

# minutes

MEETING HELD ON **TUESDAY, 24 JULY 2012**

## TABLE OF CONTENTS

ITEM NO	TITLE	PAGE NO
	<b>DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS</b>	1
	<b>PUBLIC QUESTION TIME</b>	2
	<b>PUBLIC STATEMENT TIME</b>	6
	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	6
	<b>CONFIRMATION OF MINUTES</b>	6
C46-07/12	MINUTES OF COUNCIL MEETING HELD 26 JUNE 2012	6
C47-07/12	MINUTES OF SPECIAL COUNCIL MEETING HELD 10 JULY 2012	6
	<b>ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION</b>	7
	<b>DECLARATIONS OF INTEREST</b>	8
	<b>IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS</b>	8
	<b>PETITIONS</b>	8
	<b>REPORTS</b>	9
CJ123-07/12	DEVELOPMENT, CODE VARIATION AND SUBDIVISION APPLICATIONS - MAY 2012 [07032, 101515]	9
CJ124-07/12	PROPOSED AMENDMENT NO 61 TO DISTRICT PLANNING SCHEME NO 2 - LOT 23 (77) GIBSON AVENUE, PADBURY - CONSIDERATION FOLLOWING ADVERTISING - [101669]	13
CJ125-07/12	TAMALA PARK REGIONAL COUNCIL - POWER OF ATTORNEY AND AMENDMENT OF ESTABLISHMENT AGREEMENT - [41196]	18
CJ126-07/12	ICLEI WATER CAMPAIGN MILESTONE 5 ACHIEVEMENT - [78616]	22
CJ127-07/12	PROPOSED PEST PLANT LOCAL LAW 2012 - APPROVAL TO ADVERTISE - [102572, 33409]	26
CJ128-07/12	MINUTES OF EXTERNAL COMMITTEES - [41196, 60514, 00033]	31
CJ129-07/12	EXECUTION OF DOCUMENTS - [15876]	36
CJ130-07/12	CAPITAL WORKS COMMITTEE - MEMBERSHIP - [102234]	38

ITEM NO	TITLE	PAGE NO
CJ131-07/12	LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2012 - [09882]	42
CJ132-07/12	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2012 – [07882]	45
CJ133-07/12	TENDER 008/12 - PROVISION OF LANDSCAPE SERVICES - HARBOUR RISE ESTATE, HILLARYS - [102306]	48
CJ134-07/12	TENDER 012/12 - FLOODLIGHT POLE REPLACEMENT AT VARIOUS PARKS - [102316]	54
CJ135-07/12	TENDER 013/12 - PROVISION OF IRRIGATION ELECTRICAL SERVICES - [102324]	60
CJ136-07/12	PERCY DOYLE RESERVE MASTER PLAN - [02056]	66
CJ137-07/12	BRAMSTON PARK PROPOSED CLUBROOM/COMMUNITY FACILITY - [87611]	84
	<b>STRATEGIC FINANCIAL MANAGEMENT COMMITTEE REPORTS</b>	91
CJ138-07/12	20 YEAR STRATEGIC FINANCIAL PLAN - [52582]	91
CJ139-07/12	PROPOSED DISPOSAL OF LOT 202 (20) KANANGRA CRESCENT, GREENWOOD - PUBLIC ADVERTISING OF BUSINESS PLAN - [63627]	112
CJ140-07/12	PROPOSED DISPOSAL OF LOT 200 (18) QUILTER DRIVE, DUNCRAIG - PUBLIC ADVERTISING OF BUSINESS PLAN - [63627]	118
CJ141-07/12	PROPOSED DISPOSAL OF LOT 766 (167) DAMPIER AVENUE, KALLAROO - PUBLIC ADVERTISING OF BUSINESS PLAN - [63627]	124
CJ142-07/12	PROPOSED DISPOSAL OF LOT 147 (25) MILLPORT DRIVE, WARWICK - PUBLIC ADVERTISING OF BUSINESS PLAN - [63627]	130
C48-07/12	CONSIDERATION OF CHANGE TO ORDER OF BUSINESS	140
C49-07/12	COUNCIL DECISION – EN BLOC RESOLUTION - [02154, 08122]	140
CJ145-07/12	MINDARIE REGIONAL COUNCIL - VARIATION TO CONSTITUTION - [03149]	141/149
C50-07/12	MOTION TO GO BEHIND CLOSED DOORS – [02154, 08122]	144

<b>ITEM NO</b>	<b>TITLE</b>	<b>PAGE NO</b>
	<b>REPORT OF THE CHIEF EXECUTIVE OFFICER</b>	141
CJ143-07/12	CONFIDENTIAL - PROPOSED DISPOSAL OF CITY FREEHOLD PROPERTIES - STATUS REPORT - [63627]	145
CJ144-07/12	CONFIDENTIAL - RATIONALISATION OF CHILD HEALTH CENTRES IN THE CITY OF JOONDALUP - [03398, 27459, 20122, 06769, 19107]	147
C51-07/12	MOTION TO GO TO OPEN DOORS – [02154, 08122]	148
CJ145-07/12	MINDARIE REGIONAL COUNCIL - VARIATION TO CONSTITUTION - [03149]	149/141
	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	150
	<b>ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING</b>	150
	<b>CLOSURE</b>	150

## CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON TUESDAY, 24 JULY 2012**

### DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

### ANNOUNCEMENT OF VISITORS

#### Mayor:

TROY PICKARD

#### Councillors:

CR TOM McLEAN, JP	North Ward
CR PHILIPPA TAYLOR	North-Central Ward
CR SAM THOMAS	North-Central Ward
CR GEOFF AMPHLETT, JP	Central Ward
CR CHRISTINE HAMILTON-PRIME	South-West Ward
CR MIKE NORMAN	South-West Ward
CR JOHN CHESTER	South-East Ward - <i>Deputy Mayor</i>
CR BRIAN CORR	South-East Ward
CR TERESA RITCHIE	South Ward

#### Officers:

MR GARRY HUNT	Chief Executive Officer
MR MIKE TIDY	Director Corporate Services
MR JAMIE PARRY	Director Governance and Strategy
MS DALE PAGE	Director Planning and Community Development
MR CHARLIE REYNOLDS	Acting Director Infrastructure Services
MR BRAD SILLENCE	Manager Governance and Marketing
MR JOHN HUMPHREYS	Manager Planning Services <i>Absent from 8.13pm until 8.26pm</i>
MR JOHN BYRNE	Governance Coordinator
MRS DEBORAH GOUGES	Governance Officer
MRS LESLEY TAYLOR	Governance Officer

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

**PUBLIC QUESTION TIME**

The following questions were submitted prior to the Council meeting:

**Mr D Blackburn, Kingsley:**

*Re: CJ142-07/12 – Proposed Disposal of Lot 147 (25) Millport Drive, Warwick – Public Advertising of Business Plan*

Q1 *At page 127 of the Agenda for the Meeting of Council 24/7/12 it is stated that seven aged persons dwellings could be developed on the site at R20 density code and also that there is potential for eight at R30.*

(a) *Please explain how the development yield of eight at R30 is calculated, as intuitively if the density code is increased from R20 to R30 in the Housing Opportunity Area 1, the potential number of dwellings should be more than eight for R30?*

A1 (a) There are higher minimum and average lot size requirements for single and grouped dwellings compared to the lot size requirements for aged person's dwellings.

The average lot size requirements at the density code of R20 is 500m<sup>2</sup> and at R30 is 300m<sup>2</sup>. However, for aged persons' dwellings the lot size requirement is reduced by one third of the minimum and average lot size.

Therefore, on the subject site it is estimated that a total of five normal single or grouped dwelling lots could be developed at a density of R20. At a density of R30, a total of eight lots for single or grouped dwellings could be achieved.

Due to the reduction in average lot size for aged person's dwellings, a total of seven lots could be achieved for aged person's dwellings at the R20 density and a total of 12 lots could be achieved for aged person's dwellings at a density of R30, subject to compliance with the Residential Design Codes, City Policies and any other relevant legislation.

Q1 (b) *What is the maximum number of Aged Persons Dwellings that could be developed on the site at an R30 density code if Multiple Dwellings are proposed under Part 7 of the Residential Design Codes?*

A1 (b) It is not possible to accurately predict the number of multiple dwellings that may be accommodated on the site at the density of R30 as the multiple dwelling requirements are different from the single, group and aged persons dwelling requirements.

For multiple dwellings there is no minimum or average lot size, however, a plot ratio of 0.5 is prescribed. There is also a requirement under the Residential Design Codes to provide a mix of one bedroom and two bedroom dwellings with applicable car parking requirements. All of these elements plus the building setback requirements and the requirements of the City's Building Height Policy combined result in the maximum number of dwellings.

Q2 *The proposed disposal lots listed for sale do not all have the same recommended use designation.*

*Is there a difference in the potential development outcome when a lot for sale is designated as either:*

*‘Aged or Dependent Persons’ Dwellings’; or*

*‘Aged Persons’ Dwellings’ (Lot 23 Gibson Avenue, Padbury)*

*Does the first designation allow a development that does not include aged persons but dependent persons of another category?*

A2 The use class of ‘aged or dependent persons’ dwellings has the same permissibility under the City’s District Planning Scheme No 2 and the development requirements under the Residential Design Codes.

The purpose of these dwellings is to accommodate aged or dependent persons as defined in the Residential Design Codes as follows:

- Aged person: A person who is aged 55 years or over.
- Dependent person: A person with a recognised form of disability requiring special accommodation for independent living or special care.

Where a site is designated for the purpose of ‘aged or dependent persons’ dwellings, then both can be accommodated. Where the site is designated for only ‘aged persons’ dwellings then a condition of the development would require at least one person over the age of 55 to reside in the dwelling. There is no change to the potential lot yield based on these land uses.

Re: *CJ138-07/12 - 20 Year Strategic Financial Plan*

Q3 *It was revealed that the Joondalup Performing Arts and Cultural Facility (JPACF) is now planned for a significant capital project capital allocation of a minimum of \$50m, up from \$35m in the last version of the Strategic Financial Plan. It is also indicated in a Risk Analysis that there is a high estimate for the JPACF of \$90m.*

*When will residents be informed of the Needs Analysis, Feasibility Analysis and other Details of such a large project which is now planned to consume at least \$50m and up to \$90m of Capital Funds?*

A3 A Market Analysis and Feasibility Study are currently underway. Once these are completed Council will determine whether to progress to a concept design and then a Business Case. Again, if Council determines to progress the project, public consultation will follow the Business Case.

**The following questions were submitted verbally at the Council meeting:****Mr R Repke, Kallaroo:**

*Re: CJ142-07/12 - Proposed Disposal of Lot 147 (25) Millport Drive, Warwick – Public Advertising of Business Plan*

*Q1 I noticed that this item was not included in the agenda for the Briefing Session. Why was the item placed ad hoc on the agenda for this meeting? Could the item not have been placed on the agenda for next month? Is there any reason to hurry?*

*A1 Mayor Pickard responded that the Administration determines the agenda and they have the ability to present any late items that they wish for consideration by Council.*

*Q2 Should the public have questions about the treatment of the Tuart trees, does this procedure not reduce the time for residents to get organised for tonight's meeting? Is that fair?*

*A2 Mayor Pickard advised that residents were advised of the Strategic Financial Management Committee (SFMC) meeting held on Thursday 19 July 2012 and were afforded a 15 minute deputation period at that meeting to furnish their views and to respond to questions that Elected Members of the committee asked.*

**Mr J Gilorski, Warwick:**

*Re: CJ138-07/12 – 20 Year Strategic Financial Plan*

*Q1 How many rate payers of the City of Joondalup want a Performing Arts Centre to be built?*

*A1 Mayor Pickard advised that the Performing Arts Culture Facility has been an item that has been considered by the City for over a decade and that in 2006 the City purchased a parcel of land off the State Government for the construction of a Performing Arts and Cultural Facility.*

Mayor Pickard stated that currently there is a committee that is working on the project and preparing a business case. Once a business case has been prepared, it will be advertised for public comment to engage the views of residents and seek comment on the matter.

*Re: CJ142-07/12 - Proposed Disposal of Lot 147 (25) Millport Drive, Warwick – Public Advertising of Business Plan*

*Q1 What did the rate payers and residents of Millport Drive and the surrounding area do to the City of Joondalup to make the Council want to destroy our peaceful neighborhood, decrease the value of our properties and put a lot of stress and anxiety into our community?*

*A1 Mayor Pickard advised that several years ago the Council formally resolved to dispose of 14 parcels of land and it recently decided to commence a formal process of disposal for those parcels of land.*



Mayor Pickard stated that the community's views as a collective would be taken into consideration when dealing with the disposal of these parcels of land and that Council will make a decision on an appropriate course of action while trying to address the concerns of the local community.

**Mr D Blackburn, Kingsley:**

*Re: CJ142-07/12 - Proposed Disposal of Lot 147 (25) Millport Drive, Warwick – Public Advertising of Business Plan*

*Q1 For what purpose has the Hawker Park Community Sporting Facility 2013/14 listing in the City's Five Year Capital Works program been mentioned in recommendations that deal with the disposal of Lot 147 (25) Millport Drive, Warwick?*

*A1 Mayor Pickard responded that the intent of noting that particular item was to inform residents, who had expressed a desire for funds raised to be spent within the locality, that there was planned funding for a significant local community facility, the cost of which would exceed the revenue from the sale of the land.*

*Re: CJ138-07/12 – 20 Year Strategic Financial Plan*

*Q1 In the 20 Year Financial Plan, Table 2 - Mayor Projects, the Joondalup Performing Arts and Cultural Facility has its funding shown with nil contribution from rates. As the future Joondalup Performing Arts and Cultural Facility is stated to be for the overall benefit to the City and its residents wouldn't rates (for example, via a special rate levy) be a more equitable and transparent form of funding rather than the suburb specific Land Asset Disposals currently being proposed as the primary means of funding?*

*A1 Mayor Pickard advised the disposal of land was not suburb specific but a City wide proposal that would assist in funding the Joondalup Performing Arts and Cultural Facility, as the City is already accumulating funds in reserve for that purpose.*

Mayor Pickard responded there has been no decision of Council for a special rate being charged to build the facility.

Mayor Pickard indicated the Joondalup Performing Arts and Cultural Facility would be an asset for the region and a superb venue for significant acts to come to Joondalup for local residents and the region to enjoy collectively.

**PUBLIC STATEMENT TIME****Mr C Stanley, Warwick:**

*Re: CJ142-07/12 - Proposed Disposal of Lot 147 (25) Millport Drive, Warwick – Public Advertising of Business Plan*

Mr Stanley spoke in relation to Lot 147 (25) Millport Drive, Warwick and raised his concerns in relation to the possible change of use of the land.

**Mr R Repke, Kallaroo:**

*Re: CJ142-07/12 - Proposed Disposal of Lot 147 (25) Millport Drive, Warwick – Public Advertising of Business Plan*

Mr Repke spoke in relation to Lot 147 (25) Millport Drive, Warwick and raised his concerns in relation to the retention of three mature Tuart trees.

**APOLOGIES AND LEAVE OF ABSENCE****Leave of Absence previously approved**

Cr Liam Gobbert	12 July – 29 July 2012 inclusive.
Cr Russ Fishwick, JP	23 July – 28 July 2012 inclusive.
Cr Kerry Hollywood	23 July – 28 July 2012 inclusive.

**CONFIRMATION OF MINUTES****C46-07/12                    MINUTES OF COUNCIL MEETING HELD 26 JUNE 2012**

**MOVED** Cr McLean, **SECONDED** Cr Hamilton-Prime that the Minutes of the Council meeting held on 26 June 2012 be **CONFIRMED** as a true and correct record.

**The Motion was Put and** **CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

**C47-07/12                    MINUTES OF SPECIAL COUNCIL MEETING HELD 10 JULY 2012**

**MOVED** Cr Norman, **SECONDED** Cr Ritchie that the Minutes of the Special Council meeting held on 10 July 2012 be **CONFIRMED** as a true and correct record.

**The Motion was Put and** **CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

## **ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

### **Strategic Community Reference Group Nominations**

Mayor Pickard announced that the City is seeking community representatives to join its soon-to-be-established Strategic Community Reference Group.

Mayor Pickard advised that members of this group will play an important role in assisting the Council by providing advice and suggestions on important strategic issues that will impact the community.

Mayor Pickard stated that expressions of interest are sought from members of the community, with positions available to represent each of the City's six Wards.

Mayor Pickard commented that the Reference Group will provide local residents with an opportunity to engage with the Council and become actively involved in important issues.

On behalf of the City, Mayor Pickard welcomes the input of its community and encourages people to nominate for a position on this Reference Group.

Mayor Pickard also announced it is a great way to play a role in the City's decision-making process and make a difference in your suburb or local community.

Mayor Pickard advised this new group demonstrates that the City is committed to getting in touch with its community to seek feedback in a meaningful and purposeful way to ensure residents are engaged in local decision making as we plan for the future.

Mayor Pickard stated that the Reference Group will provide advice and assistance to the Council on matters of significant community interest and strategic initiatives.

Mayor Pickard commented that more information and nomination forms are available on the City's website at [www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au), or by contacting the City.

Mayor Pickard informed nomination forms for the Strategic Community Reference Group can also be collected from the City's Customer Service Centres.

Mayor Pickard also informed that nominations close on Friday 27 July 2012.

### **Joondalup Sports Club Official Opening**

Mayor Pickard announced this Saturday marks the official opening of the new Joondalup Sports Clubrooms at Arena Joondalup for the Arena Community Sports and Recreation Association (ACSRA).

Mayor Pickard confirmed that this project involved the construction of new netball courts and floodlighting and this weekend's Clubroom opening will mean the Association has a facility it can call home.

Mayor Pickard advised that the Association represents the Joondalup Giants Rugby League Club, Joondalup Brothers Rugby Union Club, Joondalup Little Athletics Association and the Joondalup Netball Association – and is sure all these Clubs will be excited about this new facility.

Mayor Pickard stated the \$1.8 million construction costs of this project have been funded jointly by the City of Joondalup, the Department of Sport and Recreation and the Arena Community Sport and Recreation Association.

Mayor Pickard commented that the new shared-use clubrooms and associated facilities will not only benefit the four community sporting organisations involved but also anyone in the community wanting to participate in netball, athletics, rugby league and union.

Mayor Pickard believed that these new facilities will assist these sporting bodies to increase their participation levels and promote their sport to the wider community and most importantly from the City's perspective will encourage more local people to engage in healthy social interaction through participation in sport.

Mayor Pickard announced that the City is very proud of its contribution to the Joondalup Sports Club facility and having contributed \$710,000 to this project, the City will be involved in the official opening this weekend.

## DECLARATIONS OF INTEREST

### Disclosures of Financial / Proximity Interest

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

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ135-07/12, Tender 013/12 - Provision of Irrigation Electrical Services.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr McLean knows the owner of one of the tenderers.

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

CJ143-07/12                      CONFIDENTIAL - PROPOSED DISPOSAL OF CITY FREEHOLD PROPERTIES –STATUS REPORT

CJ144-07/12                      CONFIDENTIAL - RATIONALISATION OF CHILD HEALTH CENTRES IN THE CITY OF JOONDALUP

## PETITIONS

Nil.

**REPORTS****CJ123-07/12 DEVELOPMENT, CODE VARIATION AND SUBDIVISION APPLICATIONS – MAY 2012****WARD:** All**RESPONSIBLE DIRECTOR:** Ms Dale Page  
Planning and Community Development**FILE NUMBER:** 07032, 101515**ATTACHMENTS:** Attachment 1 Monthly Development Applications Determined - May 2012  
Attachment 2 Monthly Building Code Applications Decision - May 2012  
Attachment 3 Monthly Subdivision Applications Processed - May 2012**PURPOSE**

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

**EXECUTIVE SUMMARY**

Clause 8.6 of District Planning Scheme No 2 (DPS2) allows 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, Residential Design Codes applications 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 May 2012 (Attachments 1 and 2 refer):

Planning Applications (Development Applications and Residential Design Codes Applications);

- 1 Building Code Applications; and
- 2 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 15 May 2012 (CJ075-05/12 refers), Council considered and adopted the most recent Town Planning Delegation.

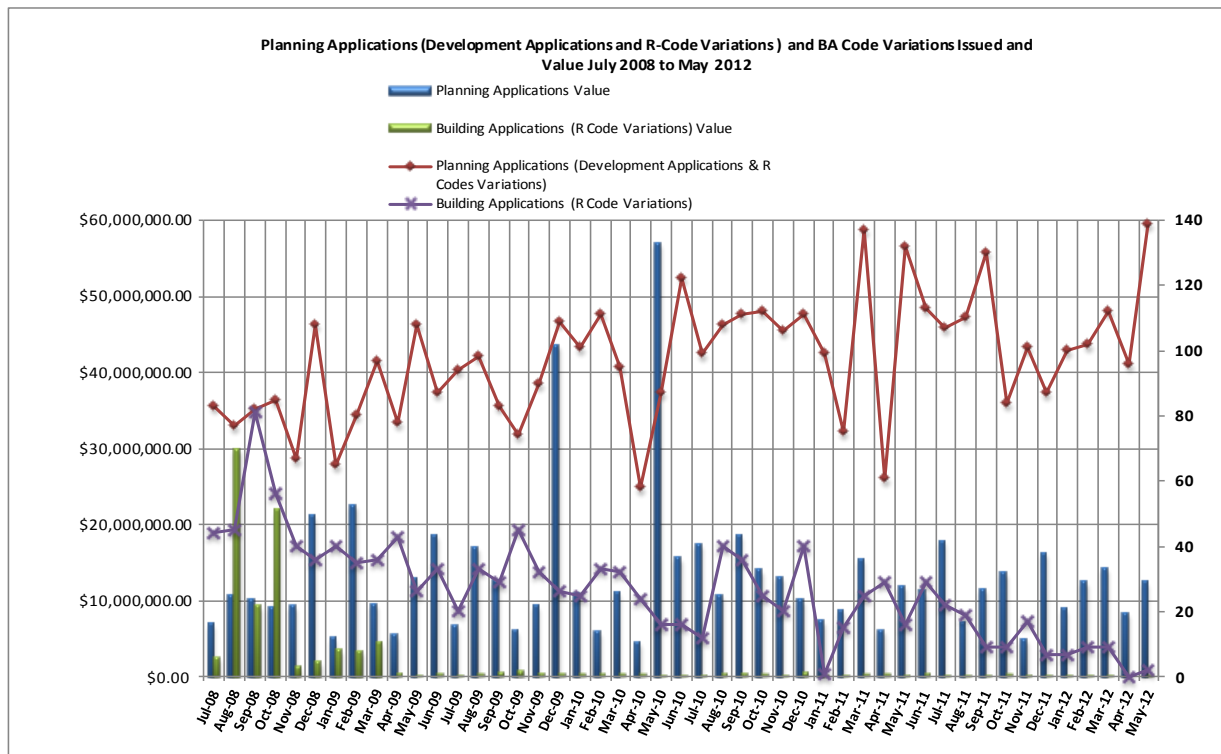
**DETAILS**

The number of applications determined under delegated authority during May 2012, is shown below:

Approvals determined under delegated authority – May 2012		
Type of Approval	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	139	\$12,394,849
Building applications (R – Codes applications)	2	\$ 91,400
<b>TOTAL</b>	<b>141</b>	<b>\$12,486,249</b>

The number of development applications received during May was 147. (This figure does not include any applications that may become the subject of an R-Code application as part of the building permit approval process).

