable experience providing plumbing maintenance services and minor works to the City of Wanneroo and Mindarie Regional Council and has been the City's Contractor since 2002.

### **Price Assessment**

Following the qualitative assessment, the panel carried out a comparison of the submitted rates offered by each Tenderer to assess value for money to the City.

Tendered rates are fixed for the first year of the Contract, but are subject to a price variation on each anniversary date thereafter limited to the percentage change in the Perth CPI (All Groups) Index from the corresponding quarter of the previous year.

To provide an estimated expenditure over a 12 month period the four (4) most commonly used labour rates and an estimation of the cost of materials for maintenance and minor works was used in the calculation. Any future requirements will be based on demand and subject to change in accordance with the operational needs and approved capital projects of the City.

The following table provides comparative estimated expenditure during the term of the contract, based on the tendered rates of each Tenderer. For estimation purposes, a 3% annual CPI increase was applied to the tendered rates after the first year of the Contract.

The rates offered by Joondalup Plumbing Service are fixed for the three year contract term. No CPI increase was applied to its labour rates in the price assessment.

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Joondalup Plumbing Service	\$607,900	\$607,900	\$607,900	<b>\$1,823,700</b>
CPD Group Pty Ltd	\$637,200	\$647,316	\$657,195	<b>\$1,941,711</b>
MCD Plumbing & Gas Services	\$691,888	\$703,645	\$715,214	<b>\$2,110,747</b>
Clinton & Co Plumbers and Gasfitters	\$694,800	\$706,644	\$718,303	<b>\$2,119,747</b>
Robinson Buildtech	\$721,600	\$734,248	\$746,735	<b>\$2,202,583</b>

During the last financial year 2010/11, the City incurred \$603,218 for the provision of plumbing maintenance services and minor works not exceeding \$100,000 in value and is expected to incur in the order of \$1,800,000 over the three (3) year Contract period.

### **Evaluation Summary**

The following table summarises the result of the qualitative and price evaluation as assessed by the evaluation panel.

<b>Tenderer</b>	<b>Estimated Contract Price Year 1</b>	<b>Estimated Total Contract Price</b>	<b>Price Rank</b>	<b>Evaluation Score</b>	<b>Qualitative Rank</b>
Joondalup Plumbing Service	\$607,900	\$1,823,700	1	76.7%	1
Robinson Buildtech	\$721,600	\$2,202,583	5	64.6%	2
CPD Group Pty Ltd	\$637,200	\$1,941,711	2	60.5%	3
MCD Plumbing & Gas Services	\$691,888	\$2,110,747	3	51.3%	4
Clinton & Co Plumbers and Gasfitters	\$694,800	\$2,119,747	4	44.4%	5

Based on the evaluation result the panel concluded that the Tender that provides best value to the City is that of Joondalup Plumbing Service and is therefore recommended.

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

Plumbing services are required to maintain and upgrade the plumbing and gas services of the City's buildings and infrastructure within parks and reserves. The City does not have the internal resources to supply the required services and as such requires an appropriate external service provider.

## Legislation/Strategic Plan/Policy Implications

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

### Strategic Plan

**Key Focus Area:** Community Wellbeing

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

### Policy:

Not Applicable.

### Risk Management considerations:

Should the contract not proceed, the risk to the City will be high as the City will not be able to maintain the City plumbing and gas services to the standards required for public health and safety.

It is considered that the Contract will represent a low risk to the City as the recommended Respondents is a well-established organisation with significant industry experience and the capacity to provide the services to the City.

### Financial/Budget Implications:

<b>Account No:</b>	Various accounts
<b>Budget Item:</b>	Plumbing maintenance services and minor works
<b>Budget Amount:</b>	\$400,000 (Maintenance) \$200,000 (Capital works)
<b>Actual Expenditure 1 July 2011 to 31 October 2011 (Current Contract):</b>	\$207,005
<b>Estimated Expenditure 1 November 2011 to 13 January 2012 (Current contract)</b>	\$117,995
<b>Proposed Contract Cost 14 January 2012 to 30 June 2012:</b>	\$275,000
<b>Balance:</b>	\$0

Although the Year 1 estimated cost for Joondalup Plumbing Service is marginally higher than the allocated budget, the services are for reactive maintenance and plumbing works within capital projects. The quantities used were for assessment purposes only and expenditure is not anticipated to exceed the allocated budget of \$600,000.

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability implications:**

The provision of plumbing services to the City's buildings and assets within parks and reserves assists the City in efficient use of its water resources.

**Consultation:**

Not Applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the Submissions in accordance with the Qualitative Criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by RW & JA Olsen T/as Joondalup Plumbing Service.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the Tender submitted by RW & JA Olsen T/as Joondalup Plumbing Service for the provision of plumbing maintenance services and minor works not exceeding \$100,000 in value for a three (3) year period for requirements as specified in Tender 038/11 at the submitted schedule of rates.**

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf061211.pdf](#)*

**ITEM 16                    PETITION OF ELECTORS REGARDING PARKING  
ON THE EAST SIDE OF LAKESIDE DRIVE  
BETWEEN SHENTON AVENUE AND MOORHEN  
COURT**

**WARD:**                    North

**RESPONSIBLE  
DIRECTOR:**            Mr Mike Tidy  
                                 Corporate Services

**FILE NUMBER:**        04018 101515

**ATTACHMENTS:**      Arial photograph of the affected bays

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**PURPOSE**

The purpose of this report is for Council to consider a response to a petition from electors requesting a change to the current all day paid parking arrangements for parking bays on the eastern side of Lakeside Drive between Shenton Avenue and Moorhen Court.

**EXECUTIVE SUMMARY**

The current parking scheme on the eastern side of Lakeside Drive allows for both all day paid parking and free permit parking for residents and visitors. These parking arrangements have been in place with only minor amendments since the introduction of paid parking in 2008 as part of the CBD paid parking strategy.

A 58 signature petition was received by Council at its meeting on 11 October 2011 requesting that the parking arrangements for car bays on the eastern side of Lakeside Drive between Shenton Avenue and Moorhen Court be changed from all day paid parking to short term paid parking while retaining all day free permit parking for residents and their visitors. The parking referred to in the petition covers 14 parking bays.

The petitioners have advised that the problem with the current arrangements is that the parking bays are being occupied by paid parkers all day thereby blocking short term opportunities for workmen, visitors and residents to access nearby street parking. It is suggested that changing the paid parking arrangements to short term parking will ensure that there is regular turnover and that workmen, visitors and residents using permits will have more opportunities to park.

The permit parking arrangements that were put in place for residents of the properties on the east side of Lakeside Drive were designed to ensure that they did not have to pay for parking on that side of the road. It was not intended that they have preferential access to parking in that location as the parking does not just service the residents but also the local businesses and their customers. Residents on the east side of Lakeside Drive and their visitors do have exclusive access to other permit only parking in streets behind those fronting Lakeside Drive just a short distance away such as Moorhen Court and Thornbill Meander.