The number of development applications current at the end of May was 205. Of these, 72 were pending additional information from applicants, and 58 were being advertised for public comment.



In addition to the above, 168 building applications and 46 building permits were issued during the month of May with an estimated construction value of \$29,580,650.

<b>Subdivision approvals processed under delegated authority for May 2012</b>		
<b>Type of approval</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	2	141 residential 1 'Centre' zoned lot
Strata subdivision applications	2	2

### **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 141 applications were determined for the month of May with a total amount of \$52,470 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 139 development applications determined during May 2012 consultation was undertaken for 66 of those applications. Applications for Residential Design Codes 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 application). The four subdivision applications processed during May 2012 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.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council NOTES the determinations made under Delegated Authority in relation to the:**

- 1 Development applications and R-Codes applications described in Attachment 1 to Report CJ123-07/12 during May 2012;**
- 2 Building Code applications described in Attachment 2 to Report CJ123-07/12 during May 2012; and**
- 3 Subdivision applications described in Attachment 3 to Report CJ123-07/12 during May 2012.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf170712.pdf](#)*



## **CJ124-07/12 PROPOSED AMENDMENT NO 61 TO DISTRICT PLANNING SCHEME NO 2 - LOT 23 (77) GIBSON AVENUE, PADBURY – CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD:</b>	South-West
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	101669, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Location Plan Attachment 2 Proposed Amendment No 61 Plans Attachment 3 Schedule of Submissions Attachment 4 Map of Submitters Attachment 5 Water Corporation Infrastructure Plan Attachment 6 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 61 to District Planning Scheme No 2 (DPS2), and to decide whether to adopt the amendment as final.

### **EXECUTIVE SUMMARY**

At its meeting held on 17 May 2011 (CJ074-05/11 refers), Council resolved to initiate public advertising of Scheme Amendment 61 (Lot 23 (77) Gibson Avenue, Padbury).

The scheme amendment proposes to change the residential coding of the site from R20 to R40, and restrict the use to aged persons' dwellings.

The proposed scheme amendment was advertised for a period of 42 days closing on 24 August 2011. Six submissions were received comprising two objections and four submissions from service authorities. Of significance, the Water Corporation raised a concern in regard to the presence of a 500mm diameter bore water main being located within the private property in addition to the existing sewer pipe, which the City was aware of. The City has been in discussions with the Water Corporation regarding the matter which resulted in a delay in finalising the amendment.

The objections were in regard to access to Leichhardt Park from Gibson Avenue, increased traffic and loss of vegetation and public open space.

It is considered that the issues raised do not warrant ceasing the proposed scheme amendment. 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 AND DETAILS

<b>Suburb/Location:</b>	Lot 23 (77) Gibson Avenue, Padbury
<b>Applicant:</b>	City of Joondalup
<b>Owner:</b>	City of Joondalup
<b>Zoning:</b>	<b>DPS:</b> Residential
	<b>MRS:</b> Urban
<b>Site Area:</b>	5159m <sup>2</sup>
<b>Structure Plan:</b>	Not Applicable.

Lot 23 (77) Gibson Avenue, Padbury is currently vacant and has not previously been developed. The site abuts single dwellings to the north east and east and a drainage sump and Leichhardt Park to the north and northwest. The lots immediately adjacent to Lot 23 on the southern boundary are zoned 'Mixed Use' and consist of veterinary and medical consulting rooms (Attachment 1 refers).

The subject site is not identified as being within a Housing Opportunity Area under the City's draft Local Housing Strategy and, as such, there are no existing proposals to change the zoning or coding of the site.

### Council decision

At its meeting held on 15 March 2011 (CJ051-03/11 refers), Council resolved to endorse the recommendation of the Strategic Financial Management Committee, in part, as follows:

*"3.4 INITIATES an amendment to District Planning Scheme No 2 to rezone and change the density code of Lot 23 (77) Gibson Avenue, Padbury from Residential/R20 to Residential/R40 (Restricted Use – Aged Persons Housing);"*

Subsequently, at its meeting held on 17 May 2011 (CJ074-05/11 refers), Council resolved to formally initiate the scheme amendment as detailed above.

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

The issues to be considered by Council include:

- The suitability of the proposal; and
- The submissions received.

The options available to Council in considering the scheme amendment 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**

##### Residential Design Codes (R-Codes)

The R-Codes stipulate development standards for residential development which includes aged or dependent persons' dwellings.

The R-Codes define 'Aged Person' as: 'a *person who is aged 55 years or over*' and a 'Dependent Person' as a '*person with a recognised form of disability requiring special accommodation for independent living or special care.*'

### Planning and Development Act 2005

Part 5 of the *Planning and Development Act 2005* enables a 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 17 May 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 Western Australian Planning Commission (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:** 4.1 To ensure high quality urban development.

### **Policy**

Not Applicable.

### **Risk Management Considerations:**

There is a chance that the community may respond negatively to the use of the site for residential development as there could be the perception that the site is part of Leichhardt Park and should be retained as part of the park.

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

The City, as the applicant, is required to cover the costs associated with the scheme amendment process. The cost incurred for the advertising of the amendment was \$1,505 which included placing a notice in the relevant newspapers and erecting a sign on the subject site.

### **Regional Significance:**

Not Applicable.

### **Sustainability Implications:**

The proposed amendment to increase the residential density code would enable additional residential dwellings to be developed on the site, which will contribute to the environmental, economic and social sustainability by providing dwellings near existing infrastructure within established suburbs.

The City's draft Local Housing Strategy identifies a sharp increase in the number of residents aged over 65. The provisions of aged persons' dwellings in Padbury will provide the opportunity for people to downsize their dwelling but remain in the area.

### **Consultation:**

The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 24 August 2011 as follows:

- 75 letters were sent to nearby landowners, residents and property managers and five letters to service authorities;
- One 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 six submissions were received comprising two objections and four submissions from service authorities. The objections were in regard to access to Leichhardt Park from Gibson Avenue, increased traffic, loss of vegetation on the site and loss of public open space. The Water Corporation also raised a concern in regard to the presence of a 500mm diameter bore water main being contained within private property.

The schedule of submissions is provided in Attachment 3 and a map of the location of submitters in Attachment 4.

## **COMMENT**

### Submissions

The site is currently zoned 'Residential' and can be developed for housing currently. The scheme amendment is proposing to increase the density code of the site from R20 to R40. The scheme amendment is not the appropriate mechanism to address the issues raised in the two objections, such as the (perceived) loss of public open space, access to Leichardt Park or the potential loss of trees.

Although the scheme amendment would potentially allow the development of additional dwellings, these would be restricted to aged persons' dwellings. It is anticipated that the traffic generated from such a development would not be any more intense than what would be generated from a non aged persons' restricted development.

### Water Corporation infrastructure

As a result of consulting with the service authorities, it has been identified that, in addition to a sewer pipe running through Lot 23, there is also a 500mm diameter bore water main. The Water Corporation has indicated that the bore water main will require an easement with a width of 10 metres.

As the site is already zoned 'Residential' and the zoning is not proposed to change, the presence of the infrastructure does not impact on the current scheme amendment proposal. However, the presence of the Water Corporation infrastructure will impact on how the site can be developed.

## Conclusion

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 without modification and the amending documents be endorsed and submitted to the WAPC for the Minister for Planning's determination.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council:**

**1 Pursuant to Regulation 17(2) of the *Town Planning Regulations 1967* ADOPTS Amendment No 61 to the City of Joondalup District Planning Scheme No 2, to:**

**1.1 Recode Lot 23 (77) Gibson Avenue, Padbury from R20 to R40;**

**1.2 Include Lot 23 (77) Gibson Avenue, Padbury in Schedule 2 – Section 2 - Restricted Uses – Aged Persons' Dwelling as follows:**

NO	STREET/LOCALITY	PARTICULARS OF LAND	RESTRICTED USE
2-5	77 Gibson Avenue, Padbury	Lot 23	Aged Persons' Dwelling

**1.3 Amend the Scheme Map to depict the Restricted Use over Lot 23 (77) Gibson Avenue, Padbury;**

**2 AUTHORISES the affixation of the Common Seal and ENDORSES the signing of the amendment documents;**

**3 NOTES the submissions received and advises the submitters of Council's decision; and**

**4 REFERS Scheme Amendment No 61 and Council's decision to the Western Australian Planning Commission for determination.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf170712.pdf](#)

## **CJ125-07/12 TAMALA PARK REGIONAL COUNCIL - POWER OF ATTORNEY AND AMENDMENT OF ESTABLISHMENT AGREEMENT**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Garry Hunt Chief Executive Officer
<b>FILE NUMBER:</b>	41196, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Modified Power of Attorney Attachment 2 Proposed Amendment to Establishment Agreement Attachment 3 Tamala Park Regional Council Establishment Agreement

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### **PURPOSE**

The purpose of this report is twofold:

- 1 to enable Council to authorise the Mayor and Chief Executive Officer to execute a new Power of Attorney, in favour of the Chief Executive Officer of the Tamala Park Regional Council (TPRC), to enable the TPRC CEO to carry out all necessary land dealings concerning the sale of the Tamala Park Land; and
- 2 to enable Council to authorise the Mayor and the Chief Executive Officer to execute an Amendment Agreement to the TPRC Establishment Agreement.

### **EXECUTIVE SUMMARY**

#### *Power of Attorney*

At its meeting on 21 June 2012, the Tamala Park Regional Council (TPRC) resolved to request each of its constituent member local governments ('the Participants'), which jointly own the Tamala Park Land, to grant a new Power of Attorney to its Chief Executive Officer to execute all documents necessary for the disposal of the Land.

The TPRC obtained legal advice, in September 2011, which considered it advisable to obtain a Power of Attorney from each of the Participants to avoid any potential issues in future land dealings with the Tamala Park project. Council acceded to this request at its October 2011 meeting (CJ178-10/11 refers).

Since that time settlement of a number of lot sales in Stage 1 has occurred. However, there are limitations with the Power of Attorney executed under the original request. It requires transfers for the lots to be signed by the seven Participants, which is proving time consuming, cumbersome and ineffective and may ultimately delay some settlements.

TPRC has requested that each Participant authorise the execution of a modified Power of Attorney which is consistent with the advice and request of September 2011 to which Council has previously agreed and which will no longer require transfers to be signed by each Participant.

#### *Amendment of Establishment Agreement*

At its meeting on 21 June 2012, the TPRC also resolved to request each of the Participants to agree to amend Clause 7 of the Establishment Agreement.

The request is based on legal advice provided to the TPRC concerning the operation of the Establishment Agreement with respect to land sales in which it is suggested that it would be prudent for the Participants to amend Clause 7 to put beyond doubt that there is no obligation to transfer any part of the land to the TPRC and that the land may be transferred directly by the Participants to third parties.

## **BACKGROUND**

The constituent members of the TPRC are the Cities of Joondalup, Wanneroo, Stirling, Perth, Vincent and the Towns of Cambridge and Victoria Park.

Each of the seven constituent member local governments of the TPRC ('the Participants') jointly owns the Tamala Park Land. The TPRC considers it advisable to obtain Powers of Attorney from each of the Participants to facilitate the sale of the Tamala Park Land.

The TPRC has also recommended that the Participants agree to amend Clause 7 of the Establishment Agreement. This recommendation arose out of legal advice it obtained in relation to the operation of the Establishment Agreement.

## **DETAILS**

### *Power of Attorney*

The TPRC had previously obtained legal advice which recommended that each Participant grant a Power of Attorney in favour of the TPRC. The advice concluded that the provisions of the TPRC Establishment Agreement, construed in conjunction with the *Local Government Act 1995* concerning regional councils, enable a Participant to execute a Power of Attorney in favour of the TPRC for the sale of the Tamala Park Land.

In light of its recent experience with the sales process, TPRC is now requesting that each of the Participants execute a modified Power of Attorney to enable the TPRC Chief Executive Officer (CEO) to undertake all necessary actions involved in the sale process.

The modified Power of Attorney would give the TPRC CEO all necessary powers in dealing with the Tamala Park Land, including to:

- Execute contracts of sale which includes the decision to sell, the selling price and the terms and conditions of sale;
- Execute transfer of land documents;

- Execute documents for easements, surrender of easements, caveats and withdrawal of caveats; and
- Manage the allocation of the proceeds of sales in accordance with the Establishment Agreement.

A copy of the modified Power of Attorney is at Attachment 1.

#### *Amendment of Establishment Agreement*

At its meeting on 21 June 2012, the TPRC also resolved to request each of the Participants to agree to amend Clause 7 of the Establishment Agreement.

The request is based on legal advice provided to the TPRC concerning the operation of the Establishment Agreement with respect to land sales in which it is suggested that it would be prudent for the Participants to amend Clause 7 to put beyond doubt that there is no obligation to transfer any part of the land to the TPRC and that the land may be transferred directly by the Participants to third parties.

A copy of the Amendment Agreement is at Attachment 2 and a copy of the TPRC Establishment Agreement is at Attachment 3.

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

**Legislation**                      *Local Government Act 1995.*

#### **Strategic Plan**

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

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

#### **Policy**

Not Applicable.

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

It is important to avoid any uncertainty in the TPRC's dealings with the Tamala Park Land.

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

Not Applicable.

#### **Regional Significance:**

As a member local government of the Tamala Park Regional Council, it is important that the City acts to ensure the continuing efficacy of the Regional Council in the implementation of the Tamala Park project.



**Sustainability Implications:**

Not Applicable.

**Consultation:**

Nil.

**COMMENT**

It is recommended that Council agrees to the request from the TPRC to execute a modified Power of Attorney and agrees to the proposed amendment to the Establishment Agreement, so as to ensure that the TPRC may implement the Tamala Park project with legal certainty in its land dealings.

Both documents are to be executed under Common Seal by the Mayor and Chief Executive Officer.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr McLean, SECONDED Cr Amphlett that Council:**

- 1 **AGREES** to the grant of a modified Power of Attorney in favour of the Tamala Park Regional Council Chief Executive Officer concerning all necessary dealings with the Tamala Park Land;
- 2 **AGREES** to the proposed amendment of clause 7 of the Tamala Park Regional Council Establishment Agreement;
- 3 **AUTHORISES** the affixation of the Common Seal and the Mayor and the Chief Executive Officer to execute the modified Power of Attorney forming Attachment 1 to Report CJ125-07/12; and
- 4 **AUTHORISES** the affixation of the Common Seal and the Mayor and the Chief Executive Officer to execute the Amendment Agreement forming Attachment 2 to Report CJ125-07/12.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf170712.pdf](#)

## **CJ126-07/12 ICLEI WATER CAMPAIGN MILESTONE 5 ACHIEVEMENT**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	78616
<b>ATTACHMENTS:</b>	Nil.

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### **PURPOSE**

To provide information to Council on the City's participation in the International Council for Local Environmental Initiatives (ICLEI) Water Campaign™ Program and completion of Milestone 5 of the Program.

### **EXECUTIVE SUMMARY**

The City of Joondalup joined the ICLEI Water Campaign™ in 2007. The Water Campaign™ is an international water management program that aims to build the capacity of local government to reduce water consumption and improve water quality.

The Water Campaign™ uses a Milestone Framework to address water management in two modules: Corporate and Community. The Corporate module addresses water management within City operations, whilst the Community module addresses water management in the residential and non-residential community sectors. Within each module, water conservation and water quality improvement is addressed.

The City has recently achieved Milestone 5, the last milestone of the Water Campaign™ Program, through:

- A reduction of corporate water consumption by 13% (576,350 kL) based on 2007/08 baseline levels, as compared to 2010/11;
- A reduction of community water consumption by 7% (1,055,422 kL) based on 2007/08 baseline levels, as compared to 2010/11;
- Implementation of corporate water quality actions, totalling 55 points from the Water Campaign™ action cards, since 2007/08; and
- Implementation of community water quality actions, totalling 50 points from the Water Campaign™ action cards since 2007/08.

### **BACKGROUND**

At its meeting held on 22 May, 2007 (CJ083-05/07 refers), Council resolved to participate in the ICLEI Water Campaign™ Program. Participation in the Program requires the City to achieve the following Milestones:

- Milestone 1: Undertake a water consumption inventory and water quality checklist.  
Milestone 2: Establish a water conservation goal and water quality improvement goal.  
Milestone 3: Develop and adopt a local water action summary document.  
Milestone 4: Implement policies and measures to work towards integrated water resource management and quantify the resulting benefits.  
Milestone 5: Monitor and report on water conservation and water quality improvements.

The City has previously completed the Corporate and Community modules for Milestones 1, 2, 3 and 4 of the Water Campaign™ Program. The City has recently completed Milestone 5 Corporate and Community modules of the Water Campaign™ and will be recognised for this achievement at a ceremony to be held on 2 August 2012.

## **DETAILS**

Achieving Milestone 5 of the ICLEI Water Campaign™ required the City to demonstrate progress towards the water conservation and water quality goals set at Milestone 2 of the Program. This involved conducting a water consumption re-inventory; identification of key water conservation and water quality actions implemented; and a water quality analysis.

The City achieved Milestone 5 of the Water Campaign™ as a result of improved water management in the following areas:

### Corporate Water Conservation

Achieving a reduction of corporate water consumption by 13% (576,350 kL) based on 2007/08 baseline levels, as compared to 2010/11.

This reduction was achieved through the implementation of various scheme and groundwater projects including monitoring and review of groundwater irrigation practices, implementation of hydrozoning and ecozoning techniques and the installation of water saving devices and procedures at Craigie Leisure Centre.

### Community Water Conservation

Achieving a reduction of community water consumption by 7% (1,055,422 kL) based on 2007/08 baseline levels, as compared to 2010/11.

Community water conservation was achieved through the implementation of a number of community focussed programs including Living Smart, Great Gardens, Switch Your Thinking and the Environmental Education Program.

### Corporate Water Quality

Implementation of corporate water quality actions, totalling 55 points from the Water Campaign™ action cards, since 2007/08.

Water quality improvement projects that have been implemented since the City joined the Water Campaign™ include the Yellagonga Water Quality Monitoring and Mapping Project, Midge Management Program and Sump Retrofit Program.

### Community Water Quality

Implementation of community water quality actions, totalling 50 points from the Water Campaign™ action cards, since 2007/08.

Water quality improvement projects that have been implemented include the Green Frog Project, Environmental Education Program and Yellagonga Integrated Catchment Management Community Awareness Program.

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

**Legislation:** Not Applicable.

#### **Strategic Plan**

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

- Objective:**
- 2.1 To ensure that the City's natural environmental assets are preserved, rehabilitated and maintained.
  - 2.2 To engage proactively with the community and other relevant organisations in the preservation of the City's natural environmental assets.

#### **Policy Implications**

Participation in the ICLEI Water Campaign™ Program is consistent with the objectives within the City's Sustainability Policy.

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

The reduced rainfall and drying climate that Western Australia is currently experiencing has made it necessary for the City to monitor and report on current water management practices. If the City does not actively address water conservation and water quality within its own operations there are risks that; the City will not be seen as leading by example within the community, water availability may be reduced to maintain public open space, and financial costs may increase to supply scheme water to facilities and parks in order to maintain amenity.

Given the City's location between the Yellagonga Regional Park and the Indian Ocean, it is important that the City commits to maintaining water quality. If the City does not undertake actions ensuring continuing water quality, the health of these important ecosystems may be put at risk.

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

Nil.

**Regional Significance:**

Western Australia is currently experiencing reduced rainfall and drought conditions, thus it is important that the City undertakes actions to reduce its water consumption and maintain water quality.

There are 42 local government authorities within Western Australia that are currently undertaking the ICLEI Water Campaign™ with City of Belmont, City of Nedlands, Shire of Augusta-Margaret River and City of Mandurah having achieved Milestone 5 in both the Corporate and Community modules. Within the north-west region, the City of Stirling is working towards Milestone 1 Corporate and Community and the City of Wanneroo is currently working towards Milestone 3 Corporate and Community.

**Sustainability Implications:**

A drying climate means that the City will encounter challenges in maintaining amenity and conducting its operations with decreased availability of water. Participating in the ICLEI Water Campaign™ demonstrates the City's commitment to implementing sustainable water management practices. Reducing water consumption will also enable the City to become more sustainable and ensure that water resources, particularly groundwater, are maintained well into the future.

**Consultation:**

Not Applicable.

**COMMENT**

As Milestone 5 is the final milestone of the Program, it also represents the City's final commitment to the ICLEI Water Campaign™. The City Water Plan 2012-2015 will provide ongoing strategic direction for the delivery of water conservation and water quality improvement initiatives within the City.

Information regarding the progress made in implementing projects within the City's Water Plan will be provided to Council on an annual basis.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council NOTES that the City has achieved Milestone 5 of the ICLEI Water Campaign™ and will be recognised for this achievement at the ICLEI Oceania Recognition and Briefing Breakfast on Thursday, 2 August 2012.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

## **CJ127-07/12      PROPOSED PEST PLANT LOCAL LAW 2012 – APPROVAL TO ADVERTISE**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	102572, 33409, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Proposed Pest Plant Local Law 2012

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### **PURPOSE**

For Council to support the City of Joondalup Pest Plant Local Law 2012 for the purpose of public advertising.

### **EXECUTIVE SUMMARY**

At its meeting held on 26 June 2012 (CJ119-06/12 refers), Council resolved that it:

- 1      *NOTES the City's approach to the control of Caltrop through regular site surveys and on the spot treatment;*
- 2      *NOTES that a Communication and Awareness Campaign will be deployed in November 2012 to promote community awareness, community education and public reporting of Caltrop infestations;*
- 3      *SUPPORTS the development of a City of Joondalup Pest Plant Local Law for the purposes of declaring Caltrop a Pest Plant; and*
- 4      *REQUESTS the Chief Executive Officer prepare a report to the Council on the initiation of a City of Joondalup Pest Plant Local Law.*

The first part of the local law-making process is for the Council to resolve that the proposed local law be advertised for public consultation. At that meeting, it is necessary for the Mayor to give notice to the meeting of the purpose and effect of the proposed local law.

The purpose of the proposed City of Joondalup Pest Plant Local Law 2012 is to:

Prescribe pest plants within the City of Joondalup district that, in the local government's opinion, are likely to adversely affect the value of property in the district or the health, comfort or convenience of the inhabitants of the district.

The effect of the proposed City of Joondalup Pest Plant Local Law 2012 is to:

Require the owner or occupier of private land within the City of Joondalup district to destroy, eradicate or otherwise control pest plants on and in relation to that land in a manner and within a time specified in a notice given by the local government and served on the owner or occupier of the land.

*It is therefore recommended that Council:*

- 1 *SUPPORTS the proposed City of Joondalup Pest Plant Local Law 2012 as detailed in Attachment 1 to Report CJ127-07/12;*
- 2 *ADVERTISES the proposed City of Joondalup Pest Plant Local Law 2012 in accordance with s. 3.12 (3) (a) of the Local Government Act 1995;*
- 3 *FORWARDS a copy of the proposed City of Joondalup Pest Plant Local Law 2012 to the Minister for Local Government and the Minister for Agriculture and Food in accordance with s. 3.12 (3) (b) of the Local Government Act 1995; and*
- 4 *REQUESTS the Chief Executive Officer prepare a further report at the conclusion of the public advertising period to enable the Council to consider any submissions made.*

## **BACKGROUND**

At its meeting held on 19 April 2011 (C15-04/11 refers) Council received a Notice of Motion and resolved that the Chief Executive Officer:

*Submit a report to Council on the prevalence and control of the thorny weed ‘Caltrop’ (Tribulus terrestris) within the City of Joondalup, including but not limited to, declaring Caltrop a pest plant within the City and how the City could initiate broader control of Caltrop within the Perth metropolitan area through North Zone of WALGA.*

Since that time a number of reports have been presented to the Council outlining various options open to the City to seek to control Caltrop on private land, including: recording and monitoring reported infestations; seeking cooperation from land owners; raising awareness through the City’s media and communication avenues, or more broadly through WALGA; and implementing a local law as a formal enforcement mechanism (CJ195-10/11 and CJ119-06/12 refers).

At its meeting held on 26 June 2012 (CJ119-06/12 refers), Council subsequently resolved that Council:

- 1 *NOTES the City’s approach to the control of Caltrop through regular site surveys and on the spot treatment;*
- 2 *NOTES that a Communication and Awareness Campaign will be deployed in November 2012 to promote community awareness, community education and public reporting of Caltrop infestations;*
- 3 *SUPPORTS the development of a City of Joondalup Pest Plant Local Law for the purposes of declaring Caltrop a Pest Plant; and*
- 4 *REQUESTS the Chief Executive Officer prepare a report to the Council on the initiation of a City of Joondalup Pest Plant Local Law.*

This report deals with the initiation of the City of Joondalup Pest Plant Local Law 2012.

## DETAILS

The procedure for making local laws is detailed in the *Local Government Act 1995* and is a specific process that must be adhered to in order for the local law to be accepted by the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

Section 3.12 (2) of the *Local Government Act 1995* states that the first action in the process of adopting a local law is for the Mayor to give notice to the meeting of the purpose and effect of the proposed local law. Regulation 3 of the *Local Government (Functions and General) Regulations 1996* states that this can be achieved by ensuring that:

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- (b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.

It is anticipated that the local law-making process will take approximately four months, enabling the operation of the proposed Pest Plant Local Law to commence in the latter part of the calendar year.

### Legislation/Strategic Plan/Policy Implications

**Legislation** Sections 3.12 to 3.15 of the *Local Government Act 1995*  
Section 110 of the *Agriculture and Related Resources Protection Act 1976*

### Strategic Plan

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

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

### Risk Management Considerations:

The local law may be disallowed by the Western Australian Parliamentary Joint Standing Committee on delegated legislation. However such action is unlikely as other local governments have successfully adopted and implemented Pest Plant Local Laws on which the City's proposed local law is modelled.

### Financial/Budget Implications:

The cost associated with the local law-making process is approximately \$2,000, being public advertising and gazettal costs. Funds are available in the 2012/13 budget for statutory advertising.

### Regional Significance:

The implementation of the City of Joondalup Pest Plant Local Law 2012 will demonstrate commitment and leadership to the eradication and control of Caltrop in the region.

### Sustainability Implications:

Pest plants such as Caltrop are generally highly adaptable and will establish quickly after a disturbance event such as fire, or through unrestricted access. If pest plants are allowed to establish they have the potential to out-compete the City's unique floral biodiversity.



**Consultation:**

The Cities of Stirling and Wanneroo have previously been consulted as to their current and future approach to Caltrop and measures the Cities can co-operatively introduce to control the spread of Caltrop.

City of Stirling

The City of Stirling has:

- undertaken field surveys of its road reserve and private vacant properties;
- sought comments from the Bicycle Transport Alliance given the occurrence of tyre punctures due to the presence of Caltrop;
- sent letters and fact sheets to 2,800 owners of undeveloped and vacant properties within the City of Stirling as well as privately owned golf courses in order to request their cooperation to remove and control Caltrop;
- erected signage at certain locations promoting awareness, education and encouraging the public to report signs of Caltrop to the City;
- undertaken trials in order to ascertain the most effective method for eradicating Caltrop;
- undertaken mapping of the Caltrop infestations and inspects the sites for future outbreaks; and
- recently agreed to develop a Pest Plant Local Law and it is anticipated that the local law will be submitted to its August 2012 Council meeting for consideration and advertising.

City of Wanneroo

The City of Wanneroo currently:

- aggressively targets Caltrop at the start of the season using a broadleaf selective herbicide as well as manual removal and recognises that Caltrop is becoming an increasing problem in reserves.

The City of Cockburn, Town of Kwinana and City of Rockingham have been consulted to determine the effectiveness of the introduction of pest plant local laws within their boundaries. Discussions with environment and compliance sections within the respective local governments revealed no record of the pest plant local laws being used for enforcement. The Town of Kwinana indicated that the local law may have been used as a means to provoke action on private property, rather than a formal mechanism of enforcement.

The City of Rockingham utilises an awareness and education approach. Caltrop has been found on private property on a few occasions and the City has found that the owners generally cooperate and remove the plant when approached.

The development of local laws requires statutory advertising of the proposal and consultation with members of the public throughout the local law-making process. This includes:

- Giving Statewide public notice advertising the proposed local law and inviting submissions to be made within no less than six weeks from the date of advertising, including:

- Advertising in a newspaper circulating throughout the State;
  - Displaying public notices at the City of Joondalup Administration Centre, public libraries, and information centres;
  - Advertising on the City's website; and
- Providing a copy of the notice and a copy of the proposed local law to the Minister responsible for each Act under which the proposed local law is being made.

## COMMENT

The proposed City of Joondalup Pest Plant Local Law 2012 is a formal enforcement mechanism that will enable the City to require owners or occupiers of private property to destroy, eradicate or otherwise control Caltrop. This will be in addition to the City's planned deployment of a Communication and Awareness Campaign in November 2012 that will promote community awareness, education and public reporting of Caltrop infestations, while working cooperatively with private land owners to manage and control the pest plant.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr McLean, **SECONDED** Mayor Pickard that Council:

- 1 **SUPPORTS** the proposed *City of Joondalup Pest Plant Local Law 2012* as detailed in Attachment 1 to Report CJ127-07/12;
- 2 **ADVERTISES** the proposed *City of Joondalup Pest Plant Local Law 2012* in accordance with section 3.12 (3) (a) of the *Local Government Act 1995*;
- 3 **FORWARDS** a copy of the proposed *City of Joondalup Pest Plant Local Law 2012* to the Minister for Local Government and the Minister for Agriculture and Food in accordance with section 3.12 (3) (b) of the *Local Government Act 1995*; and
- 4 **REQUESTS** the Chief Executive Officer prepare a further report at the conclusion of the public advertising period to enable the Council to consider any submissions made.

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf170712.pdf](#)

**CJ128-07/12 MINUTES OF EXTERNAL COMMITTEES****WARD:** All**RESPONSIBLE DIRECTOR:** Mr Jamie Parry  
Governance and Strategy**FILE NUMBER:** 41196, 101515**ATTACHMENTS:** Attachment 1 Minutes of Tamala Park Regional Council meeting held on 21 June 2012.  
Attachment 2 Minutes of the Western Australian Local Government Association State Council meeting held on 4 July 2012.

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

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**PURPOSE**

To submit minutes of external committees to Council for information.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Tamala Park Regional Council meeting held on 21 June 2012.
- Western Australian Local Government Association State Council meeting held on 4 July 2012.

**DETAILS****Tamala Park Regional Council – 21 June 2012**

A meeting of the Tamala Park Regional Council was held on 21 June 2012.

The Council's representatives on the Tamala Park Regional Council are Cr Geoff Amphlett, JP and Cr Tom McLean, JP.

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

**ITEM 9.4 Sales and Settlement Report**

It was resolved by the Tamala Park Regional Council as follows:

*“That the management Committee RECEIVE the Sales Report to 21 June 2012.”*

**ITEM 9.10 STAGE 1 APPLICATION FOR TITLE AND TRANSFER DOCUMENTATION – POWER OF ATTORNEY – CONFIDENTIAL**

It was resolved by the Tamala Park Regional Council as follows:

- “1 *RECEIVE the report dated 7 June 2012.*
- 2 *APPROVE a revised Power of Attorney (POA) for that portion of Lot 9504 which is the subject of the Establishment Agreement covering all dealings of the land.*
- 3 *REVOKE the current Power of Attorney granted by the member Local Governments to the TPRC.*
- 4 *REQUEST each of the Participants to agree, by resolution of each Council, to the amendments to clause 7 of the Establishment Agreement of the Tamala Park Regional Council, as set out in the draft Amendment Agreement (dated 15 May 2012).”*

This matter is the subject of a separate report and will be considered by the Council at its ordinary meeting to be held on 24 July 2012.

**Western Australian Local Government Association State Council – 4 July 2012**

A meeting of the Western Australian Local Government Association (WALGA) State Council was held on 4 July 2012.

The Council’s representative on the WALGA State Council is Cr Amphlett JP. On this occasion, Cr Amphlett was an apology for this meeting. Mayor Troy Pickard is the President of WALGA and is, therefore, in attendance at the meetings.

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

**5.1 Metropolitan Local Government Review – WALGA Submission: Response to Draft Findings**

It was resolved by WALGA State Council as follows:

- “1 *The Association’s Submission to the Metropolitan Local Government Review Panel’s Draft Findings be endorsed;*
- 2 *The Record of proceedings of the Meeting of Metropolitan Mayors and Presidents be noted; and*
- 3 *The recommendation from the Central Metropolitan Zone on Local Government Reform be referred to the appropriate policy area and a report be prepared for the next State Council meeting.”*

The Council of the City of Joondalup endorsed its response to the Draft Findings at its meeting held on 15 May 2012 (CJ083-05/12 refers).

### **5.3 State Government Boards and Committees – Effect on Elected Members who are Public Service Employees**

It was resolved by WALGA State Council as follows:

*“That WALGA advocate to the State Government to permit the remuneration of all Local Government Elected Members who represent the Local Government sector on a State Government Board, Committee or Panel.”*

### **5.4 Proposed Dog Act 1976 Amendments**

It was resolved by WALGA State Council as follows:

*“That WALGA write to the Minister for Local Government and the Director General, Department of Local Government, to:*

- 1 Commend them for their commitment to amend the Dog Act 1976; and*
- 2 Request a thorough consultation process with the Local Government sector on the details of the proposed amendments.”*

### **5.5 Review of State Planning Policy 2.6 – State Coastal Planning Policy**

It was resolved by WALGA State Council as follows:

*“That:*

- 1 The interim submission to the WA Planning Commission on the Review of State Planning Policy 2.6 – State Coastal Planning Policy, is endorsed; and*
- 2 WALGA advocate the State Government to provide a clear funding path for the implementation of the finalised State Planning Policy 2.6, to ensure that Local Governments are appropriately funded to prepare and implement coastal hazard risk management and adaptation plans.”*

The Council of the City of Joondalup endorsed its response to the State Coastal Planning Policy review at its meeting held on 15 May 2012 (CJ081-05/12 refers).

### **5.6 Productivity Commission Issues Paper – The Role of Local Government as Regulator**

It was resolved by WALGA State Council as follows:

*“That the interim submission on the Productivity Commission Issues Paper – ‘The Role of Local Government as Regulator’ be endorsed.”*

### **5.8 Submission on the draft Western Australian Bicycle Network Plan 2012-2021**

It was resolved by WALGA State Council as follows:

*“That the submission on the draft Western Australian Bicycle Network Plan 2012-2021 be endorsed.”*

At its meeting held on 26 June 2012 (CJ111-06/12 refers), Council noted the City's submission provided to the Department of Transport with respect to the draft Bicycle Network Plan 2012-2021.

### **5.12 Local Government Self Insurance Scheme – Establishment of Bush Fire Volunteers Personal Accident Pool Fund**

It was resolved by WALGA State Council as follows:

*“That the WALGA-JLT Joint Venture LGIS Management Committee recommendations be endorsed in relation to:*

- 1 *A pooled fund and mutual scheme for statutory bushfire injury cover, as an additional trading segment under the LGISWA Scheme be established, effective from 30 June 2012;*
- 2 *An appropriate addendum to the Scheme Management Agreement and associated fees schedule, appointing JLT to assume Scheme management responsibility for the new trading segment be drafted and executed by the JVMC;*
- 3 *LGIS Insurance Broking being the Scheme's broker for the excess-of-loss insurance; and*
- 4 *Adding the governance responsibility for the new Scheme segment to the LGISWA Scheme Board's Charter.”*

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

##### **Legislation:**

Not Applicable.

##### **Strategic Plan:**

Not Applicable.

##### **Policy:**

Not Applicable.

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

Not Applicable.

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

Not Applicable.

##### **Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council NOTES the Minutes of the:**

- 1 Tamala Park Regional Council meeting held on 21 June 2012 forming Attachment 1 to Report CJ128-07/12; and**
- 2 WA Local Government Association State Council meeting held on 4 July 2012 forming Attachment 2 to Report CJ128-07/12.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*To access this attachment on electronic document, click here: [externalminutes 170712.pdf](#)*

**CJ129-07/12 EXECUTION OF DOCUMENTS**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER:</b>	15876, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Documents executed by affixing the Common Seal for the period 5 June 2012 to 2 July 2012

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 5 June 2012 to 2 July 2012 (Attachment 1 refers).

**EXECUTIVE SUMMARY**

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

**BACKGROUND**

During the period 5 June 2012 to 2 July 2012, four documents were executed by affixing the Common Seal. A summary is provided below:

**DETAILS**

Type	Number
Transfer of Land	1
Section 70A Notification	2
Lease	1

Details of these documents are provided in Attachment 1 to this report.

**Issues and options considered:**

Not Applicable.



**COMMENT**

The documents that have been executed by affixing the Common Seal of the City of Joondalup are submitted to the Council for information (Attachment 1 refers).

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council NOTES the Schedule of Documents covering the period 5 June 2012 to 2 July 2012, executed by means of Affixing the Common Seal, as detailed in Attachment 1 to Report CJ129-07/12.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf170712.pdf](#)

**CJ130-07/12 CAPITAL WORKS COMMITTEE - MEMBERSHIP**

**WARD:** All

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

**FILE NUMBER:** 102234, 101515

**ATTACHMENTS:** Nil.

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**PURPOSE**

For Council to consider an Elected Member from the South Ward being appointed to the Capital Works Committee.

**EXECUTIVE SUMMARY**

At its meeting held on 15 May 2012 (CJ094-05/12 refers), Council established the Capital Works Committee and appointed following members:

Members

- Mayor Troy Pickard
- Central Ward Cr Geoff Amphlett, JP
- North Ward Cr Tom McLean, JP
- North-Central Ward Cr Philippa Taylor
- South-East Ward Cr Brian Corr
- South-West Ward Cr Christine Hamilton-Prime

Deputy Members

- Central Ward Cr Liam Gobbert
- North Ward Cr Kerry Hollywood
- North-Central Ward Cr Sam Thomas
- South-East Ward Cr John Chester
- South-West Ward Cr Mike Norman

A suggestion has been made that an Elected Member from the South Ward be appointed to the Committee, and Cr Ritchie has indicated her intention to become a member of the Committee.

It is therefore recommended that Council consider appointing a Member and Deputy Member from the South Ward to the Capital Works Committee.

## BACKGROUND

At its meeting held on 15 May 2012 (CJ094-05/12 refers), Council established the Capital Works Committee with the following objectives:

- 1 To oversee the monthly progress of the City's annual Capital Works Program and review of the City's Five Year Capital Works Program;
- 2 To oversee the long term planning of major capital works projects not being the role of a Council Committee established for such purposes; and
- 3 To consider recommendations to modify the City's Capital Works.

At its meeting held on 15 May 2012 (CJ094-05/12 refers), Council established the Capital Works Committee and appointed various members to the Committee, however at the time no Elected Member from the South Ward indicated their intention to be part of the Committee.

Cr Ritchie from the South Ward has indicated her desire to become a member of the Capital Works Committee, thereby ensuring equal Ward representation on the Committee.

## DETAILS

In accordance with Section 5.9 of the *Local Government Act 1995* a Committee can comprise of either:

- (a) Elected Members only;
- (b) Elected Members and officers;
- (c) Elected Members, officers and other persons (being persons that are neither an Elected Member or an officer of the City);
- (d) Elected Members and other persons;
- (e) officers and other persons; or
- (f) other persons only.

The normal approach used for the City's Committee framework, is for the Mayor and a representative from each Ward to be a member of the Committee. Deputy Members are also appointed for the respective Elected Member Ward representative should they be unable to attend scheduled meetings.

### Issues and options considered:

The Council can either:

- 1 support an Elected Member from the South Ward becoming a member of the Capital Works Committee; or
- 2 retain the current membership of the Committee as resolved by the Council at its meeting held on 15 May 2012.

### Legislation/Strategic Plan/Policy Implications

**Legislation** Subdivision 2 of Division 2 of Part 5 of the *Local Government Act 1995*.  
*City of Joondalup Standing Orders Local Law 2005*.

**Strategic Plan**

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

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

**Policy**

Not Applicable.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

An additional member for the South Ward would result in a member from each of the City's six Wards (as well as the Mayor) being represented on the Capital Works Committee.

**VOTING REQUIREMENTS**

Absolute Majority.

**OFFICER'S RECOMMENDATION**

That Council, BY AN ABSOLUTE MAJORITY, APPOINTS the following additional representatives to the Capital Works Committee:

Member  
South Ward - One (1) representative

Deputy Member  
South Ward - One (1) representative

**MOVED Cr Chester, SECONDED Cr Amphlett that Council BY AN ABSOLUTE MAJORITY, APPOINTS the following additional representatives to the Capital Works Committee:**

**Member**

**South Ward - Cr Teresa Ritchie**

**Deputy Member**

**South Ward - Cr Russ Fishwick, JP**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

## **CJ131-07/12 LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2012**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	09882	
<b>ATTACHMENTS:</b>	Attachment 1	Chief Executive Officer's Delegated Municipal Payment List for the month of May 2012
	Attachment 2	Chief Executive Officer's Delegated Trust Payment List for the month of May 2012
	Attachment 3	Municipal and Trust Fund Vouchers for the month of May 2012

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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 May 2012 for noting.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of May 2012 totalling \$10,778,551.78.

*It is recommended that Council NOTES the Chief Executive Officer's list of accounts for May 2012 paid under Delegated Authority in accordance with regulation 13 (1) of the Local Government (Financial Management) Regulations 1996 in Attachments 1, 2 and 3 to Report CJ131-07/12, totalling \$10,778,551.78.*

### **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 May 2012. 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 92655 - 92951 & EF024453 – EF025128 Net of cancelled payments	\$7,084,022.41
	Vouchers 983A – 992A	\$3,646,875.18
Trust Account	Trust Cheques 204934 - 205021 Net of cancelled payments	\$47,654.19
<b>Total</b>		<b>\$10,778,551.78</b>

**Issues and options considered:**

Not Applicable.

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

The Council has delegated to the Chief Executive Officer 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 Chief Executive Officer 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 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 2011/2012 Annual Budget as adopted and revised by Council at its meeting of 28 June 2011 or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council NOTES the Chief Executive Officer's List of Accounts for May 2012 paid under Delegated Authority in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996* forming Attachments 1, 2 and 3 to Report CJ131-07/12, totalling \$10,778,551.78.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf170712.pdf](#)*



## **CJ132-07/12 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2012**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	07882, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Financial Activity Statement for the Period Ended 31 May 2012

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### **PURPOSE**

The May 2012 Financial Activity Statement is submitted to Council to be noted.