It is recommended that Council:

1. REFUSES the request of the petitioners change the on street parking on Lakeside Drive between Shenton Avenue and Moorhen Court from all day parking to short term parking with all day parking still being available for residents holding parking permits; and
2. ADVISES the lead petitioner of Council's decision.

## **BACKGROUND**

With the introduction of paid parking in 2008 the whole of Lakeside Drive with the exclusion of the western side between Boas Avenue and Shenton Avenue was established as all day parking to provide for visitor, employee and business parking. The western side bays between Boas Avenue and Shenton Avenue have an equal mix of one hour and two hour parking to cater for the businesses that front that part of Lakeside Drive.

In February 2009 (CJ014-02/09) Council introduced a resident /visitor parking permit scheme for the residents of those properties to the east of Lakeside Drive that restricted on street parking to permit holders only. This was to facilitate parking for residents and their visitors by preventing parking in these streets by those seeking to avoid paying for parking. As paid parking was in place on both sides of Lakeside Drive, to cater for the parking demand, the permits issued to those residents in properties on the east side and fronting Lakeside Drive did not give them exclusive use of the parking but did entitle them to park in the paid parking bays on the east side all day for free.

## **DETAILS**

The petition contains 58 signatures, representing 15 of the 30 properties on the eastern side of Lakeside Drive between Moorhen Court and Shenton Avenue. This stretch of Lakeside Drive has 14 car bays on street. A total of 107 permits have been issued across all properties to have access to the 14 bays and to the neighbouring streets.

The petition states *“Due to the development of Joondalup Health Campus and increased activity in the City Centre many people now park their vehicles from before 7am to late afternoon thereby blocking any short term opportunities to access our nearby street parking for workmen, visitors and residents. We the undersigned residents are concerned residents who urge our councillors (sic) to change the parking bye laws to enable residents and non residents to have improved parking throughout the day on the East side of Lakeside Drive between Shenton Avenue and Moorhen Court.”*



The analysis of the petition is shown in tables 1 and 2 below.

**Table 1: Signatories analysis**

Signatory type	No of Properties on Lakeside Drive represented	Number of signatures	Comment if relevant
Signed by owners who do not reside at the premises	1	1	Owners with tenanted properties also represented in the “tenants” signatories below
Signed by tenants at the properties	9	23	A mix of student and family tenancies
Signed by owner/occupiers of properties	5	8	All owners have applied for and received permits
Signed by visitors to the area	nil	19	A range of reasons for visiting, mostly family or friends, a small number are business related.
Signed by residents of Thornbill Meander	nil	5	Residents of Thornbill Meander are not eligible to park with a permit on Lakeside Drive

42 of the 58 signatures (72%) are from tenants or visitors to the area. 8 of the signatures (14%) are from owner/ occupiers who reside at the premises.

**Table 2: Property occupancy analysis**

Property Type	Number of properties	Comment if relevant
Owner Occupiers with permits issued to the address	12	50 permits issued to these 12 properties
Owner Occupiers with no permits issued to the address	6	
Tenanted properties	12	57 permits issued to these 12 properties

6 owners (5 owner /occupiers, 1 absent occupier) of the possible 30 owners (20%) signed the petition.

### Issues and options considered:

#### Option 1

Introduce short term 2 hour paid and time restricted parking in the affected 14 bays and allow the all day permit parking to continue as requested in the petition.

It is very likely that the removal of the 14 bays from the City’s stock of long term parking would adversely affect the existing users who may move further south on Lakeside Drive. If this occurred it could then trigger similar requests for restrictions from those residents. The ongoing effect would be to reduce the stock of all day parking bays from a location where there is clearly a demand for this type of parking.

This option is not recommended.

## Option 2

Retain the status quo.

The car parking bays have been established as long term car parking to provide parking opportunities for businesses, workers and residents in the area in line with the CBD Parking Strategy. Removal of the bays from the long term parking stock of the City will adversely affect the existing regular and legitimate users of the bays who only have access to paid parking. On the other hand when the parking bays are full on Lakeside Drive residents and visitors with permits do have alternative access to exclusive permit only parking in streets behind those fronting Lakeside Drive just a short distance away such as Moorhen Court and Thornbill Meander where they do not have to compete for a bay with those needing to pay for parking.

This option is recommended.

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

**Legislation** City of Joondalup Parking Local Law 1998.

#### **Strategic Plan**

**Key Focus Area:** Economic prosperity and growth.

**Objective:** 3.1.5 The City implements its CBD Parking Strategy.

#### **Policy:**

Resident /Visitor Parking Permits for Joondalup City Centre.

Provides for the issue and management of parking permits for use by eligible residents and their visitors for properties in designated areas of the Joondalup City Centre affected by parking restrictions.

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

If the petitioners' request to change the parking bays to short term paid parking were agreed to there is a risk that other properties facing the eastern side of Lakeside Drive may request the same parking amenity be provided to them. Potentially this could eventually remove 100 bays from the City's stock of long term parking. This would result in a very inefficient use of parking bays with an oversupply of short term parking and reduced long term parking.

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

The parking ticket machine that services the 14 affected bays collected \$6,799.40 in the financial year 2010/11. While there would still be paid parking if these bays were changed to short term the utilisation by those paying for parking would reduce.

#### **Regional Significance:**

The availability of parking in the Joondalup CBD has implications for employees and visitors who are drawn from across the region. The City's capacity to provide relevant parking opportunities for a range of users is central to the development of the CBD both now and into the future. Whilst the removal of 14 bays from the City's all day parking stock in this prime location may seem minor in the totality of all parking stock it would nevertheless have a deleterious impact on the local parking opportunity.

**Sustainability implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

A survey conducted at various times every morning and afternoon for 10 days between 10 October 2011 and 21 October 2011 of the 14 car bays identified that there were 4 to 5 vehicles displaying permits on 18 out of the 20 survey times equating to an average of 30%-35% occupancy by permit holders. At the two other survey times there were 3 cars and 8 cars respectively.

The 14 bays are provided for all of the general public to make use of and are not intended for exclusive use by residents in the adjacent properties. They are long stay car parking bays designed to provide parking choice within the CBD.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1. REFUSES the request of the petitioners to change the on street parking on Lakeside Drive between Shenton Avenue and Moorhen Court from all day parking to short term parking with all day parking still being available for residents holding parking permits; and**
- 2. ADVISES the lead petitioner of Council's decision.**

*Appendix 13 refers*

To access this attachment on electronic document, click here: [Attach13brf061211.pdf](#)

## **ITEM 17                    PETITION FOR PARKING PERMITS - ALDGATE STREET, PICCADILLY CIRCLE AND PROPOSED AMENDMENTS TO EXISTING PARKING SCHEME - JOONDALUP CITY CENTRE (NORTH)**

<b>WARD:</b>	North	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	07190 57618	
<b>ATTACHMENTS:</b>	Attachment 1	Existing Parking Scheme Joondalup City Centre (North) 14/10/11
	Attachment 2	Proposed Amendment to Parking Scheme Joondalup City Centre (North) 11/10/11
	Attachment 3	Schedule of Changes from the existing Joondalup City North Parking Scheme to the amended Parking Scheme

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### **PURPOSE**

For Council to consider consulting residents in relation to a proposed amendment to the existing Parking Scheme in Joondalup City North in response to petitions from residents in Aldgate Street and Piccadilly Circle, Joondalup that are concerned about residential and visitor parking.