### **EXECUTIVE SUMMARY**

Council adopted the Mid Year Budget Review for the 2011/12 Financial Year at its meeting held on 21 February 2012, (CJ019-02/12 refers). The figures in this report are compared to the Revised Budget figures.

The May 2012 Financial Activity Statement Report shows an overall favourable variance from operations and capital for the period of \$13,052,518 when compared to the 2011/12 Revised Budget.

This variance can be summarised as follows:

The Operating surplus is \$4,496,797 above budget, made up of higher revenue of \$853,396 and lower operating expenditure of \$3,643,401.

Higher Operating revenues have been driven by higher Rates \$181,906, Fees and Charges \$455,260, Investment Earnings \$262,960 and Contributions, Reimbursements and Donations \$48,466. Revenue is below budget on Grants and Subsidies \$98,394. The additional revenue arose from interim Rates issued, Sports and Recreation Fees and Parking Fees.

Operating expenditure is below budget due to Materials and Contracts \$2,504,876, Employee Costs \$1,147,633 and Utilities \$23,729.

The Materials and Contracts favourable variance is spread across a number of areas including professional Fees \$275,437, Furniture, Equipment and Artworks (Maintenance and Minor Purchases) \$292,790, Waste Management Services \$215,618, Public Relations, Advertising and Promotions \$230,024, Contributions and Donations \$321,875 and External Services Expenses \$612,506.

The Capital Revenue and Expenditure deficit is \$8,495,372 below budget and is made up of lower revenue of \$155,666 and under expenditure of \$8,651,038.

Capital Expenditure is below budget on Capital Projects \$1,006,077, Capital Works \$6,416,233 and Vehicle and Plant replacements \$1,236,327.

Further details of the material variances are contained in Appendix 3 of Attachment 1 to this Report.

*It is recommended that Council NOTES the Financial Activity Statement for the period ended 31 May 2012 forming Attachment 1 to Report CJ132-07/12.*

## **BACKGROUND**

The *Local Government (Financial Management) Regulations 1996* requires a monthly Financial Activity Statement. Council approved at its meeting held on 11 October 2005 to accept the monthly Financial Activity Statement according to nature and type classification.

## **DETAILS**

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

The Financial Activity Statement for the period ended 31 May 2012 is appended as Attachment 1.

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

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

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

### **Strategic Plan:**

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

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

### **Policy:**

Not Applicable.

### **Risk Management Considerations:**

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

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

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

**COMMENT**

All expenditures included in the Financial Activity Statement are incurred in accordance with the provisions of the 2011/12 Revised Budget or have been authorised in advance by Council where applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council NOTES the Financial Activity Statement for the period ended 31 May 2012 forming Attachment 1 to Report CJ132-07/12.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf170712.pdf](#)*

**CJ133-07/12 TENDER 008/12 - PROVISION OF LANDSCAPE SERVICES – HARBOUR RISE ESTATE, HILLARYS**

<b>WARD:</b>	South-West	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	102306, 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 Environmental Industries Pty Ltd for the provision of landscape services in Harbour Rise Estate, Hillarys.

**EXECUTIVE SUMMARY**

Tenders were advertised on 18 April 2012, through state wide public notice for the provision of landscape services in Harbour Rise estate, Hillarys for a period of three years with an optional two year extension. Tenders closed on 4 May 2012 and five submissions were received from:

- Sanpoint Pty Ltd T/as LD Total;
- Environmental Industries Pty Ltd;
- Greenworx Commercial Maintenance Pty Ltd;
- ELM (WA) Pty Ltd; and
- Total Eden T/as Elegant Landscapes (Late Tender).

The submission from Elegant Landscapes was received after the closing time and was not accepted for evaluation.

The submission from Environmental Industries Pty Ltd represents best value to the City and is the lowest priced compliant Tender. The company demonstrated a thorough understanding of the requirements and has ample resources available. The number of personnel and hours it allocated to the contract is considered sufficient to meet the standards required.

Environmental Industries Pty Ltd is currently providing similar landscape services to the Cities of Rockingham, Wanneroo and Gosnells and many other private residential estates.

*That Council ACCEPTS the Tender submitted by Environmental Industries Pty Ltd for the provision of landscape services in Harbour Rise estate, Hillarys as specified in Tender 008/12 for a period of three years with an option for a further two years, for the fixed lump sum of \$310,561 (GST exclusive) and schedule of rates for any modifications with annual price variations subject to the Perth CPI (All Groups) Index.*

## **BACKGROUND**

This requirement is for the provision of landscaping services for public open space and landscaped areas within the Harbour Rise Estate in Hillarys.

The scope of work includes the following activities and frequencies:

- Turf Maintenance – grass shall be mowed at maximum intervals of every 10 days from October to April, and every 21 days from May to September;
- Garden Bed Maintenance – weekly service; and
- Restoration of established garden beds as required.

The City currently has a single Contract for the provision of landscape services in Harbour Rise Estate in Hillarys with Sanpoint Pty Ltd T/as LD Total, which expires on 2 August 2012.

## **DETAILS**

Tenders were advertised on 18 April 2012, through state wide public notice for the provision of landscape services in Harbour Rise estate, Hillarys for a period of three years with an optional two year extension. The Tender period was for two weeks and Tenders closed on 4 May 2012.

### **Tender Submissions**

Five submissions were received from:

- Sanpoint Pty Ltd T/as LD Total;
- Environmental Industries Pty Ltd;
- Greenworx Commercial Maintenance Pty Ltd;
- ELM (WA) Pty Ltd; and
- Total Eden T/as Elegant Landscapes (Late Tender).

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

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

The submission from Total Eden T/as Elegant Landscapes was received after the closing time and was not accepted for evaluation.

### **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	Capacity	35%
2	Demonstrated understanding of the required tasks	35%
3	Demonstrated experience in providing similar services	25%
4	Social and economic effects on the local community	5%

ELM (WA) Pty Ltd scored 55.7% and was ranked fourth in the qualitative assessment. The company demonstrated an adequate understanding of the requirements and has sufficient resources available, as the company is currently operating at 80% capacity. The number of personnel and hours allocated by ELM (WA) Pty Ltd to the contract is considered sufficient to meet the standards required for mowing of turf and garden bed maintenance. The company currently provides similar landscape services to two hospitals, the Butler estate for both the City of Wanneroo and Satterley Property Group and various private residential estates.

Greenworx Commercial Maintenance Pty Ltd scored 64.9% and was ranked third in the qualitative assessment. It is a small organisation that currently provides similar landscape services to two TAFE sites, the City of Armadale, various commercial facilities and Orient Gardens in Hillarys. It demonstrated a thorough understanding of the requirements and has adequate resources available. The company's allocation of hours to mowing of turf and garden bed maintenance was the highest of the submissions received.

Environmental Industries Pty Ltd scored 68.6% and was ranked second in the qualitative assessment. The company demonstrated a thorough understanding of the requirements and has ample resources available. Although Environmental Industries allocated the lowest number of hours for mowing of turf and garden bed maintenance; the quantities were considered sufficient to meet the required standard of service. Its proposed crew of three for mowing will increase efficiency and reduce the number of hours required for turf maintenance. The company is currently providing similar landscape services to the Cities of Rockingham, Wanneroo and Gosnells and many other private residential estates.

Sanpoint Pty Ltd T/as LD Total scored 73.2% and was ranked first in the qualitative assessment. It is a large company with considerable resources available and is the City's current contractor for landscaping services for Iluka and the Harbour Rise estate. The company also provides similar landscape services to the Cities of Wanneroo, Cockburn and Armadale, the Town of Kwinana and a large number of private residential estates. LD Total demonstrated a thorough understanding of the requirements, with appropriate allocation of personnel and hours to meet the service levels required for mowing of turf and garden bed maintenance.

### Price Assessment

Following the qualitative assessment, the Panel carried out a comparison of the submitted lump sum prices and rates offered by each Tenderer to assess value for money to the City.

The price of the contract is a fixed lump sum price per year to undertake the scheduled landscape services. Any unscheduled or renovation works are priced in accordance with a schedule of rates.

The 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.

The cost of any renovation works and additional unscheduled services were not included in the calculation of contract cost, as they cannot be accurately estimated.

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Environmental Industries Pty Ltd	\$100,476	\$103,490	\$106,595	<b>\$310,561</b>
Sanpoint Pty Ltd T/as LD Total	\$114,158	\$117,583	\$121,111	<b>\$352,852</b>
ELM (WA) Pty Ltd	\$113,928	\$117,915	\$122,042	<b>\$353,885</b>
Greenworx Commercial Maintenance Pty Ltd	\$134,264	\$138,963	\$143,827	<b>\$417,054</b>

During the last financial year 2011/12, the City incurred \$118,526 for the provision of landscape services in Harbour Rise Estate, Hillarys and is expected to incur in the order of \$310,561 over the three year Contract period and up to \$533,441 over a five year period if the extension option is exercised.

### **Evaluation Summary**

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

<b>Tenderer</b>	<b>Fixed Contract Price Year 1</b>	<b>Fixed 3Year Contract Price</b>	<b>Price Rank</b>	<b>Evaluation Score</b>	<b>Qualitative Rank</b>
Sanpoint Pty Ltd T/as LD Total	\$114,158	\$352,852	2	73.2%	1
Environmental Industries Pty Ltd	\$100,476	\$310,561	1	68.6%	2
Greenworx Commercial Maintenance Pty Ltd	\$134,264	\$417,054	4	64.9%	3
ELM (WA) Pty Ltd	\$113,928	\$353,885	3	55.7%	4

Based on the evaluation result, the Panel concluded that the Tender that provides best value to the City is that of Environmental Industries Pty Ltd and is therefore recommended.

Although Environmental Industries scored 4.6% less in the qualitative assessment than LD Total, its price is 12% (\$42,291) less over the initial three year Contract period. The evaluation panel is confident that Environmental Industries Pty Ltd is capable of meeting the standards set out in the specification and agreement between the City and the Harbour Rise Community Home Owners Association.

**Issues and options considered:**

Landscape services in the Harbour Rise estate are required to satisfy the service level agreement standards agreed between the City and Home Owners Association of Harbour Rise estate. 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:** The Built Environment.

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

**Policy:**

Council Policy - Specified Area Rating.

**Risk Management Considerations:**

Should the contract not proceed, the risk to the City will be high as the City does not have the internal resources to provide the landscape services. These services are funded in part from Specified Area Rates and subject to a service level agreement between the City and the residents of Harbour Rise estate.

It is considered that the Contract will represent a low risk to the City as the recommended Tenderer is a well-established company, with significant industry experience and ample capacity to provide the services to the required standards.

**Financial/Budget Implications:**

<b>Account No:</b>	633-P3815-3359-6413 633-P3307-3359-6413
<b>Budget Item:</b>	Harbour Rise Estate Specified Area Rating Landscape Services
<b>Budget Amount:</b>	\$116,500
<b>Estimated Expenditure Current Contract (1 July 2012 to 2 August 2012):</b>	\$9,176
<b>Proposed New Contract Cost (3 August 2012 to 30 June 2013):</b>	\$92,103
<b>Balance:</b>	\$15,221

The above expenditure is for the scheduled landscape services only. The balance of funds available will be used for any required renovation and unscheduled works.

All figures quoted in this report are exclusive of GST.



**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The provision of landscape services in the Harbour Rise estate enhances the amenity of public open space for residents.

**Consultation:**

The Harbour Rise Community Home Owners Association was consulted regarding the scope of works and areas that will form part of the service level agreement.

**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 Environmental Industries Pty Ltd.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr McLean, SECONDED Mayor Pickard that Council ACCEPTS the Tender submitted by Environmental Industries Pty Ltd for the Provision of Landscape Services in Harbour Rise Estate, Hillarys as specified in Tender 008/12 for a period of three years with an option for a further two years for the fixed lump sum of \$310,561 (GST exclusive) and schedule of rates for any modifications with annual price variations subject to the Perth CPI (All Groups) Index.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8brf170712.pdf](#)

## **CJ134-07/12      TENDER      012/12      -      FLOODLIGHT      POLE REPLACEMENT AT VARIOUS PARKS**

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	102316, 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 Wanneroo Electric Pty Ltd for the replacement of floodlight poles in various parks.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 9 May 2012, through state wide public notice for the replacement of floodlight poles in various parks. Tenders closed on 24 May 2012 and five submissions were received from:

- Wanneroo Electric Pty Ltd;
- Eamco Pty Ltd T/as EOS Electrical;
- Logsys Power Services Pty Ltd;
- MI & E Holding Pty Ltd; and
- Longmont Engineering Pty Ltd.

The submission from Wanneroo Electric Pty Ltd represents best value to the City. The company has sufficient resources to undertake the project and a comprehensive knowledge of the City's infrastructure and location of underground services. Wanneroo Electric Pty Ltd completed the City's last pole replacement program in 2004 and a light pole footing replacement project for the City of Wanneroo. It is the City's current electrical services Contractor.

*That Council ACCEPTS the Tender submitted by Wanneroo Electric Pty Ltd for replacement of floodlight poles in various parks as specified in Tender 012/12 at the submitted schedule of rates.*

### **BACKGROUND**

The City has a requirement for a Contractor to undertake the replacement of corroded floodlight poles in a number of parks. There are up to ten types of poles involved in the replacement project.

Tenderers were requested to submit rates for two replacement options:

- Construction of a new concrete footing with direct burial of the new light pole; and
- Installation of a new pole attached to the existing concrete footing with a rag bolt assembly.

The City's last replacement program of floodlight poles and lights was conducted in 2004 by Wanneroo Electric Pty Ltd.

## **DETAILS**

Tenders were advertised on 9 May 2012, through state wide public notice for the replacement of floodlight poles in various parks. The Tender period was for two weeks and Tenders closed on 24 May 2012.

### **Tender Submissions**

Five submissions were received from:

- Wanneroo Electric Pty Ltd;
- Eamco Pty Ltd T/as EOS Electrical;
- Logsys Power Services Pty Ltd;
- MI & E Holding Pty Ltd; and
- Longmont Engineering Pty Ltd.

The schedule of items as listed in the Tender document 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:

- Wanneroo Electric Pty Ltd;
- Eamco Pty Ltd T/as EOS Electrical;
- MI & E Holding Pty Ltd; and
- Longmont Engineering Pty Ltd.

The Offer from Logsys Power Services Pty Ltd did not submit rates for the rag bolt assembly replacement method. Although not fully compliant with the specification, the Offer was included for further assessment on the basis that the need for both replacement methods would be assessed at the conclusion of 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%

Longmont Engineering Pty Ltd scored 45.8% and was ranked fifth in the qualitative assessment. The company did not provide sufficient information demonstrating its capacity or understanding of the scope of works. Longmont Engineering Pty Ltd has experience completing electrical services; however insufficient information was supplied of the scope of the projects to ascertain similarity to the City's requirements.

MI & E Holding Pty Ltd scored 52.2% and was ranked fourth in the qualitative assessment. The company demonstrated a satisfactory understanding of the requirements and has sufficient resources available for the project. MI & E Holding Pty Ltd did not provide sufficient detail of the scope of its current and previous works to ascertain similarity to the City's project.

Logsys Power Services Pty Ltd scored 61.8% and was ranked third in the qualitative assessment. The company has sufficient resources available and demonstrated a satisfactory understanding of the project. Logsys Power Services Pty Ltd has previously undertaken streetlight maintenance and repairs and an underground power project for Western Power and Horizon Power.

Eamco Pty Ltd T/as EOS Electrical scored 64.8% and was ranked second in the qualitative assessment. The company demonstrated a thorough understanding of both pole replacement methods and has sufficient resources to complete the project utilising a sub-contractor, Gillmore Electrical Services. EOS Electrical demonstrated sufficient experience completing cabling and light pole installations for the City of Perth.

Wanneroo Electric Pty Ltd scored 68.9% and was ranked first in the qualitative assessment. The company has sufficient resources to undertake the project and a comprehensive knowledge of the City's infrastructure and location of underground services. Wanneroo Electric Pty Ltd completed the City's last pole replacement program in 2004 and a light pole footing replacement project for the City of Wanneroo. It is the City's current electrical services Contractor.

### Price Assessment

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

To calculate an estimate of the cost of pole replacement, the 92 poles of nine different types that were identified in the last pole audit as requiring replacement were used in the calculation. Each pole was priced on both replacement methods (Excluding Logsys Power Services Pty Ltd). The following table provides an estimated cost for each replacement method based on the prices submitted by each Tenderer.

The actual number of poles and replacement method to be used for each pole is dependent on site conditions and will be determined by the Superintendent following award of the Contract.

It may not be possible to replace all floodlight poles in 2012/13 due to budget constraints. The high priority poles will be replaced first with any balance of poles replaced in 2013/14 if required.

<b>Tenderer</b>	<b>Estimated Contract Price (Direct Burial Method)</b>	<b>Estimated Contract Price (Rag Bolt Assembly Method)</b>
Longmont Engineering Pty Ltd	\$292,115	\$360,133
Wanneroo Electric Pty Ltd	\$322,539	\$398,966
Eamco Pty Ltd T/as EOS Electrical	\$343,094	\$543,711
MI & E Holding Pty Ltd	\$397,892	\$589,814
Logsys Power Services Pty Ltd	\$564,348	Not submitted

### **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 (Direct Burial Method)</b>	<b>Estimated Contract Price (Rag Bolt Assembly Method)</b>	<b>Price Rank</b>	<b>Evaluation Score</b>	<b>Qualitative Rank</b>
Wanneroo Electric Pty Ltd	\$322,539	\$398,966	2	68.9%	1
Eamco Pty Ltd T/as EOS Electrical	\$343,094	\$543,711	3	64.8%	2
Logsys Power Services Pty Ltd	\$564,348	Not submitted	5	61.8%	3
MI & E Holding Pty Ltd	\$397,892	\$589,814	4	52.2%	4
Longmont Engineering Pty Ltd	\$292,115	\$360,133	1	45.8%	5

Based on the evaluation result, the Panel concluded that the Tender that provides best value to the City is that of Wanneroo Electric Pty Ltd and is therefore recommended.

Although Wanneroo Electric's estimated price for the two assembly methods was between 10.4% and 10.8% higher than those offered by the lowest priced Longmont Engineering Pty Ltd, the company scored 23.1% higher in the qualitative assessment and indicated in its Offer some potential cost saving measures that could be applied once the condition of the floodlight poles has been assessed.

Longmont Engineering Pty Ltd did not provide sufficient information demonstrating its experience, resources or understanding of the requirements to satisfy the evaluation panel of its ability to deliver the project.

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

The replacement of floodlight poles in the City's parks is required to ensure the safety of members of the public using the park amenities. 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:** The Built Environment.

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

#### **Policy**

Not Applicable.

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

Should the contract not proceed, the risk to the City will be low. The budget may not allow all 92 poles to be replaced in 2012/13. Any outstanding pole replacement will be completed in 2013/14. The poles will be replaced in priority order and no poles are expected to fail before the end of 2013/14.

It is considered that the Contract will represent a low risk to the City as the recommended Tenderer is a well-established company with significant industry experience and the capacity to complete the works.

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

<b>Account No:</b>	CW000120
<b>Budget Item:</b>	PEP2002 Floodlight Pole Replacement Program
<b>Budget Project Cost 12/13:</b>	\$ 255,000
<b>Budget Amount:</b>	\$ 255,000
<b>Expenditure:</b>	\$ 0
<b>Committed:</b>	\$ 0
<b>Proposed Contract Cost:</b>	\$ 255,000
<b>Balance:</b>	\$ 0

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The replacement of floodlight poles in parks will ensure sufficient lighting in the City's parks.

**Consultation:**

Not Applicable.

**COMMENT**

The Evaluation Panel carried out the evaluation of the Submissions in accordance with the Qualitative Criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by Wanneroo Electric Pty Ltd.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr McLean, **SECONDED** Mayor Pickard that Council **ACCEPTS** the Tender submitted by Wanneroo Electric Pty Ltd for Replacement of Floodlight Poles in Various Parks as specified in Tender 012/12 at the submitted Schedule of Rates.

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf170712.pdf](#)

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No/Subject</b>	CJ135-07/12, Tender 013/12 - Provision of Irrigation Electrical Services.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr McLean knows the owner of one of the tenderers.

## **CJ135-07/12 TENDER 013/12 - PROVISION OF IRRIGATION ELECTRICAL SERVICES**

**WARD:** All

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

**FILE NUMBER:** 102324, 101515

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

### **PURPOSE**

To seek the approval of Council to accept the Tender submitted by Triton Electrical Contractors Pty Ltd for the provision of irrigation electrical services.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 2 June 2012 through state wide public notice for the provision of irrigation electrical services for a period of three years. Tenders closed on 19 June 2012 and five Submissions were received from:

- Triton Electrical Contractors Pty Ltd;
- Northlake Electrical Pty Ltd;
- Waterman Irrigation Pty Ltd;
- MI and E Holding Pty Ltd; and
- MMJ Electrical.

The Submission from Triton Electrical Contractors Pty Ltd represents best value to the City and is the lowest priced compliant Tender. The company is well established with extensive experience in providing similar services to local governments including the Cities of Wanneroo, Belmont and Melville. It demonstrated a thorough understanding of the City's requirements and is well resourced to undertake the work. Triton Electrical Contractors is the City's current contractor for irrigation electrical services and has consistently provided a high level of service.

*It is recommended that Council ACCEPTS the Tender submitted by Triton Electrical Contractors Pty Ltd for the provision of irrigation electrical services as specified in Tender 013/12 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.*



## **BACKGROUND**

The City has a requirement for a Contractor to provide irrigation electrical services, including supply, installation, inspection, maintenance, repair and modification of irrigation electrical cubicles, control switchboards and cabling servicing.

The City constructs, on average, three to five irrigation systems per year, which require the installation of new pumps, cubicles, cabling and electrical equipment. There are approximately 300 irrigated parks with irrigation cubicles which may require repair work or modification over the Contract period.

The City currently has a single contract for the provision of irrigation electrical services with Triton Electrical Contractors Pty Ltd, which will expire on 2 August 2012.

## **DETAILS**

The Tender for the provision of irrigation electrical services was advertised through state wide public notice on 2 June 2012. The Tender period was for two weeks and Tenders closed on 19 June 2012.

### **Tender Submissions**

Five submissions were received from:

- Triton Electrical Contractors Pty Ltd;
- Northlake Electrical Pty Ltd;
- Waterman Irrigation Pty Ltd;
- MI and E Holding Pty Ltd; and
- MMJ Electrical.

The Schedule of Items listed in the Request for Tender (RFT) is provided in Attachment 1.

A summary of 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 operational 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 Completing Similar Projects	50%
2	Capacity	25%
3	Demonstrated understanding of the required tasks	20%
4	Social and economic effects on the local community	5%

MMJ Electrical scored 45% and was ranked fifth in the qualitative assessment. The company's response was brief and did not provide sufficient information demonstrating its understanding of the required tasks or experience in completing similar projects. It currently employs one tradesman and two apprentices, which may not be sufficient to meet the City's volume of work.

MI and E Holding scored 49% and was ranked fourth in the qualitative assessment. The company demonstrated some understanding of the City's requirements and has the required capacity to provide the services. However, it did not demonstrate experience in providing irrigation electrical services. The examples of works provided were large contracts up to \$300 million in value but no description of works was included to ascertain similarity to the City's requirements.

Waterman Irrigation scored 57% and was ranked third in the qualitative assessment. It demonstrated some experience in providing similar services to the City of Mandurah, Venues West, University of Western Australia and the Shire of Serpentine-Jarrahdale. The company also demonstrated its understanding of the required tasks but has limited capacity to provide the services and will utilise a sub-contractor to complete the work.

Northlake Electrical scored 75% and was ranked second in the qualitative assessment. It has extensive experience in providing electrical maintenance to State and local governments including Cities of Swan, Stirling, Fremantle and others. It demonstrated a sound understanding of the required tasks and the capacity to provide the services.

Triton Electrical Contractors scored 84% and was ranked first in the qualitative assessment. The company has extensive experience in completing similar projects for local governments and private organisations including Penrhos College, Aquinas College, Brighton Estate Butler, Benara Nursery and the Cities of Wanneroo, Belmont and Melville. It demonstrated a thorough understanding of the required tasks and is well resourced to undertake the works for the City.

### 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.

The rates are fixed for the first year of the Contract, but are subject to a price variation in years two and three of the Contract to a maximum of the Perth All Groups CPI percentage change for the preceding year. For estimation purposes, a 3% CPI increase was applied to the rates in years two and three.

To provide an estimated expenditure over a 12 month period the nine commonly used items and their typical usage based on historical data have been used and the table below provides a comparison of the estimated expenditure. Any future requirements will be based on demand and subject to change in accordance with the operational needs of the City. The estimated cost of the Contract for each tenderer is as follows:

<b>Respondent</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Triton Electrical Contractors Pty Ltd	\$384,440	\$395,973	\$407,852	<b>\$1,188,266</b>
Waterman Irrigation Pty Ltd	\$448,190	\$461,636	\$475,485	<b>\$1,385,311</b>
MMJ Electrical	\$454,060	\$467,682	\$481,712	<b>\$1,403,454</b>
MI & E Holding Pty Ltd	\$454,290	\$467,919	\$481,956	<b>\$1,404,165</b>
Northlake Electrical Pty Ltd	\$459,440	\$473,223	\$487,420	<b>\$1,420,083</b>

During the last financial year 2011/12, the City incurred \$386,202 for the provision of irrigation electrical services and is expected to incur in the order of \$1,200,000 over the three year Contract period.

### **Evaluation Summary**

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

<b>Respondent</b>	<b>Estimated Year 1 Contract Price</b>	<b>Estimated Total Contract Price</b>	<b>Price Rank</b>	<b>Weighted Percentage Score</b>	<b>Qualitative Rank</b>
Triton Electrical Contractors Pty Ltd	\$384,440	\$1,188,266	1	84%	1
Northlake Electrical Pty Ltd	\$459,440	\$1,420,083	5	75%	2
Waterman Irrigation Pty Ltd	\$448,190	\$1,385,311	2	57%	3
MI and E Holding Pty Ltd	\$454,290	\$1,404,165	4	49%	4
MMJ Electrical	\$454,060	\$1,403,454	3	45%	5

Based on the evaluation result, the Panel concluded that the Tender that provides best value to the City is that of Triton Electrical Contractors Pty Ltd and is therefore recommended.

Triton Electrical Contractors is the City's current contractor for irrigation electrical services and has consistently provided a high level of service.

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

The City has a requirement for irrigation electrical services to be provided to all parks and streetscapes within the City on an 'as and when required' basis. The City does not have the internal resources to provide the required services and requires an appropriate external supplier to undertake the services.

## 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:** The Natural Environment.

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

### Policy:

City Policy - Reserves, Parks and Recreation Grounds.

### Risk Management Considerations:

Should the Contract not proceed, the risk to the City will be high. The City constructs, on average, three to five irrigation systems per year, which require the installation of new pumps, cubicles, cabling and electrical equipment. The City also has a large number of older electrical cabinets with continuing need for repair and modification to ensure effective operation of the City's irrigation systems.

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

### Financial/Budget Implications:

<b>Account No:</b>	Various Parks Cost Centres and Capital Works
<b>Budget Item:</b>	Irrigation Electrical Services
<b>Estimated Budget Amount:</b>	\$400,000
<b>Estimated Expenditure 1 July 2012 to 2 August 2012 (Current Contract):</b>	\$32,184
<b>Proposed Contract Cost 3 August 2012 to 30 June 2013 (New Contract):</b>	\$352,403
<b>Balance:</b>	\$15,413

All figures quoted in this report are exclusive of GST.

### Regional Significance:

Not Applicable.

**Sustainability Implications:**

The maintenance of reticulation systems is essential for the efficient management of the City's water resources. The City has more than 300 irrigated parks and public open spaces. The provision of efficient maintenance and repair services to irrigation systems will maintain and enhance the quality of these areas used by the community.

**Consultation:**

Not Applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the Submissions in accordance with the City's evaluation process and concluded that the Offer representing best value is that submitted by Triton Electrical Contractors Pty Ltd.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr Thomas that Council ACCEPTS the Tender submitted by Triton Electrical Contractors Pty Ltd for the Provision of Irrigation Electrical Services as specified in Tender 013/12 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth CPI (All Groups) Index.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf170712.pdf](#)*

**CJ136-07/12 PERCY DOYLE RESERVE MASTER PLAN****WARD:** South**RESPONSIBLE DIRECTOR:** Mr Mike Tidy  
Director Corporate Services**FILE NUMBER:** 02056**ATTACHMENTS:**

Attachment 1	Percy Doyle Reserve Aerial Map
Attachment 2	City's Endorsed Master Planning Process
Attachment 3	Stakeholder Consultation – Report of Findings
Attachment 4	Community Consultation FAQ and Survey
Attachment 5	Consultation Summary of Findings Report (Main Sample)
Attachment 6	Consultation Summary of Findings Report (Invalid Responses)

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**PURPOSE**

To present the results of the Stakeholder and Community Consultation undertaken for the Percy Doyle Reserve Master Plan and to recommend the project proceeds to Concept Design stage.

**EXECUTIVE SUMMARY**

Percy Doyle Reserve is a 17 hectare Regional Park located on the corner of Marmion Avenue and Warwick Road, Duncraig consisting of the Duncraig Library, Duncraig Leisure Centre and various sporting infrastructure including tennis courts, bowling greens, four active sporting ovals and a number of community and clubroom buildings. The facilities service both the local community and over 40 sporting clubs and community groups. With the infrastructure at Percy Doyle Reserve reaching its end of life, the City has identified the opportunity to create a long-term sustainable plan for this site to meet the future needs of the community.

The Percy Doyle Reserve Master Planning project commenced in February 2009 following the endorsement of the City's revised Master Planning process. Since then stage one of the project (planning and initiation) has been completed and most recently, stakeholder and community consultation has been completed as part of stage two (site and needs analysis).

The Stakeholder (user group) Consultation was undertaken in 2011 and confirmed the City's assessment that many of the facilities are in need of refurbishment and some, like the Leisure Centre, are in need of major works and redevelopment. The results of the consultation also highlighted the support from the current stakeholders for any redevelopment at the site to include multipurpose and shared facilities.

Community Consultation for the Percy Doyle Reserve Master Plan was conducted in early 2012 to provide an opportunity for the community to make comment on how they currently utilise the facilities at Percy Doyle Reserve and their level of support for a range of development options for the site.

The City received a good response rate (15.6%) from the consultation undertaken for the project. The high level of responses from people living in Duncraig (48%) with nearly a quarter (23%) living within 200 metres of the reserve, indicates the importance of the site to the local and nearby residents and a strong level of interest in the eventual outcome of the redevelopment of the area.

Overall, most respondents believe the provision of existing facilities at Percy Doyle Reserve to be adequate and well maintained. The survey sought feedback on possible additional facilities throughout the site such as BBQs, playgrounds and walking trails. These proposed additional facilities were supported by the majority of people.

Given the results of both the Stakeholder and Community Consultation, it is recommended that the Percy Doyle Master Plan proceed to the next stage of the project which is Concept Design. Draft Concept Plans and associated estimated costings will be developed and presented to Council for feedback before taking these designs to the community for public comment.

*It is recommended that Council:*

- 1 *NOTES the findings of the Community Consultation process undertaken for the Percy Doyle Reserve Master Planning project;*
- 2 *REQUESTS the Chief Executive Officer to arrange for a Needs and Feasibility Study to be undertaken for the following:*
  - 2.1 *Combined Library/Leisure/Community Centre to ensure that concept designs are developed based on current and future community requirements for these facilities;*
  - 2.2 *Fitness centre/gym including the recommended management approach;*
- 3 *REQUESTS the Chief Executive Officer to arrange for the development of Concept Plans for the Percy Doyle Reserve site with the inclusion of the following elements:*
  - 3.1 *Redevelopment and consolidation of the existing City owned buildings to create multipurpose facilities catering for a number of community and sporting needs;*
  - 3.2 *Family orientated and well shaded passive park area including:*
    - *BBQ and picnic facilities;*
    - *'Three on three' basketball facility;*
    - *Playground;*
    - *Outdoor park exercise equipment; and*
    - *Public toilet amenities;*
  - 3.3 *Dual use walking and bike paths that provide connection to the reserve facilities;*
  - 3.4 *Additional playing surface/oval to accommodate the high sporting usage at the site;*

- 3.5 *Supporting infrastructure consisting of parking and lighting; and*
- 3.6 *Investigation for the inclusion of a dog exercise area;*
- 4 *NOTES that the Concept Plan will be developed with consideration given to reducing antisocial behaviour, traffic and noise impact to residents residing in close proximity to the Percy Doyle Reserve site;*
- 5 *NOTES that the Concept Plan will be developed with consideration given to environmental sustainability design features, Access and Inclusion principles and 'Designing out Crime' planning guidelines; and*
- 6 *NOTES that the current draft of the revised City's 20 Year Strategic Financial Plan lists an amount of \$45 million over three years from 2020/2021 to 2022/2023 (inclusive) for the Percy Doyle Master Plan Project.*

## **BACKGROUND**

Percy Doyle Reserve is a 17 hectare sport and recreation area located on the corner of Marmion Avenue and Warwick Road, Duncraig and is classified as a Regional Park within the City's Parks and Public Open Spaces Classification Framework. It is Crown Land vested in the City for the purpose of parks and recreation. It consists of the Duncraig Library, Duncraig Leisure Centre and various sporting infrastructure including tennis courts, bowling greens, four active sporting ovals and a number of community and clubroom buildings (Attachment 1 refers). The facilities service both the local community and over 40 sporting clubs and community groups.

As part of the initial site review conducted for the project, the current challenges identified for Percy Doyle Reserve include:

- Location and use of buildings - The buildings on Percy Doyle Reserve have been developed in an ad-hoc manner without consideration for future use of the site;
- Duplication of facilities - Due to the way the site was developed, there are a number of community facilities and sporting clubrooms that serve a similar purpose;
- Condition of infrastructure - Much of the existing infrastructure is in need of upgrade or is approaching the end of its life span. In the next few years, the City will be required to undertake significant maintenance and renewal works at the site;
- Incorporation of passive recreation - Whilst this is the City's main active reserve (organised sport and recreation of a structured nature) there is little passive recreation (non-formal recreation that is less physical in nature) opportunities such as picnics, BBQs, walking, riding and children's play;
- Capacity of existing facilities - Presently, Percy Doyle Reserve caters for a large range of active sports including soccer, bowls, tee-ball, football, tennis, cricket and badminton. The current layout of facilities however restricts the City's ability to accommodate growth of the sporting clubs; and
- Parking and access - The current provision and layout of parking on the reserve is ineffective. There is a large central parking area in the middle of the site but facilities located on the border have minimal parking provided and are difficult to access. There is also a high demand for parking during peak usage times when roads and grassed areas are being used as overflow areas.



In 2011/12, the replacement value of the buildings at Percy Doyle Reserve totalled over \$27 million. In 2010/11 maintenance costs for the City managed park areas was approximately \$324,000 (equates to approximately \$22,000 per hectare) and for the City managed buildings was approximately \$248,000 (equates to approximately \$31 per square metre) giving a total for the site at just over \$570,000. Rather than focus on maintaining existing assets, there is a unique opportunity to create a long-term sustainable plan for Percy Doyle Reserve with a focus on the concept of developing new multi-purpose facilities to meet the future needs of the community.

There are a number of benefits of multi-purpose facilities including:

- Improved Facilities - The use of funds to consolidate several facilities would ensure the improvement in the condition of the buildings. The user groups would also be consulted on any facility works allowing them input in the design, layout and specifications;
- Cost Saving - Consolidating several facilities into larger multi-purpose facilities could provide economies of scale leading to cost savings in areas including cleaning and maintenance. The user groups that lease facilities could also experience cost savings for facilities they share with other groups. Currently 8,000m<sup>2</sup> of facilities – could be consolidated into approximately 5,500m<sup>2</sup> of facilities giving a saving of around 30% per annum;
- Increased Passive Recreation Opportunities - In creating a more efficient use of the reserve, the City can increase opportunities for passive recreation in the provision of pathways and recreation play areas;
- Expanding User Base - Redeveloping the reserve will assist to facilitate potential expansion to the user base, and bring more opportunities for the community to participate in sport, recreation and leisure activities;
- Environmental Sustainability – buildings will be developed using design principles to improve the long term environmental sustainability for the facilities in accordance with the City's 'Environmentally Sustainable Building in the City of Joondalup' policy. These techniques cost up to 10% more during the construction stage of a project to achieve a building with a Green Star rating of four stars; and
- Increase in community interaction - The current user groups of the reserve will benefit with improved facilities and access that will create better opportunities for their use and for community interaction.

The Percy Doyle Reserve Master Planning project commenced in February 2009 following the endorsement of the City's revised Master Planning process (CJ031-02/09 refers) (Attachment 2 refers). Stage 1 of the Percy Doyle Reserve Master Plan (project initiation and planning) was completed in June 2009. This involved the formation of a project team and development of the project plan. Research and analysis of community demographics, industry trends and other similar projects has also been undertaken. In June 2009, Elected Members were provided with an information pack consisting of a discussion paper, survey and project plan, to provide feedback on the scope and types of development that could be undertaken at the site. This information was used to develop the key principles for the master planning of Percy Doyle Reserve.

Stage 2 of the project (site and needs analysis) includes undertaking consultation to seek feedback from the existing users groups and the local community on the type of development options at the site.

A presentation was made at the April 2010 Strategy Session explaining the concept of multipurpose facilities and the proposed consultation methods that could be used. Feedback received from the Strategy Session requested that consultation with the existing user groups (stakeholders) be undertaken early 2011 and reported back to Council prior to undertaking wider Community Consultation on the type of development options for the site. The intent of consulting only with the stakeholders first was to determine the level of willingness by the groups to share multipurpose facilities.

### Stakeholder Consultation

In February and March 2011 the City conducted consultation with the existing user groups of the ovals and buildings at the reserve. The consultation was conducted through a number of workshops with the clubs and groups to seek feedback on the facility they currently utilise and the Percy Doyle Reserve Master Planning project.

The feedback received as part of the stakeholder consultation was collated and a report of findings completed (Attachment 3 refers). The results of the stakeholder consultation were presented at the June 2011 Strategy Session.

Overall for the stakeholder consultation the City received a response rate of 63% with the majority of groups who did not respond using the Leisure Centre (response rate of 85% discounting those not responding from the Leisure Centre). All clubs that currently lease a facility responded to the consultation.

Groups were asked to rate the building they currently utilise on a scale of 'poor', 'fair', 'good', 'very good' and 'excellent'. Most groups only rated the facility they currently utilise as 'fair' or 'good' with the main issues raised relating to the aging infrastructure and available space.

In summary the feedback received from stakeholders confirmed the City's assessment that many of the facilities are in need of refurbishment and some, like the Leisure Centre, are in need of major works and redevelopment. The results of the consultation also highlighted the support from the current stakeholders for any redevelopment at the site to include multipurpose and shared facilities. Even those groups that currently lease their own facility are willing to share function/meeting, toilet and bar/kitchen facilities provided access and management is undertaken in a fair and equitable basis and separate individual storage areas are provided for each group.

### **DETAILS**

Community Consultation for the Percy Doyle Reserve Master Plan was conducted from Monday 20 February to Friday 9 March 2012. The consultation was undertaken in line with the City's Community Consultation and Engagement Policy and Protocol to provide an opportunity for the community to make comment on how they currently utilise the facilities at Percy Doyle Reserve and their level of support for a range of development options for the site.

The consultation consisted of a 'frequently asked questions' sheet and feedback survey (Attachment 4 refers) that was distributed/advertised via the following methods:

- A direct mail out (2,919 households/groups) to:
  - Residents within a 200 metre radius from the site;
  - A random sample of residents living in the suburbs of Duncraig, Marmion, Sorrento, Greenwood, Warwick, Hillarys, Padbury and Kingsley. The random sample was taken from an electoral roll extract stratified by age range to reflect the demographics of these suburbs;
  - Schools within the suburbs of Duncraig, Marmion, Sorrento, Greenwood, Warwick, Hillarys, Padbury and Kingsley;
  - Representatives from current facility user groups;
  - Representatives from the local Resident's Association;
- Site signage (three) advertising the consultation was placed at each of the access roads into the site;
- Public Notice advertisements (two) placed in the Community Newspaper;
- Information included on the City's Community Consultation page of the website;
- Posters distributed to City's Libraries, Leisure Centres, Customer Service and Recreation Services Bookings Office for display during the consultation period;
- Information displayed on the information screen located in the reception area at the City's Administration Building; and
- Information added to The City's Club Development E-newsletter with links to the website for further details or to download survey.

### **Results of Consultation:**

The City directly mailed 2,919 consultation packs to residents and stakeholders. 455 valid submissions were received which represents a response rate of 15.6%. For the number of surveys distributed, a return rate of 11.6% was required to meet the statistical standard. Therefore with a response rate of 15.6%, generalisations from the feedback can be made with confidence.

A further 18 (0.6%) responses were received from people who did not complete the demographic information required for the survey to be valid. While the feedback from these surveys has not been included in the main summary of findings (Attachment 5 refers), they have been recorded separately (Attachment 6 refers) and overall reflect the same trends in feedback as the main response group.

Almost all responses (99%) were received from people living within the City of Joondalup. 75% of respondents lived within the suburbs nearby Percy Doyle Reserve, consisting of Greenwood, Hillarys, Kingsley, Marmion, Padbury, Sorrento, Duncraig and Warwick. Almost half (48%) of respondents live in Duncraig with nearly a quarter (23%) living within 200 metres of the reserve.

Nearly a quarter of submissions (23%) were received from people who indicated they were members of a sporting club or community group using the facilities at Percy Doyle Reserve. The clubs most frequently referenced were Sorrento Bowling Club, Sorrento Duncraig Football Club, Sorrento Football (Soccer) Club, and Sorrento Tennis Club.

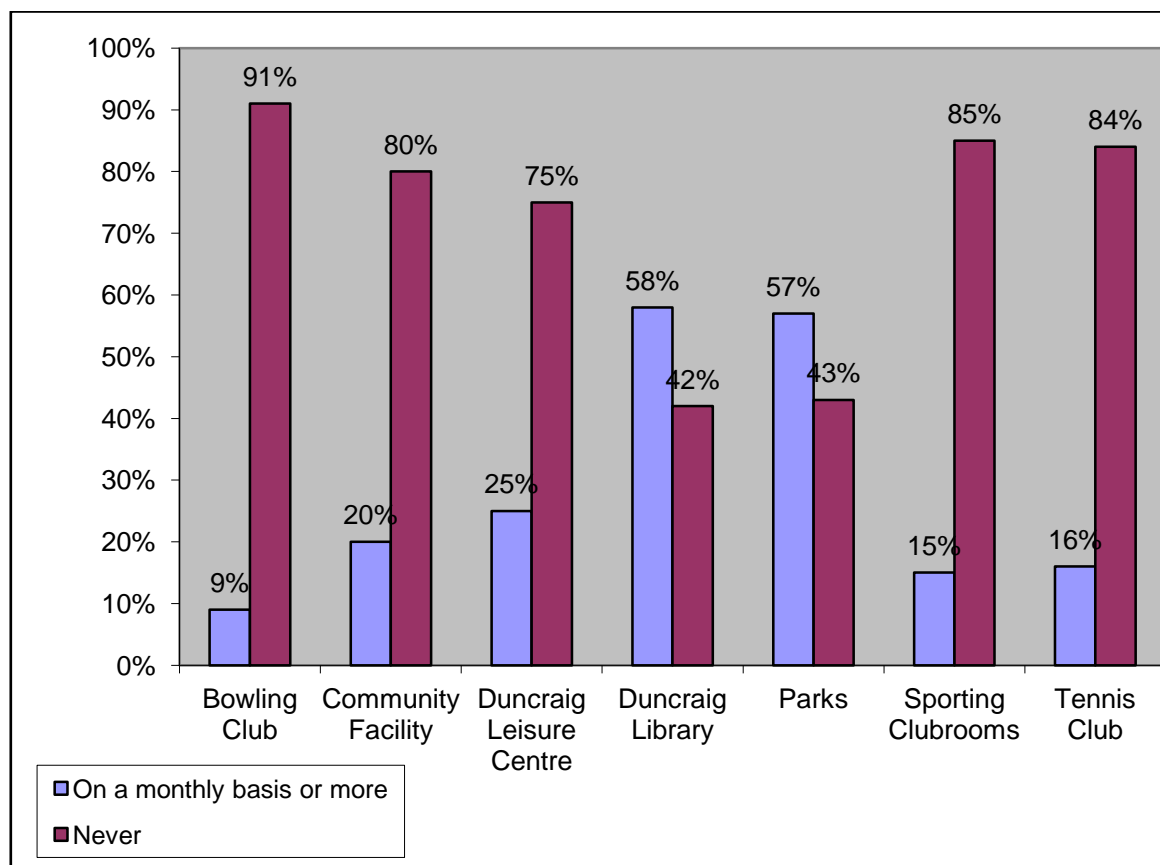
The highest responding age group were those 50-59 years of age with 25% of respondents. Other age groups with a high response rate included 60-69 years of age (19% each), 35-44 years of age (18%) and 70-84 years of age (15%). All other age group were 10% or below representation.