### **EXECUTIVE SUMMARY**

Council adopted a parking scheme for the north eastern portion of Joondalup City North (refer Attachment 1) at its meeting held on 17 November 2009 (refer CJ256-11/09). That parking scheme was introduced to address parking by commuters, staff and visitors of the Joondalup Hospital and surrounding commercial and medical facilities seeking to avoid the parking restrictions in the residential streets south of Plaistow Street and the paid parking restrictions south of Shenton Avenue which was impacting on the residential streets north of Upney Mews to Aldgate Street.

A petition bearing 29 signatures from residents in Aldgate Street and Piccadilly Circle has been received by the City raising concerns about the parking, by non-residents in their streets, and requesting the introduction of a two hour parking limit with exemption for residents. A further 10 signature petition from residents in Aldgate Street and Piccadilly Circle has been received requesting the introduction of resident/visitor parking permits in this area.

Drivers are using the parking bays in this area as a means of providing commuter parking and by trying to avoid the existing restrictions in the parking scheme areas to the south of these streets. Observations of the parking in the area suggest that the problem also includes other streets which adjoin Aldgate Street and extend to the north of Aldgate Street and Piccadilly Circle.

It is proposed to consult affected residents and businesses across the whole area in relation to implementing an amendment to further extend the existing parking scheme to encompass these residential streets.

It is recommended that Council:

- 1 AGREES to consult the affected residents and businesses for a period of 30 days on the Proposed Amendments to Parking Scheme – Joondalup City Centre (North) 11/10/11 as shown on Attachment 2 to this Report;
- 2 REQUESTS a further report on the public consultation prior to consideration of the adoption of the amendments detailed in (1) above; and
- 3 RESPONDS to the lead petitioners from Piccadilly Circle and Aldgate Street advising them of the proposals outlined in 1 and 2 above.

## **BACKGROUND**

The City of Joondalup Parking Strategy provided for the introduction of paid parking in Joondalup City Centre and was adopted by Council at its meeting held on 7 August 2007.

After the introduction of paid parking in Joondalup City Centre on 9 October 2008, and the introduction of paid parking in Joondalup Hospital visitor car parks in January 2009, some drivers and many of the hospital visitors and staff opted to use the on-street parking in the residential streets in Joondalup City North, north of Shenton Avenue, to meet their parking requirements.

A Joondalup City North Parking Scheme (refer CJ111–05/09) was approved by Council at its meeting held on 19 May 2009 to address this issue. A further Joondalup City North Parking Scheme (refer CJ256–11/09) was approved by Council at its meeting held on 17 November 2009 to address the further migration of drivers, since the introduction of the first parking scheme, to the residential streets to the north of Upney Mews and Plaistow Street. It would appear that a further migration of drivers may now have taken place which is affecting parking in Aldgate Street and Piccadilly Circle which are located to the north of the existing resident/visitor areas in Joondalup City North.

This has impacted on the ability for residents and their visitors to access the limited parking facilities in these streets. The main area impacted by these issues is from Piccadilly Circle north to Aldgate Street and its adjoining streets.

## **DETAILS**

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

The options open to Council for managing parking in the area referred to are:

- 1 No change to existing arrangements and continue to enforce the prohibitions that currently exist. The current prohibitions are very limited. There are some sections of “No Stopping Road” but generally the on-street parking is available to anyone. These arrangements originated when parking demand for the area was a lot less than it is now. The introduction of paid parking by the City, expansion of the hospital facility including the introduction by the hospital of paid parking in its own car parks and the introduction of resident/visitor parking areas in the surrounding streets means that the current limited parking prohibitions do not adequately provide for the needs of resident and visitor parking requirements. This is not a recommended option;

- 2 Amend the current parking scheme by introducing time prohibitions that prevent all day or long term parking. It is possible to put various time restrictions in place in the affected streets such as two or four hour parking that would have the effect of preventing drivers from parking all day. The down side to parking prohibitions alone is that it does not distinguish between commuters looking to avoid paid parking and residents and their visitors parking outside their residence. It also encourages the shuffling of cars between bays in an attempt to avoid the prohibitions. Parking prohibitions alone may well cause as many problems for residents and visitors as it solves in relation to commuters and is not recommended; and
- 3 Amend the current parking scheme by extending the application of resident/visitor parking permits to the area north of Piccadilly Circle and Aldgate Street. Plans are attached of the proposed Parking Scheme (Attachment 2) showing the proposed parking restrictions and prohibitions in on-street locations. This is the recommended option.

The recommendation to introduce a resident/visitor parking permit scheme would not apply to the parking bays in Piccadilly Circle, south of Aldgate Street towards Grand Boulevard, due to the presence of several commercial premises in that area. It is proposed these bays would have a two hour maximum time limit applied to support their use by customers and not commuters.

The recommended option is designed to:

- Provide some support for residents and their visitors with the ability to park in close vicinity to their homes;
- Provide for the safety of pedestrian and vehicle movement;
- Support business operations and development in Joondalup City North by encouraging high turnover of parking bays closest to businesses;
- Encourage people wanting commuter parking to park in long term parking facilities provided by the City for this purpose; and
- Achieve best utilisation of all public parking facilities managed by the City.

It is proposed that the provisions of the resident/visitor parking permit scheme adopted by Council at its meeting held on 17 February 2009 will apply to this new proposed resident/visitor parking permit area.

Those provisions allow for:

- Up to five (5) resident or visitor parking permits free of charge (any combination) per year; and
- Further permits on application at a fee set down in the City's Fees and Charges, currently \$30 for an annual permit.

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

#### **Legislation**

The City of Joondalup Parking Local Law (1998) was made in keeping with the requirements of Section 3.12 of the Local Government Act 1995, Procedure for making local laws.

Clause 33 of the Parking Local law applies:

*Establishing and Amending the Parking Scheme*

*33 The local government may by resolution constitute, determine, vary and indicate by signs:*

*(a) prohibitions;*

*(b) regulations; and*

*(c) restrictions,*

*on the parking and stopping of vehicles of a specified class or classes in all roads, or specified roads or specified parts of roads in the parking region at all times or at specified times, but this authority shall not be exercised in a manner inconsistent with the provisions of this local law or any other written law*

**Strategic Plan**

**Key Focus Area:** 3.1.5 The City implements its CBD Parking Strategy.

**Objective:** To encourage the development of the Joondalup CBD.

**Policy:**

The proposed parking scheme is consistent with the City's Parking Strategy and the Resident/Visitor Parking Permits for Joondalup City Centre Policy.

**Risk Management Considerations:**

The proposed scheme amendments are intended to address community amenity in City North. The prior consultation should ensure that there is an opportunity to identify any concerns with the proposal prior to final consideration.