It is important to note that the community consultation undertaken was sent to residents within a 200 metre radius of the site. These residents, while living closest to the site may not necessarily use or are a member of a group that use the reserve. Given the data collected on current usage indicates low levels of utilisation by respondents, this should be taken in context. The comments provided by the stakeholders on the provision of facilities (Attachment 3 refers) should be considered in conjunction with the feedback provided by residents as they actually use the facilities regularly.

A summary of the responses has been provided below which details the current usage of the reserve, perception of the condition and provision of the existing facilities and the level of support for possible additional facilities at Percy Doyle Reserve.

#### Current usage of existing facilities

For this question of the survey, respondents were asked to indicate how often they use the existing facilities at Percy Doyle Reserve.



The most utilised facilities at Percy Doyle Reserve are the Duncraig Library and the various park areas at the site with over half (58% and 57% respectively) of respondents using them at least monthly. A quarter of respondents (25%) use the Duncraig Leisure Centre at least monthly and 20% use a Community Facility at least monthly.

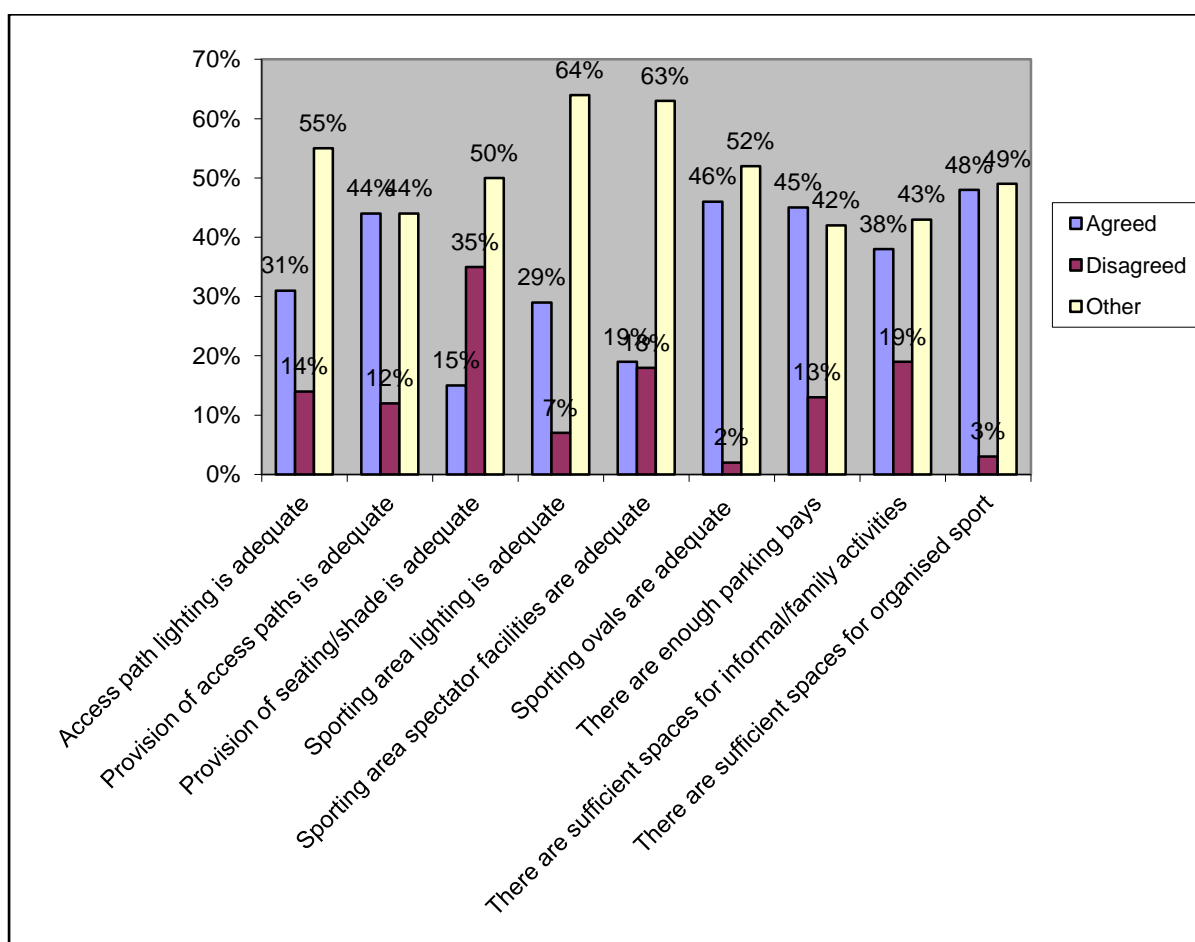
However, there were a high number of respondents that never use the facilities at Percy Doyle Reserve with the following percentages:

- Bowling Club 91%;
- Community Facilities 80%;
- Leisure Centre 75%;
- Library 42%;
- Parks 43%;
- Sporting Clubrooms 85%; and
- Tennis Club 84%.

Given the data collected on current usage indicates low levels of utilisation by respondents, this factor should be taken into consideration when analysing the feedback received regarding provision and condition of the facilities.

#### Perception on the provision of existing facilities

For this question of the survey, respondents were asked to indicate the extent to which they agreed or disagreed that the provision of facilities at Percy Doyle Reserve are adequate.



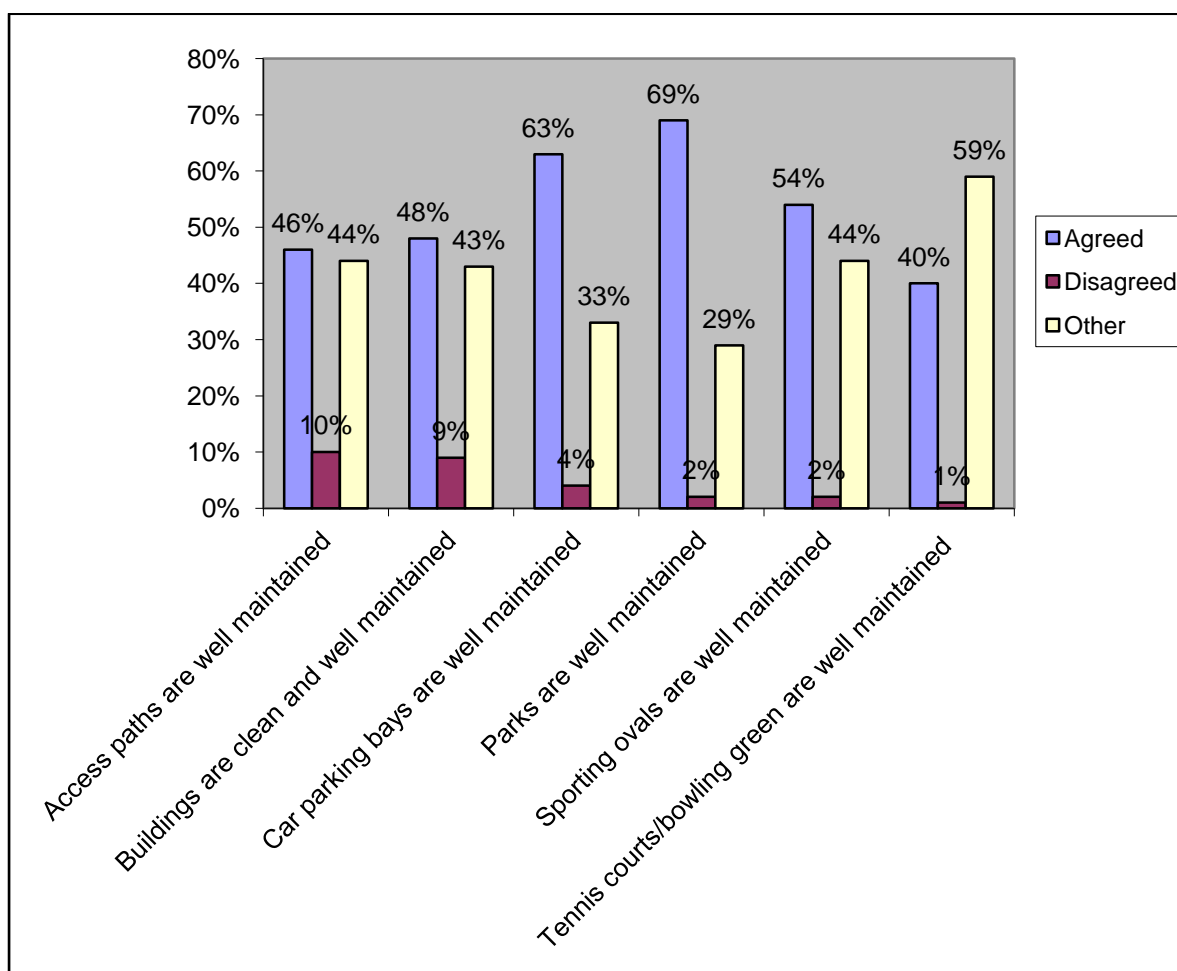
\* This graph combines the responses 'strongly agree' and 'agree' into the category agree and the responses 'disagree' and 'strongly disagree' into the category disagree. The remainder of respondents either selected 'neither agree or disagree' or 'don't know' and these are combined into the category other.

Overall, more respondents agree that the provision of facilities is adequate. The area of most concern is that of seating/shade with 35% of respondents disagreeing that the provision is adequate. Two other areas that had a high number of respondents that do not agree are adequately provided for - are the spaces for informal/family activities and sporting area spectator facilities (19% and 18% of respondents respectively.)

However given the data collected on current usage indicates low levels of utilisation by respondents, this should be taken in context. The comments provided by the stakeholders on the provision of facilities (Attachment 3 refers) should be considered in conjunction with this feedback as they actually use the facilities regularly.

#### Perception on the condition of existing facilities

For this question of the survey, respondents were asked to indicate the extent to which they agreed or disagreed that the existing facilities at Percy Doyle Reserve are well maintained.



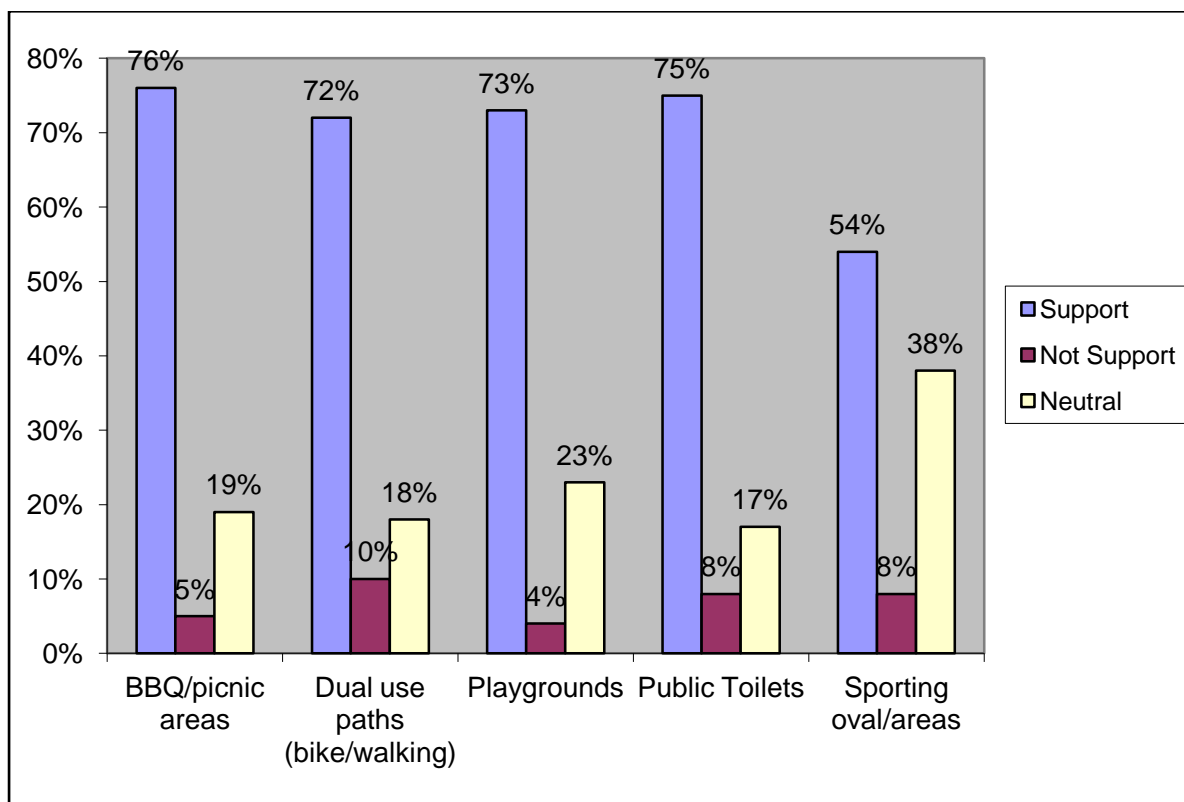
\* This graph combines the responses 'strongly agree' and 'agree' into the category agree and the responses 'disagree' and 'strongly disagree' into the category disagree. The remainder of respondents either selected 'neither agree or disagree' or 'don't know' and these are combined into the category other.

Overall, more respondents agree that the facilities at Percy Doyle Reserve are well maintained. The areas of most support are the Parks with 69% and car parking with 63% of respondents agreeing they are well maintained. Access paths had the highest number of respondents disagreeing (10%) that they are well maintained.

However given the data collected on current usage indicates low levels of utilisation by respondents, this should be taken in context. The comments provided by the stakeholders on the condition of facilities (Attachment 3 refers) should be considered in conjunction with this feedback as they actually use the facilities regularly.

Level of support for possible additional facilities (listed in survey)

For this question of the survey, respondents were asked to indicate their level of support for possible additional facilities.

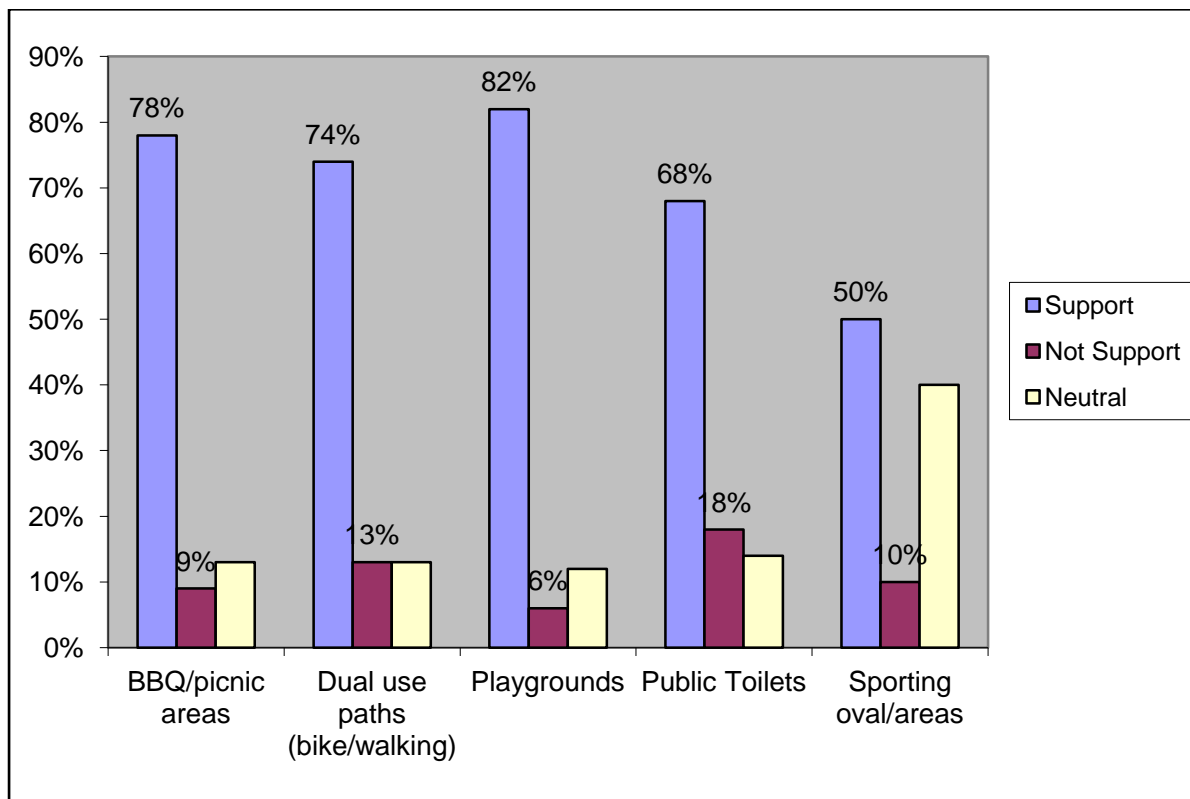


\* The neutral category indicates those respondents that selected 'neither support nor not support'.

Overall, all proposed additional facilities for Percy Doyle Reserve were supported by the majority of people, with most receiving support by over 70% of respondents. Additional sporting ovals/areas received the least support however was still supported by over half the respondents.

Level of support for possible additional facilities (listed in survey) from those respondents living within 200 metres of the Reserve

This below graph shows the level of support for possible additional facilities from respondents living with 200 metres of the site.



\* The neutral category indicates those respondents that selected 'neither support nor not support'.

Within some developments where additional facilities are proposed at a site, those people residing closest to the area can sometimes feel differently to those living further away. However, for this site and proposed additional facilities, overall this was not the case. Those respondents living within 200 metres of the reserve had the same trend in the level of support as the overall results. The only exception to this was the number of respondents living within 200 metres of the reserve that do not support the development of public toilets at the site with 18% in comparison with 8% overall.

Other suggested additional facilities

The consultation survey provided respondents with the opportunity to list other facilities that they would like considered as part of the development at Percy Doyle Reserve. The most frequently listed facilities included:

- Swimming pool/aquatic facility (25 responses);
- Dog exercise area (12 responses);
- Skate Park (10 responses);
- Outdoor park exercise equipment (10 responses);
- Basketball hoop (outdoor) (eight responses);
- Fitness Centre/Gym (six responses); and
- Amphitheatre (six responses).



The request for a swimming pool/aquatic facility at Percy Doyle Reserve is considered outside the project scope due to the available space at the site and provision of these facilities at Craigie Leisure Centre. It is also understood that the City of Stirling is proposing a Coastal Aquatic Facility at the Hamersley Golf Course site on Marmion Avenue, Hamersley (4 kilometres from the site). If this project proceeds it is possible that it may meet the demand for aquatic facilities from residents living within the City's southern suburbs.

The request for a Skate Park and Amphitheatre at Percy Doyle Reserve are also considered outside the project scope due to the available space at the site. In the past the City has invested funds into the Carine Regional Open Space Skate Park located 3.5 kilometres from the site. There is also currently an Amphitheatre being considered as part of the Edgewater Quarry Master Planning project.

The basketball/netball court previously located at the site was removed in 2011 due to low usage levels and impending resurfacing costs. However, it is possible to include a 'three on three' concrete basketball area within the project which is likely to meet the request from the community for an informal play area. The request for outdoor park exercise equipment will be considered as part of the planning for the redevelopment of the site.

Currently there is a small gym located within the Duncraig Leisure Centre. It consists of a limited number of cardio and weight machines and is opened during the Leisure Centre's operating hours. It also offers a limited number of group fitness classes. It is likely that the current gym size, limited equipment and group fitness classes and operating hours does not meet the needs of the community. This assumption is supported by the request for a fitness centre/gym by respondents through the community consultation process.

The closest City of Joondalup managed fitness centre is located at Craigie Leisure Centre which is approximately eight kilometres from the site. The City of Stirling's closest managed fitness centre is located at Leisurepark Balga which is approximately 10 kilometres from the site. However, it is understood that the City of Stirling is considering the inclusion of gym facilities within the proposed Coastal Aquatic Facility. This development has the potential to meet the demand for fitness centre facilities from residents living within the City's southern suburbs. There are also a number of small privately owned fitness centres in Duncraig and the neighbouring suburbs.

If a need is demonstrated, a larger fitness centre could be included within the redevelopment of the site which could be either managed by the City or leased to a private operator. It is proposed that as part of the project, a Feasibility Study be undertaken to determine the need and recommended management approach for a fitness centre within Percy Doyle Reserve.

Currently at Percy Doyle Reserve, dogs are not permitted within the park areas. It is understood that this is due the high level of organised sporting activity undertaken at the site. While a dog exercise area was a frequent request from respondents, at this stage it is not clear if this is achievable at Percy Doyle Reserve. As part of the project it is possible to consider the inclusion of a dedicated dog exercise area.