**Financial/Budget Implications:**

The cost of conducting the consultation, relating to the proposed changes, will be \$700 which can be accommodated within the budgeted expenditure of \$1,000 which has been allocated for this purpose.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The City has received two separate petitions from residents of Aldgate Street and Piccadilly Circle in regards to concerns about parking. A recommendation to address their issues has been developed. It is proposed that this recommendation be put out for community consultation prior to final consideration. It is recommended that a consultation period of 30 days be undertaken with residents and business owners within the affected area via a letter drop and through general advertising mechanisms utilised by the City.

It is intended to commence the consultation in February 2012 in keeping with the provisions of the Community Consultation and Engagement Policy, which identifies that consultations are not to be conducted during the summer break.

### **COMMENT**

Parking schemes are subject to ongoing amendment in keeping with changes in parking demand. The City monitors changes in parking demand and evaluates requests to change time limits and allocation of on-street parking facilities to support business activity and residential amenity.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

#### **That Council:**

- 1 AGREES to consult the affected residents and businesses for a period of 30 days on the Proposed Amendments to Parking Scheme – Joondalup City Centre (North) 11/10/11 as shown on Attachment 2 to this Report;**
- 2 REQUESTS a further report on the public consultation prior to consideration of the adoption of the amendments detailed in (1) above; and**
- 3 RESPONDS to the lead petitioners from Piccadilly Circle and Aldgate Street advising them of the proposals outlined in (1) and (2) above.**

*Appendix 14 refers*

To access this attachment on electronic document, click here: [Attach14brf061211.pdf](#)



## **ITEM 18                    PETITION IN RELATION TO THE DRAFT STRUCTURE PLAN FOR THE FORMER CRAIGIE HIGH SCHOOL SITE AND THE IMPACT OF INCREASED TRAFFIC FLOW ON LOCAL RESIDENTS**

<b>WARD:</b>	Central
<b>RESPONSIBLE DIRECTOR:</b>	Mr Glen Flood Infrastructure Services
<b>FILE NUMBER:</b>	100894, 101515
<b>ATTACHMENTS:</b>	Attachment 1            Location Plan Attachment 2            Structure Plan Map Attachment 3            Proposed traffic treatments

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### **PURPOSE**

To consider a petition received by Council requesting the implementation of a traffic management plan prior to the completion of the proposed development of the former Craigie High School site being Lot 500 and Lot 501 Arawa Place, Craigie.

### **EXECUTIVE SUMMARY**

At its meeting held on 19 April 2011 (CJ062-04/11 refers), Council resolved to adopt Craigie High School Structure Plan No 13 with the condition that the developer will be required to upgrade and construct traffic management treatments on the existing road network to accommodate additional traffic generated from the structure plan area.

At its meeting held on 28 June 2011 (C22-06/11 refers), Council received an 84 signature petition from residents in relation to the Draft Structure Plan for the former Craigie High School site and the impact of increased traffic flow on local residents. The petitioners *“request that Council begin consideration of this impact and immediately start a process of consultation for a traffic management plan, with a view to implementing this management plan prior to the completion of the proposed development.”* A further petition of 441 signatures, of which 437 signatories reside in the City, was received on the 29 June 2011 regarding the same matter.

It is considered that the traffic management treatments proposed by the developer through the structure plan are appropriate to manage the increase in residential traffic. A further assessment of the local road network can be undertaken to confirm the operation of the traffic management treatments once the proposed development is complete.

It is recommended that Council:

- 1 NOTES the petition and current provision for traffic management requirements for the Craigie High School Structure Plan No 13;
- 2 NOTES that the developer will be required to assess, develop and manage traffic related issues during the construction of the subdivision including but not limited to traffic management that relates specifically to the Whitford Catholic Primary School;
- 3 UNDERTAKES a traffic assessment and make recommendations regarding the operation of Albion Street, Arawa Place, Camberwarra Drive and adjoining intersections upon completion of the residential development of the former Craigie High School site; and
- 4 ADVISES the Petition Organiser of Council's decision.

## **BACKGROUND**

Lot 500 and Lot 501 Arawa Place, Craigie, were previously used for the former Craigie High School. The subject site (Attachment 1 refers) was rezoned to 'Urban Development' to allow future residential development to occur. A draft structure plan (Attachment 2 refers) proposes approximately 177 residential lots to be developed on the site. Council at the meeting of 19 April 2011 (CJ062-04/11 refers) endorsed the following:

- "1 ADOPTS the Craigie High School Structure Plan No 13, subject to modifications in accordance with Attachment 9 of Report CJ062-04/11, and submit the Plan to the Western Australian Planning Commission for final adoption and certification;*
- 2 ADOPTS the Craigie Structure Plan No 13 and proposed modifications as an Agreed Structure Plan and authorises the affixation of the Common Seal to, and the signing of, the Structure Plan document, subject to certification by the Western Australian Planning Commission detailed in Part 1 above;*
- 3 NOTES the submissions received and ADVISES the submitters of the Council's decision;*
- 4 ADVISES the applicant that a developer contribution will be required at the time of subdivision to facilitate infrastructure works, including:*
  - 4.1 Drainage works associated with Albion sump and Otago sump which will accommodate the drainage from the Structure Plan Area;*
  - 4.2 Upgrading, construction and widening of Albion Street/Marmion Avenue intersection to accommodate additional traffic generated from the Structure Plan Area;*
  - 4.3 Upgrading and construction of traffic management devices (medians, roundabout and carriageway modifications) on Cambewarra Drive to accommodate additional traffic generated from the Structure Plan Area;*

- 5 *NOTES that the City will liaise with the developer to implement mechanisms to prevent vehicular access to the bushland areas that form part of the subject site and that are located to the north of the subject site.*

At its meeting held on 28 June 2011 (C22-06/11 refers), Council received a 84 signature petition from residents in relation to the Draft Structure Plan for the former Craigie High School site and the impact of increased traffic flow on local residents.

## **DETAILS**

The petition received by Council on the 28 June 2011 requested that “*Council begin consideration of this impact and immediately start a process of consultation for a traffic management plan, with a view to implementing this management plan prior to the completion of the proposed development.*” A further petition of 441 signatures of which 437 signatories reside in the City was received on the 29 June 2011 regarding the same matter.

### **Draft Structure Plan Traffic Study Recommendations**

In support of the draft structure plan proposal for the former Craigie High School site, a holistic traffic study incorporating site investigations, traffic data collections and traffic modelling was undertaken by the developer. Comparisons between the existing and future road and intersection operations were undertaken to confirm their performance levels and enable recommendations to be made.

The traffic modelling by the developer confirmed that all roads and intersections that will be used to access the proposed structure plan area will operate well with moderate increases in queuing and delays to be experienced. A summary of the traffic management treatments planned for the existing road network include the following:

- Albion Street/Marmion Avenue (proposed intersection left and right turn lanes)
- Arawa Place/new access road (proposed T junction east of Camberwarra Drive)
- Camberwarra Drive/new access road (proposed roundabout)
- Camberwarra Drive/Arawa Place (existing intersection layout remains)
- Camberwarra Drive/Albion Street (existing intersection islands to remain)
- Additional emergency access Arawa Place

### **Intersection Traffic Management**

The Craigie structure plan indicates that the residential traffic will access/egress the proposed development area by two access points, one on Camberwarra Drive and one on Arawa Place (Attachment 2 refers). The proposed residential development is anticipated to generate approximately 1300 vehicle trips per day representing the combined exit and entry movements to the site over a 24 hour period on an average week day. The traffic modelling undertaken for the area considered both existing and post development cases.

A number of traffic management treatments are proposed for the existing road network to control traffic movements and cater for the increase in traffic volumes (Attachment 3 refers). The proposed traffic management for the development include the following design elements:

*Albion Street /Marmion Avenue intersection improvements*

The traffic modelling confirmed that vehicle queues will increase on Albion Street at the intersection with Marmion Avenue as a result of the development. Intersection modification to provide separate right and left turn lanes on Albion Street is required to reduce vehicle queues and delays (Attachment 3 refers). It is proposed that the west bound lane on Albion Street be widened slightly over a 50m distance to achieve the intersection two lane configuration. The intersection modification will allow the intersection to operate well within acceptable limits under give way control.

*Proposed T-junction - Arawa Place/new access road*

The second access road to the site is located on Arawa Place. The access will help spread residential traffic within the area and importantly will offer an alternative to the Camberwarra Drive roundabout during school peak periods. The traffic modelling confirmed that the new intersection will perform well with minimal delays in the post development situation.

*Camberwarra Drive/Arawa Place Intersection*

The traffic modelling confirmed that the existing intersection will perform well with minimal delays in a post development situation therefore no intersection modification is warranted.

*Proposed roundabout - Camberwarra Drive/new access road/school car park*

A single lane roundabout is proposed at this location and will feature pre-deflection geometry on Camberwarra Drive to reduce traffic speeds within the school precinct and control turning movements for vehicles that access/egress the development site. The proposed roundabout will also provide direct access to Whitford Primary School southern car park. The informal parking area on the eastern side of Camberwarra Drive in the vicinity of the proposed roundabout will be removed as part of the subdivision development.

*Camberwarra Drive/Albion Street intersection*

The traffic modelling confirmed that the existing intersection will perform well with minimal delays in a post development situation therefore no intersection modification is warranted. Currently the intersection incorporates intersection islands on all three legs and therefore provides appropriate control for turning vehicles.

## **Existing Road Network**

*Albion Street and Camberwarra Drive*

Albion Street and Camberwarra Drive are Local Distributor Roads, designed to provide property access, distribute local traffic and provide connection to District Distributor Roads. Camberwarra Drive consists of two carriageways with a 2m wide red asphalt median with median islands, median trees and intersection islands at key locations. The road provides a local traffic loop with connections to numerous other roads including Albion Street and Arawa Place. The road also provides direct access to Whitford Catholic Primary School, Otago Park and residential properties along its length.

Albion Street is a single carriageway, two lane road of approximately 150m in length. The road has a marked centreline the full length to separate traffic flows and includes intersection islands at both Marmion Avenue and Camberwarra Drive. The road provides direct access to twelve residential properties and provides connection between Camberwarra Drive and Marmion Avenue.

Under Main Roads Metropolitan Functional Road Hierarchy, Local Distributor Roads are capable of carrying a maximum desirable traffic volume of 6,000 vehicles per day (vpd). The traffic volumes for Albion Street and Camberwarra Drive are 1435 vpd and 2098 vpd (August 2008 counts) respectively. On the basis of the forecast traffic volumes for the development, it is anticipated that both Albion Street and Camberwarra Drive will operate well within acceptable limits.

#### *Arawa Place*

Arawa Place is a local access road of 400m in length that provides direct access to 33 residential properties and connects to Camberwarra Drive in the west and Kadina Street in the east. Site investigations during morning peak periods (8am-9am) confirmed that traffic volumes east of the intersection with Camberwarra Drive are approximately 16 vehicles per hour. It is anticipated that once the development is complete, traffic volumes will increase to approximately 52 vehicles per hour during morning peak periods which is well within acceptable limits for a road of this type.

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

Council has the option to:

- 1 Note the petition and resolves to monitor and review the operation of the road network once the residential development is completed.
- 2 Note the petition and takes no further action.

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

**Legislation:** Road Traffic Code 2000; and  
Main Roads Act 1930.

#### **Strategic Plan**

**Key Focus Area:** Community wellbeing.

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

#### **Policy:**

Not Applicable.

#### **Risk Management Considerations:**

If Council takes no further action there is a perceived risk the traffic management for the development will have a negative impact on the amenity of the residential area. Should Council resolve to liaise further with the developer for the purpose of developing a communication plan, there is an opportunity to address or alleviate landowners concerns prior to works commencing.

**Financial/Budget Implications:**

It is proposed that the developer will be required at the time of subdivision to facilitate infrastructure works including traffic management requirements for intersections and road sections.

**Regional Significance:**

Not Applicable.

**Consultation:**

The Draft Structure Plan was advertised for public comment for a period of 28 days, closing on 3 March 2011. Of the twenty two submissions received, a number of submissions raised concerns in regard to the proposed Camberwarra Drive roundabout and the increased traffic on Albion Street which provides access to Marmion Avenue.

Initial discussions between City officers and Whitford Catholic Primary School were undertaken on 29 September 2011 to confirm school traffic management and parking operations prior to land development occurring.

**COMMENT**

Construction activity associated with the subdivision of the structure plan area and resulting development of the dwellings on the residential lots will unavoidably generate some additional traffic on surrounding roads. The City is supportive of the proposed roundabout and intersection modifications and considers these necessary to appropriately manage traffic within the area. An assessment of the road network can also be undertaken once the subdivision development is complete when additional residential traffic occurs. The aim of the assessment would be to confirm the operation of the local road network and identify improvements. The assessment can be undertaken as part of the City's ongoing traffic investigation program and would include traffic counts, site inspections and intersection analysis in the case of the Albion Street/Marmion Avenue intersection.

The developers are responsible for managing traffic related issues on the local road network during construction of the subdivision. City officers are available to assist Whitford Catholic Primary School regarding school traffic management during the construction phase of the proposed roundabout on Camberwarra Drive. Temporary parent parking and pedestrian access may also need to be considered once the roundabout construction commences and access to the informal parking area on the eastern side of Camberwarra Drive and the southern school car park is restricted.

**VOTING REQUIREMENTS**

Simple Majority.