#### Further comments

The consultation survey provided respondents with the opportunity to also make any further comments they had on the site or the development of Percy Doyle Reserve. The most common themes noted within this section of the survey included the need for:

- More family oriented facilities (16 responses);
- More natural/nature areas (14 responses);
- Consideration on how to reduce anti-social behaviour and traffic issues at the site (10 responses);
- Better accessibility for example paths, wheelchair/frail age access (nine responses); and
- An upgrade to the leisure centre facility (seven responses).

These common themes received from respondents as further comments through the consultation are considered within the scope of the project and will be included in the future planning of the site.

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

**Legislation** Not Applicable.

### **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.

**Strategy:** 5.1.1 The City develops and implements a Strategic Asset Management Framework to improve the standard and management of its community infrastructure, including the consolidation and rationalisation of current building facilities.

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

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

### **Policy:**

Not Applicable.

### **Risk Management Considerations:**

The existing buildings at Percy Doyle Reserve have been developed in an ad-hoc manner over the years without consideration for future use of the site. Due to the way the site was developed, there are a number of community facilities and sporting clubrooms that serve a similar purpose. As a number of the buildings at Percy Doyle Reserve are nearing the end of their lifecycle the City needs to determine the future development options for the site to ensure that where possible new multipurpose facilities are constructed to benefit the user groups, wider community and the City. If the City does not progress the Percy Doyle Reserve Master Plan project the risk is the continued ongoing maintenance costs and duplication of infrastructure.

**Financial/Budget Implications:**

There is currently \$44,000 listed for consideration as part of the 2012/13 budget to enable completion of Stage 3 (Concept Design) of the project.

Currently there is \$45 million listed in the City's adopted 20 Year Strategic Financial Plan from 2021/22 to 2023/24 for the implementation of the Master Plan's recommendations.

However, the adopted 20 Year Strategic Financial Plan is under review by the Strategic Financial Management Committee and Council, which lists \$45 million over three consecutive years commencing 2020/2021.

**Regional Significance:**

Percy Doyle Reserve is the largest active sporting area in the City of Joondalup with a size of 17.08 hectares. It is the only City managed facility that is currently classified as a Regional Park, meaning that it services not only the local area but also the surrounding suburbs in the northern corridor.

**Sustainability Implications:**Environmental

Any developments at Percy Doyle Reserve will consider and minimise impact to important flora and fauna in the area. Facilities will be planned to reduce the impact of the carbon footprint and consider environmental sustainability design features.

Social

The Percy Doyle Reserve Master Plan has included extensive consultation with residents and current user groups of the existing facilities to ensure that feedback received represents the diverse needs of the City's community. Any developments at the site will consider Access and Inclusion principles and will aim to enhance the amenity of the public space.

Economic

One of the main principles of the Master Plan is the development of 'shared' and 'multipurpose' facilities to replace the existing buildings that are in need of upgrade or are approaching the end of their life span. Reducing the duplication of facilities will reduce the ongoing maintenance and future capital expenditure requirements.

**Consultation:**

The results of the Community Consultation have been detailed in this report. Further consultation will be undertaken as part of the project in line with the City's Endorsed Master Planning process during Stage 3 – Concept Design.

## COMMENT

The City received a good response rate (15.6%) from the Community Consultation undertaken for the Percy Doyle Reserve Master Planning project. The high level of responses from people living in Duncraig (48%) with nearly a quarter (23%) living within 200 metres of the reserve, indicates the importance of the site to the local and nearby residents and a strong level of interest in the eventual outcome of the redevelopment of the area.

As most of the of the existing infrastructure at Percy Doyle Reserve is in need of upgrade or is approaching the end of its life span and will need replacement in the future, there is a unique opportunity for the City to create a long-term sustainable plan for the site to meet the future needs of the community.

As previously identified there are a number of current challenges at Percy Doyle Reserve that can be addressed through the redevelopment of the site including the:

- Location, use and duplication of buildings;
- Current condition of infrastructure;
- Incorporation of passive recreation;
- Improvement to the capacity of existing sporting infrastructure; and
- Improvement to the parking and access to the site.

The results of the stakeholder (user group) consultation undertaken in 2011 confirmed the City's assessment that many of the facilities at the site are in need of refurbishment and some, like the Leisure Centre, are in need of major works and redevelopment. The results of this consultation also highlighted the support from the current stakeholders for any redevelopment at the site to include multipurpose and shared facilities.

The Community Consultation undertaken indicates that the park areas and Duncraig Library are the most utilised facilities by local residents at Percy Doyle Reserve. Overall, more respondents agree than those that disagree that the provision of facilities at Percy Doyle Reserve are adequate and well maintained. The areas of concern raised by respondents through the consultation process is the provision of seating/shade, spaces for informal/family activities, access paths and sporting area spectator facilities. These issues will be considered as part of the concept design for the site.

The proposed additional facilities included in the survey were supported by the majority of respondents. Within some developments where additional facilities are proposed at a site, those people residing closest to the area can sometimes feel differently to those living further away. However, for this site this was not the case overall. The other facilities most requested by respondents that are within the scope of the project will be considered as part of the Concept Design for the site.

Given the results of both the Stakeholder and Community Consultation, it is recommended that the Percy Doyle Reserve Master Plan proceed to the next stage of the City's endorsed Master Planning process which is Concept Design.

Draft Concept Plans will consider the redevelopment and consolidation of the existing buildings on the site. It is anticipated that the number of buildings can be reduced by developing multipurpose facilities such as a combined Library/Leisure/Community Centre and shared sporting clubrooms. As part of the Concept Design, it is proposed to undertake a Needs and Feasibility Study for the Library and Leisure Centre components of the project. This will ensure that designs are developed based on current and future community requirements for these facilities.

The draft Concept Plans will also include the addition of passive park areas with the elements supported by the community. The Concept Plans will also consider environmental sustainability design features, Access and Inclusion principles. The City's Landscape Master Plan principles, 'Designing out Crime' planning guidelines and reducing antisocial behaviour, traffic and noise impact to residents residing in close proximity to Percy Doyle Reserve.

If supported, draft Concept Plans and associated estimated costings will be developed and presented to Council for feedback before taking these designs to the community for public comment.

## **VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER'S RECOMMENDATION**

That Council:

- 1 NOTES the findings of the Community Consultation process undertaken for the Percy Doyle Reserve Master Planning project;
- 2 REQUESTS the Chief Executive Officer to arrange for a Needs and Feasibility Study to be undertaken for the following:
  - 2.1 Combined Library/Leisure/Community Centre to ensure that concept designs are developed based on current and future community requirements for these facilities;
  - 2.2 Fitness centre/gym including the recommended management approach;
- 3 REQUESTS the Chief Executive Officer to arrange for the development of Concept Plans for the Percy Doyle Reserve site with the inclusion of the following elements:
  - 3.1 Redevelopment and consolidation of the existing City owned buildings to create multipurpose facilities catering for a number of community and sporting needs;
  - 3.2 Family orientated and well shaded passive park area including:
    - BBQ and picnic facilities;
    - 'Three on three' basketball facility;

- Playground;
  - Outdoor park exercise equipment; and
  - Public toilet amenities;
- 3.3 Dual use walking and bike paths that provide connection to the reserve facilities;
- 3.4 Additional playing surface/oval to accommodate the high sporting usage at the site;
- 3.5 Supporting infrastructure consisting of parking and lighting; and
- 3.6 Investigation for the inclusion of a dog exercise area;
- 4 NOTES that the Concept Plan will be developed with consideration given to reducing antisocial behaviour, traffic and noise impact to residents residing in close proximity to the Percy Doyle Reserve site;
- 5 NOTES that the Concept Plan will be developed with consideration given to environmental sustainability design features, Access and Inclusion principles and 'Designing out Crime' planning guidelines; and
- 6 NOTES that the current draft of the revised City's 20 Year Strategic Financial Plan lists an amount of \$45 million over three years from 2020/2021 to 2022/2023 (inclusive) for the Percy Doyle Master Plan Project.

**MOVED Mayor Pickard, SECONDED Cr Ritchie that Council:**

- 1 **NOTES the findings of the Community Consultation process undertaken for the Percy Doyle Reserve Master Planning project;**
- 2 **REQUESTS the Chief Executive Officer to arrange for a Needs and Feasibility Study to be undertaken for the following:**
- 2.1 **Combined Library / Leisure / Community Centre (including the possibility of a City Customer Service Centre) to ensure that concept designs are developed based on current and future community requirements for these facilities;**
- 2.2 **Fitness centre/gym including the recommended management approach;**
- 3 **REQUESTS the Chief Executive Officer to arrange for the development of Concept Plans for the Percy Doyle Reserve site with the inclusion of the following elements:**
- 3.1 **Redevelopment and consolidation of the existing City owned buildings to create multipurpose facilities catering for a number of community and sporting needs;**
- 3.2 **Family orientated and well shaded passive park area including:**

- **BBQ and picnic facilities;**
  - **'Three on three' basketball facility;**
  - **Playground;**
  - **Outdoor park exercise equipment; and**
  - **Public toilet amenities;**
- 3.3 Dual use walking and cycle paths that provide connection to the reserve, its associated facilities and external path networks;**
- 3.4 Additional playing surface/oval to accommodate the high sporting usage at the site;**
- 3.5 Supporting infrastructure consisting of parking and lighting;**
- 3.6 Investigation for the inclusion of a dog exercise area; and**
- 3.7 Investigation of the possible location of 'headquarters' for relevant State Sporting Associations that do not adversely impact on current sports users of the site and meet the objectives of the Percy Doyle Master Plan;**
- 4 NOTES that the Concept Plan will be developed with consideration given to reducing antisocial behaviour, traffic and noise impact to residents residing in close proximity to the Percy Doyle Reserve site;**
- 5 NOTES that the Concept Plan will be developed with consideration given to environmental sustainability design features, Access and Inclusion principles and 'Designing out Crime' planning guidelines; and**
- 6 NOTES that the current draft of the revised City's 20 Year Strategic Financial Plan lists an amount of \$45 million over three years from 2020/2021 to 2022/2023 (inclusive) for the Percy Doyle Master Plan Project.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf170712.pdf](#)*

## **CJ137-07/12      BRAMSTON PARK – PROPOSED CLUBROOM/ COMMUNITY FACILITY**

**WARD:** North

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

**FILE NUMBER:** 87611

**ATTACHMENTS:**

Attachment 1	Bramston Park Aerial Map
Attachment 2	City's Endorsement Master Planning Process
Attachment 3	Consultation Direct Mail-Out Distribution Area
Attachment 4	Consultation Information sheet
Attachment 5	Consultation 'Frequently Asked Questions' Sheet
Attachment 6	Consultation Comment Form

### **PURPOSE**

To present to Council the proposed development of a clubroom/community facility and associated infrastructure at Bramston Park, Burns Beach and seek formal endorsement to commence the project and a commitment to the funding that will be required by the City to plan and construct the development.

### **EXECUTIVE SUMMARY**

The City is currently preparing a master plan for the broader Burns Beach area, which will serve as a cohesive planning strategy for the development, provision of facilities and management of the Burns Beach area.

Ahead of finalisation of the master plan however, it is necessary to progress planning of a multi-purpose sporting and community facility at Bramston Park in order to be able to construct the facility in 2014/15 as per the City's 5 Year Capital Works Program and to meet the Department of Sport and Recreation's Community Sport Recreation Facilities Fund (CSRFF) application deadlines.

Bramston Park is located on Bramston Vista, Burns Beach and at present there are no facilities or floodlights at the park. The park is currently managed by the developer (Peet) and is due for handover to the City in July 2014.

Currently the following is proposed for the project within the City's 5 Year Capital Works Program:

- 2012/13      \$100,000 (consultation, concept design, cost estimates);
- 2013/14      \$150,000 (consultation, detailed design, tender documentation); and
- 2014/15      \$1,750,000 (construction).

It is proposed that given the dimensions of Bramston Park, it be allocated to a rectangle sport for winter (for example soccer, rugby) and a suitable summer sporting group. For a club to use this park successfully, infrastructure such as a clubroom, floodlighting and a car park is required.



The proposed facility will also be available for general community hire and have access to the facility including a meeting room.

If the project is endorsed by Council to commence, then initial Community Consultation is proposed for August 2012 with residents living within 200 metres of the site and potential user groups of the oval and facility.

*It is recommended that Council:*

- 1 *NOTES the timeline proposed for the Bramston Park Clubroom Project;*
- 2 *NOTES the listing of \$1,750,000 within the 2014/15 of the City's 5 Year Capital Works Budget for construction of the proposed clubroom and additional infrastructure;*
- 3 *REQUESTS the Chief Executive Officer to arrange for Community Consultation as detailed in the report for the Bramston Park Clubroom Project to be conducted in August 2012; and*
- 4 *NOTES that a further report will be presented to Council in December 2012 detailing the results of the Community Consultation for consideration and endorsement to progress the Bramston Park Clubroom Project.*

## **BACKGROUND**

Bramston Park is 3.93 hectares and is located on Bramston Vista Burns Beach (Attachment 1 refers). The park is classified as Crown Land currently managed by the developer (Peet) and is due for handover to the City in July 2014 however; there are some preliminary discussions for a handover in July 2013. There are currently no facilities or floodlights at the park.

Bramston Park is located adjacent to a 3.5 hectare site (Lot 954 Bramston Vista) that has been identified as a future primary school as part of the Burns Beach Estate Overall Development Plan.

The City is currently preparing a master plan for the broader Burns Beach area, which will serve as a cohesive planning strategy for the development, provision of facilities and management of the Burns Beach area.

Ahead of finalisation of the master plan however, it is necessary to progress planning of a multi-purpose sporting and community facility at Bramston Park in order to be able to construct the facility in 2014/15 as per the City's 5 Year Capital Works Program and to meet the Department of Sport and Recreation's Community Sport Recreation Facilities Fund (CSRFF) application deadlines.

## **DETAILS**

In 2011, a review of the City's Active Reserves was conducted and after reviewing the allocation of reserves in the northern corridor for sports, it is proposed that given the dimensions of Bramston Park, it be allocated to a rectangle sport for winter (for example soccer, rugby) and a suitable summer sporting group. For a club to use this park successfully, infrastructure such as a clubroom and floodlighting (four poles) to Australian Standards (large ball sports – training) is required.

In order to maximise the active playing surface on the site, it is proposed that the development may require the removal of minimal bushland vegetation at the eastern end of the site. This area was identified as the site for future facilities when the park was developed. The vegetation is not listed in the Perth Biodiversity Project, as a Bush Forever site, in the District Planning Scheme Schedule 5 or as having any heritage values. The vegetation is considered in similar condition to that across the road at Huxley Park – 80% is in very good condition. The design of the facilities will retain as much of the vegetation as possible.

It is proposed for the clubroom/community facility to include the following (similar in size to that recently built at Forrest Park):

- Toilet/change rooms;
- Clubroom (meeting room);
- Kitchen/Kiosk;
- Furniture storeroom (tables and chairs for the meeting room); and
- Storage – Sporting Club and Community Group.

It is proposed that the clubroom/community facility would not only cater for the sporting groups housed on the site but also be available to the wider local community for community based meetings and activities.

The project will be managed by the City and conducted in accordance with the City's endorsed Master Planning process (Attachment 2 refers):

- 1 Project Initiation and Planning;
- 2 Site and Needs Analysis;
- 3 Concept Design;
- 4 Feasibility Analysis;
- 5 Funding and Approvals;
- 6 Construction; and
- 7 Operations and Review.

It has been identified that this project would be suitable for consideration as part of the Department of Sport and Recreation's Community Sport Recreation Facilities Fund (CSRFF) program. In order to construct the facilities in 2014/15 as per the City's 5 Year Capital Works Program (and to meet CSRFF application deadlines), planning for the project has commenced. Project timelines have been determined and are outlined in the table below.

Stage	Task	Timeline
<b>Stage 1 – Project Initiation and Planning</b>		
1	Seek Council endorsement to commence project	July 2012
<b>Stage 2 – Site and Needs Analysis</b>		
2	Conduct Initial Stakeholder and Community Consultation	August 2012
3	Conduct Initial Community Consultation	August 2012
4	Update Council on results of Consultation	December 2012
<b>Stage 3 – Concept Design</b>		
5	Complete Scope of Works	December 2012
6	Develop Concept Plan	March 2013

Stage	Task	Timeline
<b>Stage 4 – Feasibility Analysis</b>		
7	Complete Detailed Cost Estimate	March 2013
8	Seek Council endorsement to undertake Community Consultation on Concept Plan	May 2013
9	Conduct Community Consultation on Concept Plan	July 2013
10	Update Council on results of Community Consultation and seek endorsement to proceed project	October 2013
<b>Stage 5 – Funding and Approvals (if project supported)</b>		
11	Complete CSRFF Council report	October 2013
12	Submit CSRFF application	October 2013
13	Funding notification from DSR	March 2014
<b>Stage 6 – Construction (if project supported)</b>		
14	Complete Detailed Design and Tender Process	June 2014
15	Construction	2014/15

The proposed timeline would allow the City to seek grant funding through the Department of Sport and Recreation's CSRFF program.

### 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.

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

#### Policy:

Not Applicable.

#### Risk Management Considerations:

If the City does not develop a clubroom facility and floodlighting at the park, it will be unable to cater for the needs of the sporting groups that will be located at this site.

The City's current five year Capital Works Program lists the total project cost. The financial risk to the City if CSRFF is not secured is that it will have to realise the total cost of the project.

#### Financial/Budget Implications:

Currently the following is proposed for the project within the City's 5 Year Capital Works Program:

- 2012/13 - \$100,000 (consultation, concept design, cost estimates);
- 2013/14 - \$150,000 (consultation, detailed design, tender documentation); and
- 2014/15 - \$1,750,000 (construction).

All figures quoted in this report are exclusive of GST.

### **Regional Significance:**

Not Applicable.

### **Sustainability Implications:**

#### Environmental

Any developments at Bramston Park will consider and minimise impact to important flora and fauna in the area. Facilities will be planned to reduce the impact of the carbon footprint and consider environmental sustainability design features.

#### Social

The project will include consultation with residents and potential user groups of the oval and clubroom facility to ensure that feedback received represents the diverse needs of the City's community. Any developments at the site will consider Access and Inclusion principles and will aim to enhance the amenity of the public space.

#### Economic

One of the main principles of the City's Master Planning Framework is the development of 'shared' and 'multipurpose' facilities to avoid duplication of facilities and reduce the ongoing maintenance and future capital expenditure requirements.

### **Consultation:**

Consultation for this project will be conducted in accordance with the City's approved Community Consultation and Engagement Policy and Protocol.

Community Consultation with residents and potential user groups will be conducted during the early stages of the project outlining the proposed site, layout, design and management and again once a proposed Concept Plan has been developed.

If the project is endorsed by Council to commence and the City is to submit an application to the Department of Sport and Recreation's CSRFF program next year, then initial Community Consultation will need to be undertaken in August 2012.

It is proposed to undertake consultation with the following:

- Residents living within a 200 metre radius from the site as shown in Attachment 3;
- Representatives from potential oval user groups;
- Representatives from potential facility user groups; and
- Representative from the local Resident's Association.

It is proposed that consultation will be conducted in for 21 days from Monday 13 August – Monday 3 September and advertised through the following methods:

- Direct mail out - Cover letter, Information sheet, Frequently Asked Question sheet and Comment Form to be sent to all stakeholders;
- Site signage - Two signs to be placed at Bramston Park during the community consultation period;
- 'Club's In Focus' e-newsletter - Information added to the August edition with links to website for further details or to complete the survey;
- Website - Information and survey added to the 'community consultation' section of City's website during the community consultation period; and
- A3 poster - Displayed at Jack Kikeros Hall and the Recreation Services Bookings Office during the consultation period.

A copy of the proposed Information sheet, 'Frequently Asked Questions Sheet' and Comment Form are included as Attachments 4, 5 and 6.

The feedback received as part of the Community Consultation will be collated and included in a report to Council in December 2012.

## **COMMENT**

In order for the City to develop facilities at Bramston Park in 2014/15 the City needs to commence Stage 2 of the Master Planning Process (Site and Needs Analysis). As outlined in this report, consultation with the local community and potential user groups of the facilities is planned for August 2012. The results of the consultation will be presented in a report to Council in December 2012 seeking endorsement to progress the project to Stage 3 of the process – Concept Design.

## **VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER'S RECOMMENDATION**

That Council:

- 1 NOTES the timeline proposed for the Bramston Park Clubroom/Community Facility Project;
- 2 NOTES the listing of \$1,750,000 within the 2014/15 of the City's 5 Year Capital Works Budget for construction of the proposed clubroom/community facility and additional infrastructure;
- 3 REQUESTS the Chief Executive Officer to arrange for Community Consultation as detailed in the report for the Bramston Park Clubroom/Community Facility Project to be conducted in August 2012; and
- 4 NOTES that a further report will be presented to Council in December 2012 detailing the results of the Community Consultation for consideration and endorsement to progress the Bramston Park Clubroom/Community Facility Project.

**MOVED Cr McLean, SECONDED Cr Amphlett that Council:**

- 1 NOTES the timeline proposed for the Bramston Park Clubroom/Community Facility Project;**
- 2 NOTES the listing of \$1,750,000 within the 2014/15 of the City's 5 Year Capital Works Budget for construction of the proposed clubroom/community facility and additional infrastructure;**
- 3 REQUESTS the Chief Executive Officer to arrange for Community Consultation as detailed in the report for the Bramston Park Clubroom/Community Facility Project to be conducted in August 2012;**
- 4 NOTES that a further report will be presented to Council in December 2012 detailing the results of the Community Consultation for consideration and endorsement to progress the Bramston Park Clubroom/Community Facility Project;**
- 5 REQUESTS the Chief Executive Officer to initiate discussion with the Department of Education on:**
  - 5.1 the anticipated construction date of the proposed Primary School at Lot 954 Bramston Vista, Burns Beach;**
  - 5.2 the possibility of temporarily developing active playing surfaces on Lot 954 Bramston Vista, Burns Beach, prior to the site being developed as a Primary School; and**
- 6 REQUESTS that when preparing the design of the Bramston Park Clubroom / Community facility, that access and egress is to be from Burns Beach Road.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf170712.pdf](#)*

## STRATEGIC FINANCIAL MANAGEMENT COMMITTEE REPORTS

### CJ138-07/12 20 YEAR STRATEGIC FINANCIAL PLAN

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	52582	
<b>ATTACHMENTS:</b>	Attachment 1	20 Year Strategic Financial Plan Guiding Principles Statement (updated July 2012)
	Attachment 2	20 Year Financial Projections
	Attachment 3	Capital Expenditure Summary
	Attachment 4	Project Funding & Reserves summary
	Attachment 5	Ratios
	Attachment 6	Graph

#### PURPOSE

To consider the revised and updated 20 year Strategic Financial Plan (the Plan).