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

- 1 NOTES the petition and current provision for traffic management requirements for the Craigie High School Structure Plan No 13;**
- 2 NOTES that the developer will be required to assess, develop and manage traffic related issues during the construction of the subdivision including but not limited to traffic management that relates specifically to the Whitford Catholic Primary School;**
- 3 UNDERTAKES a traffic assessment and make recommendations regarding the operation of Albion Street, Arawa Place, Camberwarra Drive and adjoining intersections upon completion of the residential development of the former Craigie High School site; and**
- 4 ADVISES the Petition Organiser of Council's decision.**

*Appendix 15 refers*

To access this attachment on electronic document, click here: [Attach15brf061211.pdf](#)

## **ITEM 19                    PROPOSED                    OFFICE                    AND                    SHOWROOM DEVELOPMENT AT LOT 107 (473) BEACH ROAD, DUNCRAIG**

**WARD:**                    South

**RESPONSIBLE  
DIRECTOR:**            Ms Dale Page  
                                  Planning and Development

**FILE NUMBER:**        09483 101515

**ATTACHMENTS:**      Attachment 1            Location plan  
                                  Attachment 2            Development plans and perspectives  
                                  Attachment 3            Environmentally sustainable design - checklist  
                                  Attachment 4            Map of Submitters  
                                  Attachment 5            Notes of the Joondalup Design Reference Panel

### **PURPOSE**

To request Council's determination of an application for a proposed office and showroom development at Lot 107 (473) Beach Road, Duncraig.

### **EXECUTIVE SUMMARY**

An application for planning approval has been received for an office and showroom development at Lot 107 (473) Beach Road, Duncraig.

The subject site is located on the north east corner of the intersection of Beach Road and Davallia Road in Duncraig. The proposed development will incorporate 466m<sup>2</sup> of showrooms and 502m<sup>2</sup> of offices.

The site is zoned "Urban" under the Metropolitan Region Scheme (MRS), and Commercial under the City's District Planning Scheme No.2 (DPS2). Office and Showroom are permitted uses within the Commercial zone.

The proposal meets the development standards of DPS2 with the exception of an eleven bay car parking shortfall, depth of landscaping between the intersection of Beach Road and Davallia Road and the proposed car park, and the height of the proposed bin enclosure.

The application was advertised for a period of 21 days. Advertising commenced on 2 November 2011 and finished on 23 November 2011. Letters were sent to 38 land owners in the general vicinity of the subject site. Additionally, a sign was placed on the subject lot at the corner of Beach Road and Davallia Road. Notice of the development was also placed on the City's website. The City received ten submissions, being eight objections and two non-objections. The objections related to the number of car bays proposed and the potential for new businesses to compete with existing businesses in the vicinity.

The proposal was presented to the Joondalup Design Reference Panel (JDRP) on 29 November 2011. The feedback from the panel is discussed later in this report. The notes are provided as Attachment 5. Overall the design of the development is considered to be of acceptable aesthetic quality and will be a positive contribution to the commercial precinct. The application is recommended for approval subject to conditions.



## BACKGROUND

**Suburb/Location:** Lot 107 (473) Beach Road, Duncraig.  
**Applicant:** One Construction (WA) Pty Ltd.  
**Owner:** Violet Beauregarde Pty Ltd.  
**Zoning:** **DPS:** Commercial  
**MRS:** Urban  
**Site Area:** 1856m<sup>2</sup>  
**Structure Plan:** Not Applicable.

The site is located within the commercial zone on the north east corner of the intersection of Beach Road and Davallia Road in Duncraig.

A service station was approved on the site in 1972 and has recently been demolished. A memorial currently exists on the certificate of title for the property which categorises the lot as a contaminated site. The nature of the contamination is petroleum hydrocarbons which are present as a plume in groundwater beneath the site. A restriction on groundwater abstraction is present on the site. As per the requirements of the *Contaminated Sites Act 2003* this application was referred to the Department of Environment and Conservation (DEC) for advice. The DEC advised that the site is suitable for the proposed development subject to any groundwater monitoring bores currently present on site not being disturbed. The DEC advises that if any bores are damaged or destroyed they should be replaced and that the current owners of the lot should work cooperatively with the former lessees and their consultants to minimise any disruption to the groundwater monitoring program during construction works.

An unofficial reciprocal access agreement exists between the owners of the subject lot and the owners of the adjoining Carine Glades shopping centre. The Carine Glades shopping centre depends on access across the northern edge of the subject lot for access to 14 parking bays on the shopping centre site. Unofficial unrestricted vehicle access has been in place between the eastern side of the subject lot and the shopping centre site for many years.

## DETAILS

The development proposal incorporates the following:

- The construction of a new two storey building fronting both Beach Road and Davallia Road;
- The facades of the proposed building are comprised of texture coated concrete with extensive glazing;
- The southern and eastern elevations include architectural feature walls treated with Alpolite cladding;
- The glazing to the eastern and western elevations is treated with powder coated sun louvres;
- Stainless steel feature downpipes;
- 466m<sup>2</sup> of showrooms and 502m<sup>2</sup> of offices;
- 22 car bays consisting of 21 regular bays and one disabled car bay;
- Two commercial service/loading bays;
- Extensive landscaping (12% of the lot) including five shade trees in the car parking area;

- Terraced retaining walls along the Davallia Road boundary. The site is cut a maximum of 1.3m to allow for level car parking;
- Vehicular access from Davallia Road and Beach Road (shared with the shopping centre on adjoining Lot 11); and
- A pedestrian access way linking Davallia Road and Beach Road to the subject lot and the Carine Glades Shopping Centre.

The development plans and building perspectives are provided in Attachment 2.

### Car parking

The following table sets out the car parking requirement for the development in accordance with DPS2.

<b>Development (standard)</b>	<b>Car bays required</b>	<b>Car bays provided</b>
Proposed showrooms/offices (one bay per 30m <sup>2</sup> NLA)	33	22
<b>TOTAL</b>	<b>33</b>	<b>22</b>

The proposal results in an eleven car bay shortfall (33%). In support of the shortfall the applicant has provided five onsite bike racks, and an end-of-trip facility (shower and toilet) accessible to each of the commercial tenancies.

### Building Design

The applicant has supplied the following details:

- The facades of the proposed building are comprised of texture coated concrete panels with extensive glazing to all elevations.
- The southern, eastern and eastern elevations include architectural feature walls treated with Alpolic cladding.
- The northern, eastern and western elevations contain integrated signage panels.
- The glazing to the eastern and western elevations is treated with powder coated sun louvres. The building features stainless steel feature downpipes.
- The air conditioning units on the roof are screened from view from the street by a vented screen wall.

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

Council has the discretion to:

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

## Legislation/Strategic Plan/Policy Implications

**Legislation:** City of Joondalup District Planning Scheme No.2.

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

### 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 or wishes of any public or municipal authority received as part of the submission process;*
- (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:** 4.1 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 \$3252.50 (excluding GST) to cover all costs associated with assessing the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The applicant has addressed the City's sustainability checklist for the development (Attachment 3 refers), indicating the use of some sustainability measures with further measures to be indicated with the Building Licence application.

The proposed design incorporates louvred windows to the eastern and western elevations to aid with thermal protection of the building. Additionally, the western elevation includes a landscaped "green wall" to further reduce the thermal impact of afternoon sun on the building.

**Consultation:**

The application was advertised for a period of 21 days. Advertising commenced on 2 November 2011 and finished on 23 November 2011. Letters were sent to 38 land owners in the general vicinity of the subject site. Additionally, a sign was placed on the subject lot at the corner of Beach Road and Davallia Road. Notice of the development was also placed on the City's website. The City received ten submissions, being eight objections and two non-objections.

Key issues arising from public consultation

Objections to the proposed development raised the following concerns:

- Insufficient car parking proposed on site may lead to parking issues in the vicinity;

*City response: Please refer to comments section for a detailed response on this issue.*

- Potential for new businesses to compete/conflict with existing businesses in the adjoining commercial precinct;

*City response: Competition between businesses is not able to be taken into consideration as part of a planning assessment of a development application.*

**COMMENT**

The application is for a new office and showroom development at Lot 107 (473) Beach Road, on the northeast corner of Beach Road and Davallia Road, Duncraig. The requirements of DPS2 are met except where discussed below.

Car parking

The proposed development has a car parking shortfall of eleven bays (33%) to that required by DPS2. The site has historically shared an informal reciprocal parking and access agreement with the adjoining Carine Glades Shopping Centre site (Lot 11 Beach Road). This agreement allows unrestricted car parking, and vehicular and pedestrian access across the two property boundaries. The subject lot owner and the adjoining shopping centre owner have agreed to formalise this arrangement so that reciprocal car parking and pedestrian and vehicular access shall be adopted over both sites. This will be required as part of an approval of this proposal.

Council is required to determine whether the 22 bays proposed for the site are sufficient to service the proposed development. The options available to Council are:

- 1 Determine that the provision of 22 car parking bays is appropriate;
- 2 Determine that the provision of 22 car parking bays is not appropriate; or
- 3 Determine that a cash-in-lieu payment of \$285,219 is required for the shortfall in parking.

The applicant advises that consideration was given to developing the subject lot separately to the shopping centre site but it was agreed with the adjoining owner that this would cause a car parking shortfall and traffic disruption on the shopping centre site. The shopping centre site currently relies on shared vehicular access to a crossover on Davallia Road and a crossover on Beach Road. If the applicant was to develop the subject lot such that vehicular access was restricted to the shopping centre site from Davallia Road; 14 car bays on the shopping centre site would potentially be lost. If the applicant was to develop the subject lot such that vehicular access was restricted to the shopping centre site from Beach Road; the existing crossover would be required to be widened and at least three additional bays on the shopping centre site would potentially be lost. This would potentially create a further 17 car bay shortfall on the adjoining shopping centre site; in addition to the existing nine car bay short fall on that site.

In support of the car parking short fall the applicant suggests that employees of businesses within the development will take advantage of the bicycle racks and end-of-trip facilities available onsite. Furthermore it is anticipated that surrounding residents will access the site by foot. The applicant has proposed to provide, at the owners cost, pedestrian access paths which will link an existing pedestrian access path on Davallia Road, to the subject lot and beyond to the Carine Glades shopping centre car park. Pedestrian access paths have also been proposed to link a pedestrian path on Beach Road.

The applicant has also identified the high frequency public transport servicing the site, as an alternative to car travel.

#### Landscaping depth

DPS2 requires that a landscaping area no less than three metres deep be provided where a car park abuts a street. The proposed landscaping between Beach Road and the proposed car park and between Davallia Road and the proposed car park is generally a minimum of three metres wide as required. However in the vicinity of the southwest corner of the car park the landscaping has a minimum width of two metres. It is noted that the overall landscaping provision for the development is in excess of the 8% required, at approximately 12%.

#### Bin Enclosure

DPS2 requires that a bin enclosure has a screen wall height of not less than 1.8m. The proposed bin enclosure has a screen wall height of 1.37m. It is noted that the applicant proposes to utilise 1.1m high portable "Wheelie" bins which will be screened by the 1.37m wall. Due to the existing verge levels the bin enclosure will be below street level.

### Joondalup Design Reference Panel

The JDRP met on 29 November 2011 to discuss the proposal. The panel was generally in support of the development. The applicant provided the following responses to the issues raised:

- Bin store location - *We have taken the panels advice and relocated the bin store as suggested. We have relocated the bin store to the garden area adjacent to bay 13. Due to the site levels this bin area will be shielded from street view. The bin area that faces the car park and building will be shielded adequately by screen walls and gates. There will be an access path from the car park to the bin area;*
- Side pedestrian access levels and awning cover - *The current 1500 wide pedestrian access to the north elevation can and will be constructed to comply with building code regulations and to Australian Standard. There are existing awnings currently to both of these elevations that can be extended to provide adequate shading. The awning to the northern elevation cannot be lowered due to head room requirements along the sloping footpath;*
- Western Elevation - *We have modified the Davallia Road elevation to create more interest. With the removal of the bin store we have created an arcade main entry to this elevation and also surrounded this point of entry with feature to create a focal point. This style is similar to both the existing east and south elevations. Please refer to revised drawings. The proposed green wall will be looked at on advice from the JDRP landscape architect. The garden area to the western elevation next to the building will not be changed in area however a different selection of vegetation will be used in lieu of a climbing green wall selection;*
- Skylights - *Natural lighting in the form of a vaulted ceiling to the central core of the building has been incorporated into the design. This will allow natural light to flood the top floor foyer area and down the staircase;*
- Signage - *The signage trusses will be constructed from a steel sub frame that will be clad internally with 9mm compressed sheeting. The reason for the choice of this product is that it provides a secure base for the attachment of tenancy signage. From our experience with traditional sign writing where a contractor paints the sign on a building does not occur anymore due to OH&S requirements and cost. It is more cost effective with greater quality if a sign is manufactured off site and then installed in one piece on site. Therefore the choice of signage base material is not of importance as it is covered by the tenancy sign;*
- Ventilation to Toilets - *All toilet ventilation will be exhausted through the roof with a dual inline fan system to BCA requirements. There will be no vented windows to toilet areas visible on any elevations;*
- Lift and Screening of Roof Projections - *We confirm that the internal lift is machine room less and its machinery is located inside the lift shaft; and*
- Ground Water Monitoring Bores - *On advice from BP Australia the water monitoring bores do not need to be maintained and their advice prior to the demolition was that if they are destroyed it is of no consequence as their remediation works are complete.*

## Conclusion

The proposed variations to the DPS2 are considered appropriate. The car parking being provided is considered sufficient to service the proposed development having regard to the provision of bicycle and end of trip facilities. Furthermore the overall layout of the development is constrained by the attempt to maintain the car parking requirements of the adjoining lot. Additionally pedestrian access has been incorporated to increase accessibility generally to the subject site and the adjoining shopping centre.

Overall the design of the development is considered to be of acceptable aesthetic quality and will be a positive contribution to the commercial precinct.

The application is recommended for approval subject to conditions.

## **VOTING REQUIREMENTS**

Simple majority.

## **RECOMMENDATION**

### **That Council:**

- 1 EXERCISES discretion under clause 4.5.1 and 4.8.2 of the City of Joondalup District Planning Scheme No.2 and determines that:**
  - 1.1 Carparking provision of 22 bays in lieu of 33 bays;**
  - 1.2 Minimum landscaping depth of 2.0m between the street boundary and the carpark; and**
  - 1.3 Bin enclosure wall height of 1.37m,**

**are appropriate in this instance;**
- 2 APPROVES the application for planning approval dated 10 October 2011, submitted by One Construction (WA) Pty Ltd, on behalf of the owners, Violet Beauregarde Pty Ltd for proposed showroom and office development at 107 (473) Beach Road, Duncraig, subject to the following conditions:**
  - 2.1 This decision constitutes planning approval only and is valid for a period of two (2) years from the date of the decision letter. If the subject development is not substantially commenced within the two (2) 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;**
    - and**
    - 2.2.5 other matters likely to impact on the surrounding properties;**



- 2.3 A Refuse Management Plan indicating the method of rubbish collection is to be submitted to and approved by the City, prior to the commencement of construction;
- 2.4 The lodging of detailed landscaping plans with the Building Licence Application based on water sensitive urban design and Designing Out Crime principles to the satisfaction of the City. For the purpose of this condition a detailed landscaping plan shall be drawn to a scale of 1:100. All details relating to paving, treatment of verges, the green wall, and tree planting in the car park, are to be shown on the landscaping plan;
- 2.5 Landscaping (including the green wall as indicated on the approved plans), 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;
- 2.6 The car parking shade trees as indicated on the approved plans shall be installed prior to the development first being occupied. The trees shall be located within tree wells and protected from damage by vehicles and maintained to the satisfaction of the City;
- 2.7 Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of construction;
- 2.8 An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. The proposed stormwater drainage system is required to be shown on the Building Licence submission and be approved by the City prior to the commencement of construction;
- 2.9 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;
- 2.10 A suitable legal agreement being prepared, to the satisfaction of the City, enabling:
  - 2.10.1 Uninterrupted vehicular and pedestrian access across the appropriate portions of Lot 107 and Lot 11 being provided in perpetuity; and
  - 2.10.2 Reciprocal car parking for visitors to either site.

Such an agreement shall be prepared by the City's Solicitors, at the applicant's expense, prior to the issue of a Building Licence by the City.

- 2.11 The retaining walls and bin enclosure walls shall be treated with non-sacrificial anti-graffiti coating;
- 2.12 All signage shall be the subject of a separate Development Application;
- 2.13 A lighting plan detailing all external pole and fixture positions, lux levels and light spillage shall be submitted with the Building Licence Application for the approval of the City;
- 2.14 Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas in accordance with the approved lighting plan prior to the development first being occupied to the satisfaction of the City;
- 2.15 All construction works shall be contained within the property boundary;
- 2.16 The applicant shall remove the existing crossovers not required by the proposed development and make good the verge to the satisfaction of the City; and
- 2.17 The bin enclosure entrance shall be screened to the satisfaction of the City.

*Appendix 16 refers*

To access this attachment on electronic document, click here: [Attach16brf061211.pdf](#)

## 8 REPORT OF THE CHIEF EXECUTIVE OFFICER

## 9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

**NOTICE OF MOTION – MAYOR TROY PICKARD – REQUEST TO EXCISE PORTION OF RESERVE 30149 HAKEA PARK (11) HAKEA PLACE, SORRENTO AND AMALGAMATE THE LAND INTO RESERVE 31856 SORRENTO PRIMARY SCHOOL (14) ELFREDA AVENUE, SORRENTO (47827, 04647)**

In accordance with Clause 26 of the Standing Orders Local Law 2005, Mayor Troy Pickard has given notice of his intention to move the following Motion at the Council meeting to be held on 13 December 2011:

***“That Council BY AN ABSOLUTE MAJORITY:***

**1. REVOKES its decision of 23 November (Item CJ210-11/11) as follows:**

***“That Council:***

- 1 SUPPORTS the advertising of the proposed installation of a 1.15m high fence and gate on the Hakea Place boundary of Hakea Park to all landowners in Hakea Place for a period of 21 days;**
- 2 AUTHORISES the Director Planning and Development to advise the applicant of the City’s approval to erect the fence on the boundary of Hakea Park, in the event that no objections are received during the advertising period;**
- 3 NOTES, that in the event that objections are received from surrounding landowners to the proposed erection of a fence on the boundary of Hakea Park, that a further report will be presented to Council for consideration;**
- 4 NOTES that all costs associated with the installation and maintenance of the fence are to be borne by the Department of Education.”**

**2. ENDORSES:**

- 2.1 Community consultation being undertaken to owners and occupiers of properties within a radius of 200 metres of Hakea Park to determine the level of support for the installation of a 1.15m high fence and gate on the Hakea Place boundary of Hakea Park;**
- 2.2 A further report being presented to Council on the results of the community consultation in Part 1 above.**

**REASON FOR MOTION**

As the above motion was an alternate and contrary to the Officer's recommendation, the Administration have not been afforded an opportunity to fully inform the Elected Members on the potential ramifications of the decision and it is currently worded in such a manner that it may not be referred to Council for final determination. It is suggested appropriate that regardless of the outcome of the public comment period a report be presented to Council affording an opportunity for Elected Members to be fully informed about this issue.

**ELECTED MEMBER SUPPORT FOR REVOCATION MOTION**

In accordance with Clause 57 of the City of Joondalup Standing Orders Local Law 2005 (Regulation 10 of the Local Government (Administration) Regulations 1996) this Notice of Motion is signed by the following five Elected Members (being one third of the number of offices of members of Council).

Mayor Troy Pickard  
Cr Mike Norman  
Cr Russ Fishwick  
Cr Kerry Hollywood  
Cr Tom McLean

**Officer's Comment**

The proposed notice of motion would require the City to consult with the property owners within a 200 metres radius of Hakea Park, rather than those owners just in Hakea Place.

Council's decision (CJ210-11/11) would require a report being presented to Council in the event that objections are received. The notice of motion requires a report being presented to Council regardless of the comments received.

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



**DECLARATION OF  
FINANCIAL INTEREST/INTEREST THAT MAY AFFECT  
IMPARTIALITY**

**To: CHIEF EXECUTIVE OFFICER  
CITY OF JOONDALUP**

<b>Name/ Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

Section 5.65(1) of the Local Government Act 1995 states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) *in a written notice given to the CEO before the meeting; or*
- (b) *at the meeting immediately before the matter is discussed.*



## DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

**To: CHIEF EXECUTIVE OFFICER  
CITY OF JOONDALUP**

<b>Name/ Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
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- (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





**STATEMENT TO BE MADE AT  
BRIEFING SESSION/COUNCIL MEETING**

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

**STATEMENT**

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Please submit this form at the meeting or:

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- **email** to [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

**Please note that:**

- Statements made at a **Briefing Session** must relate to matters contained on the draft agenda.
- Statements made at a **Council meeting** can 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