#### EXECUTIVE SUMMARY

The City's previous Plan was adopted in 2009. The Plan has been updated during the past year, with the Strategic Financial Management Committee (SFMC) initially considering a report at its meeting on 20 February 2012. The Committee resolved to defer consideration to the 16 April 2012 meeting. The SFMC again reviewed the Plan on 16 April 2012 and provided feedback with proposed changes in relation to the projects within the Plan. There was also a request to provide in the next report an outline of all the items required to comply with the Department of Local Government's (DLG) Long Term Financial Planning Framework and Guidelines.

This report presents a further update to the Plan with the proposed changes and addresses the request in relation to compliance with the DLG's Long Term Financial Planning Framework and Guidelines.

The Plan has now been extensively updated as follows:

- 2011/12 is now amended in line with the 2011/12 expected results;
- 2012/13 is now based on the draft Budget for 2012/13;
- Revised projections for day to day income and expenditure, using 2012/13 as the base year;
- Capital Plans aligned with 5 Year Capital Works Program (5YRCWP); and
- Capital Plans and projects updated in line with Council decisions since the last Plan in 2009, and as proposed at the 16 April 2012 SFMC meeting.

It should be noted that Plan projections are using the draft 2012/13 Budget as the base which it is acknowledged has not yet been adopted.

*It is recommended that Council:*

- 1 *ENDORSES the projections and proposals of the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 as summarised in Attachments 2 to 6 to Report CJ138-07/12;*
- 2 *REQUESTS that the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 be progressed to a final version, that meets the requirements of the Department of Local Government's Long Term Financial Planning Framework and Guidelines, for consideration and recommendation to Council for adoption; and*
- 3 *ADOPTS the revised 20 Year Strategic Financial Plan - Guiding Principles Statement forming Attachment 1 to Report CJ138-07/12.*

## **BACKGROUND**

The City has previously adopted a 20 Year Strategic Financial Plan - Guiding Principles Statement (CJ103-06/10 refers) to support the preparation of the Plan. While the existing principles have been applied in the preparation of the Plan it has been necessary to review and consider additions to the Guiding Principles Statement to take account of issues raised by the DLG Advisory Standards as well as other issues faced when updating the Plan. At attachment 1 is the revised 20 Year Strategic Financial Plan - Guiding Principles Statement with proposed changes in red.

The changes promote the flexible approach to the use of reserves and loans, reinforce the objective to generate annual operating surpluses and include an annual review cycle for the Plan.

## **DETAILS**

Before considering the detail of the Report, there is a disclaimer that needs to be made.

### Disclaimer

*The 20 Year Strategic Financial Plan is a planning tool. It is based on many assumptions. It also includes projects and proposals that in some cases:*

- *Have been approved by Council and are in progress;*
- *Have been considered by Council but are yet to receive final approval;*
- *Have only been considered by Elected Members at a strategy level;*
- *Have only been considered by Officers;*
- *Are operational in nature and based on the continued provision of services and maintenance of City assets and infrastructure in accordance with management and other plans; and*
- *At request of previous review of the plan (16 April 2012), projects are now included for consideration.*



*Any of the assumptions and any of the projects or proposals not already approved could prove to be inaccurate both as to likely requirement, timing and financial estimates or may not come to pass at all. They have, however, been included based on the best available information and knowledge to hand at this time in relation to likely requirement, timing and financial estimates. Adoption of the 20 Year Strategic Financial Plan by Council does not constitute a commitment or agreement to any of the projects or proposals that have not already been approved.*

#### Attachments explained

- *Attachment 1 – 20 year Strategic Financial Plan – Guiding Principles Statement – this has been revised with track changes showing the change.*
- *Attachment 2 – 20 YEAR FINANCIAL PROJECTIONS - is the overall summary in a similar format to the currently endorsed (2009) Plan.*
- *Attachment 3 – CAPITAL EXPENDITURE SUMMARY - sets out the capital expenditure included in the Plan divided into the Capital Works Program, Minor One-Off Projects less than \$3,000,000 and Major and/or Significant Capital Expenditure. Estimates are broken down by project by year.*
- *Attachment 4 – PROJECT FUNDING & RESERVES SUMMARY - summarises the Minor and Major Capital with a breakdown of funding sources and summarises the Reserve Fund movements.*
- *Attachment 5 – RATIOS - shows the ratios, as defined by the DLG Advisory Standard, resulting from the Plan projections.*
- *Attachment 6 – GRAPHS - Graphs to summarise the key issues.*

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

##### Changes – changes to the Plan since April SFMC

Changes to the Plan can be summarised into 5 categories:

- Changes (1) - Project changes as proposed by SFMC 16 April 2012 – (see Table 1 below).
- Changes (2) - Project changes – other changes and additional information requested by SFMC - (see Table 2 below).
- Changes (3) – Baseline changes, the draft 2012/13 Budget has now been used as the baseline, with future projections of day to day income and expenditure amended in line with the new baseline - (see Table 3 below).
- Changes (4) - Day to Day income and expenditure amended assumption – (see Table 4 below).
- Changes (5) - Funding changes - (see Table 5 below)

All changes made are in accordance with the Guiding Principles Statement as detailed in Attachment 1.

Changes (1) – Project changes as Proposed by SFMC 16 April 2012

The following table lists the specific project changes proposed at the last SFMC meeting, together with comments on whether the change was made, and if not an explanation is provided.

Table 1 – Changes Proposed by SFMC 16 April 2012

	Standard	Requirements	Comment
1	Craigie Bushland Visitor Centre	2013/14 to 2014/15	Complete
2	Delamere Park	2012/13 to 2014/15	The Plan has been aligned to the draft 2012/13 Budget and Delamere Park is budgeted in 2012/13.
3	Bramston Park Clubrooms	2013/14 to 2014/15	Complete
4	Administration Building entry statement and building cladding	2017/18 to 2016/17	Complete
5	Sorrento Community Hall	Delete from plan	Complete
6	Penistone Park Clubroom	Delete from plan	Complete
7	Chichester Park Clubroom	2025/26 to 2023/24	Complete
8	Charonia Park Clubroom	To read Beldon Park Clubroom	Complete
9	Other Leisure Centre Refurbishments	To read Heathridge Leisure Centre Refurbishment \$1.0m – 2018/19	Complete
10	Ocean Reef Marina	2011/12 to 2012/13	Complete
11	Café Kiosks & Restaurants	Delete from Significant Projects and provide for in consultancy budget	Complete
12	CBD Office Development	Delete from Significant Projects and provide for in consultancy budget	Complete
13	Multi Storey Parking Facility	2015/16 to 2013/14	Amended to show project commencing in 2013/14
14	Multi Storey Parking Facility	2021/22 to 2019/20	Amended to show project commencing in 2018/19
15	Burns Beach Surf Life Savings Club	Delete from plan	Complete
16	Whitfords Library	To read Whitfords Library and Senior Citizens Centre	Complete
17	New Item	Turf Facility - \$3.0m – 2017/18	Complete. Project is called Synthetic Hockey Project

Changes (2) – Project changes – other changes and additional information requested by SFMC

Taking account of various updates to cashflows for specific projects, and through consultation with project teams, there have been other changes to the projects in the plan. In addition the SFMC had requested additional information regarding the Edgewater Quarry, Administration Building and Joondalup Library – Major Refurbishment projects. Details of these projects are in the following table.

Table 2 – Additional information requested by SFMC and further Project changes

Change		Reason
<b>Additional information requested by SFMC</b>		
1	<b>Joondalup Library – Major Refurbishment</b>	Project remains at \$1.25 million overall. Previously this was split between 2016/17 and 2017/18, now all in 2017/18. Library will be over 20 years old. Minor maintenance has been undertaken but has not addressed access and inclusion issues. Refurbishment to address internal lifts, street entry and toilet, flooring and painting and children and youth areas.
2	<b>Edgewater Quarry</b>	Cashflows included in the plan are consistent with most recent cashflows being used by project and as presented to the Strategy Session 3 July 2012 based on the least expensive option 4b with the additional residential component. Cashflows reflect one-off capital expenditure, one-off income (eg. land sales), as well as the recurring income and expenditure.
3	<b>Joondalup Administration Building Refurbishment</b>	The previous \$10 million estimate has been reduced to \$5 million, after review of project scope. This facility was built in 1978. Major refurbishment will include universal access to the administration building, building façade, mechanical services, lighting, floor coverings, customer service area improvements, toilet and kitchen improvements, painting, elevators and furniture.
<b>Further Project changes</b>		
4	<b>Administration Building entry statement &amp; building cladding</b>	The previous \$1 million in 2016/17 has been deleted and incorporated in the Joondalup Administration Building - Refurbishment project above.
5	<b>Percy Doyle, inc Duncraig Library</b>	Percy Doyle project advanced by one year to be completed by 2022/23, not 2023/24, after consultation with project team.
6	<b>Asset Rationalisation</b>	Timeframe for income from proceeds of asset rationalisation adjusted to 2013/14 to 2016/17, rather than 2012/13 to 2015/16 to reflect draft 2012/13 Budget. No change to assumed proceeds of \$17,760,000.
7	<b>Grove Child Care / Dorchester Hall / Warwick Community Centre</b>	The previous net cost of \$5.8 million has been amended to reflect that the project has a net cash flow of nil. Assumed proceeds have been revised up to \$4.3 million to reflect current asset book value.

Changes (3) – Baseline changes to reflect draft 2012/13 Budget

Table 3 – Day to Day income &amp; expenditure – amended baseline

Change		Reason
1	Rates	No change
2	Other Fees & Charges	The draft 2012/13 Budget is higher than the previous estimate included for 2012/13 in the Plan. The draft 2012/13 Budget is \$30.2 million, \$0.4 million more than previously included in the Plan. Plan has been adjusted for 2012/13 and subsequent years.
3	Employee Costs	The draft 2012/13 Budget is higher than the previous estimate included for 2012/13 in the Plan. The draft 2012/13 Budget is \$52.1 million, \$1.2 million more than previously included in the Plan. Plan has been adjusted for 2012/13 and subsequent years. Actual 2011/12 expenditure is lower than estimated due to staff vacancies and the draft 2012/13 Budget has a higher level of staff numbers included as vacancies are filled.
4	Other Operating Expense such as Materials & Contracts	The draft 2012/13 Budget is higher than the previous estimate included for 2012/13 in the Plan. The draft 2012/13 Budget is \$52.6 million, \$1.7 million more than previously included in the Plan. Plan has been adjusted for 2012/13 and subsequent years.

Changes (4) - Day to Day income & expenditure – amended assumptions

The assumptions applied to day to day income and expenditure in each year have been reviewed with the changes set out in the table below.

Table 4 – Day to Day income &amp; expenditure – amended assumptions

Change		Reason
1	Rates % increases	The previous rate increases included some high increases in the early years, up to 6.9% to accommodate the proposed funding scenarios. Rates increases from Year 3 (2013/14) to Year 20 (2030/31) are now set at between 4% and 5%.
2	Rates volume increase	A review of interim rates and rate growth, over and above the % annual increase, has resulted in the following assumptions being included: a) Standard increase in number of dwellings each year:- \$250,000 per year from 2013/14 to 2016/17, then \$300,000 from 2017/18 to 2020/21, then \$350,000 per year from 2021/22 to 24/25, then \$400,000 per year 2025/26 to 28/29, and finally \$450,000 from 2029/30 onwards to reflect normal interim rate growth.

Change		Reason
		b) One off developments (eg. Bunnings, hospital extension) – assumed \$500,000 increase from 2013/14, then further large additional increases every fourth year.
3	<b>Other Operating Expenditure % increases reduced</b>	<p>The % increases for Other Opex have been reduced slightly:-</p> <ul style="list-style-type: none"> <li>• 1% reduction from 2013/14 to 2019/20</li> <li>• 0.5% reduction from 2020/21 to 2022/23</li> <li>• 0.25% reduction from 2023/24</li> </ul>

### Changes (5) - Funding changes

In line with the updated Guiding Principles, and still adhering to the Borrowing Strategy, a more flexible approach has been taken with the funding of projects. The key objectives of this approach are to firstly ensure that projects are funded, secondly that the books are balanced and finally to ensure that this is achieved in a prudent, transparent, consistent and sustainable manner. The changes are summarised in the table below.

Table 5 – Funding changes

Change		Reason
1	<b>Strategic Asset Management Reserve (“SAMR”)</b>	The previous version of the Plan presented in April included a proposal for projects to use funds from the SAMR with the municipal fund then being required to repay those funds. The use of the SAMR has now been added to the Guiding Principles Statement (Attachment 1) however, where the municipal fund is unable to pay back to SAMR because this would place the financial position in deficit then this is not required. The result is a more flexible funding arrangement for the municipal fund but a much lower SAMR balance at the end of 20 years, \$9.6 million compared to the previous \$65.6 million.
2	<b>External Loans</b>	<p>In line with the Guiding Principles Statement, the Plan considers where it is an optimum time to take advantage of loan finance ie. where the cost of fixed interest loans is cheaper than the earnings from cash reserves. The plan has assumed that such conditions apply now and until 2015/16. This is based on the cost of finance for a 10 year fixed loan at just 4% (current cost), whereas the City cash reserves are earning circa 4.5%-5%.</p> <p>The Plan should strive to take advantage of such conditions, even where reserves may exist for specific projects. Loans in other years, where the conditions are not forecast to be as advantageous, may still be used but not as attractive as the earlier years.</p> <p>Nevertheless, when trying to apply the above principles to the Plan, and taking account of the enormous pressure on new capital project funding in the earlier years, the City is unable to take advantage of the favourable conditions in the early years.</p>

Change		Reason
		<p>There is only \$22 million of loans taken out from 2012/13 to 2015/16, and these \$22 million loans are just short term loans for Edgewater Quarry (interest only loans until proceeds are realised 2 to 4 years later, then the loans are paid back). A further \$65 million in loans is required to fund projects, paid back over a 10 year period.</p> <p>The \$87 million in new borrowings in the updated Plan is \$45 million higher than the previous version considered by the SFMC in April 2012 which had new borrowings assumed of \$42 million. The previous version made greater use of the SAMR. The additional \$45 million in loans is mostly attributable to Percy Doyle previously no loans now \$14 million and Edgewater Quarry previously loans of \$8.2 million now \$31.9 million.</p>
3	Tamala Park Proceeds	<p>The \$56 million estimated proceeds from Tamala Park land sales were previously proposed to be placed into the Tamala Park Reserve as soon as received and used where necessary for projects as and when required.</p> <p>It is now proposed to use some Tamala Park land sale proceeds as soon as the funds are available to assist the municipal fund cover short term funding deficits. All funds used in this fashion will be returned to the Tamala Park Reserve when the municipal fund is in a position to do so. This is a more flexible approach to using available funds. An example is in 2013/14, there is a high demand for new capital expenditure (for example Multi Storey Car Park), which is funded by reserves, but the municipal fund is still left with a deficit of circa \$900,000. Therefore \$870,000 of the \$1 million Tamala proceeds are diverted to the municipal fund in 2013/14, with the remaining \$130,000 placed in the Tamala Park Reserve. At a later point in the Plan, when the municipal fund can afford it, this \$870,000 is put back into the Tamala Park Reserve.</p>

### Comments on the Plan – Key Surplus/(Deficit) Variances by Year

The table below summarises the key variances on a year by year basis. This table considers the net variance on municipal funds each specific year, summarised against three key areas:-

- 1 Day to Day surplus / (deficit).
- 2 New Projects – recurring income/expenditure surplus/deficit.
- 3 New Capital Expenditure projects and disposals – surplus/deficit. This variance includes the expenditure on new capital expenditure, as well as the proceeds to fund the project from either reserves or loans.

Table 6 – Surplus/(Deficit) variances year by year

Key Variances Year on Year (\$000s_	Surplus / (Deficit)		Reasons for Surplus / Deficit #3			Commentary  Details
	Closing Balance #1	In-Year #2	Day to Day Surplus / (Deficit)	New Projects Income & Opex - Surplus / (Deficit)	New Projects Funding - Surplus / (Deficit)	
Yr 1 2011/12	2,650	(369)	2,100		(2,469)	Forecast position for 2011/12.
Yr 2 2012/13	99	(2,551)	(1,222)		(1,328)	Large opening balance for 2012/13 of \$2.649, and therefore a deficit of \$2,551 to balance the books overall for 2012/13 (minor surplus of \$99).
Yr 3 2013/14	9	(90)	(853)	(87)	850	Day to Day cashflows result in a deficit of \$853k, providing no headroom to support any new loan repayments for new capex. Day to Day income & expenditure struggles due to the changes in baseline for 2012/13 (ie. employee costs increasing by over 7% compared to 2011/12) New Projects have to offset the day to day surplus by contributing \$850k, by temporarily diverting some of the initial Tamala proceeds to municipal.
Yr 4 2014/15	12	3	(118)	(408)	529	A similar story for 2014/15 as 2013/14 where there is no surplus from Day to Day to support new loan repayments, and new capex projects have to fund municipal deficit by diverting Tamala proceeds.
Yr 5 2015/16	9	(4)	1,675	(388)	(1,291)	This is the first year where the standard trend emerges, that is prevalent for most other years. Day to Day income & expenditure is generating a surplus now, and this is able to absorb the cost of financing new projects.
Yr 6 2016/17	5	(4)	2,774	225	(3,003)	Greater day to day surplus helps to absorb the increasing loan repayments.
Yr 7 2017/18	1	(3)	1,925	1	(1,930)	
Yr 8 2018/19	2	0	7,434	114	(7,548)	An overall surplus for the year is generated due to the surplus from day to day activities. This is helping to offset the large cost of financing the new projects.
Yr 9 2019/20	2	1	7,897	267	(8,164)	As above.
Yr10 2020/21	6	3	8,627	1,319	(9,942)	As above.
Yr11 2021/22	1	(4)	8,390	636	(9,030)	As above.
Yr12 2022/23	4	2	7,718	814	(8,529)	As above.
Yr13 2023/24	5	2	10,979	821	(11,799)	Major projects begin to be funded from municipal funds, rather than loans.
Yr14 2024/25	3	(2)	8,546	828	(9,376)	Benefits of cost reduction providing sufficient surplus.
Yr15 2025/26	8	5	9,675	1,888	(11,558)	Benefits of cost reduction providing sufficient surplus.
Yr16 2026/27	346	338	10,228	839	(10,729)	Benefits of cost reduction providing sufficient surplus.
Yr17 2027/28	3,583	3,237	9,759	843	(7,365)	Day to Day surplus is now greater than the cost of financing new projects. This tells us that we have insufficient new capital expense in this year and later years.
Yr18 2028/29	1,042	(2,541)	3,744	956	(7,240)	As above.
Yr19 2029/30	4,255	3,212	9,530	858	(7,176)	As above.
Yr20 2030/31	10,897	6,642	11,313	2,065	(6,736)	As above.

The key variances above are also summarised in graph 5 of Attachment 6. Meanwhile Graphs 1, 2 and 3 provide further illustrations to the issues.

#### Comments on the Plan – Overall Observations

The table below summarises some of the key features of the amended Plan. Reference has been provided to the relevant Attachment.

Table 7 – Commentary on the amended Plan

Issue		Reference	Comment
1	<b>Balance The Books</b>	Attachment 2, Row H	<p>The early years of the Plan (2013/14 and 2014/15) benefit from the flexible funding principles summarised earlier. This has allowed those years to use some of the Tamala Park land sale proceeds earlier than expected.</p> <p>The majority of the Plan (2015/16 to 2026/27) is much more sustainable, with demands for financing new capital projects offset by surplus day to day income. However, those middle years use up reserves also (see below for more comment).</p> <p>In the later years of the Plan (2027/28 onwards), there is a significant day to day surplus.</p> <p>In summary all years of the plan have been balanced, except for the last five years.</p>
2	<b>New Capital Projects</b>	Attachment 2, Row 21	Of the \$203 million total for new capital projects, 79% is included in the first 10 years. Although the \$203 million is funded by reserves and/or external financing, there are still strains on the municipal funds due to the loan repayments and interest.
3	<b>Reserves Balance</b>	Attachment 2, Row 32	<p>Total \$52.5 million reserve funds balance at end of 2011/12 is used during earlier years of the Plan on project funding. The reserves reduce significantly down to \$13.8 million by 2016/17. At the end of year 20, the reserves balance increases to \$84.2 million.</p> <p>However the significant use of the reserves in the early years of the Plan is a key consideration. This places emphasis on the City to make the best use of limited funds. There are several high-profile projects not included in the Plan (see risk section), therefore there is great pressure on the reserves balance to make the right investment choices.</p>
4	<b>Funding Of New Capital Expenditure</b>	Attachment 6, Graph 4	The graph shows how projects are funded year by year. Loans were desired in the early years, but not taken on fully until 2016/17. Reserves are relied upon heavily in the earlier years, but then loans become more prevalent in the middle years.
5	<b>Total Cashflow</b>	Attachment 6, Graph 6	This follows on from the comments above about reserves. Total cash for the City is low in the early years, before increasing in the later years.



## Legislation/Strategic Plan/Policy Implications

### Legislation

#### Local Government Act 1995

Section 5.56 of the *Local Government Act 1995* provides that –

“(1) *A local government is to plan for the future of the district.*”

The Plan is a long term planning tool that informs and supports the Strategic Community Plan and Corporate Business Plan which are currently being developed.

#### DLG Long Term Planning Guidelines & Advisory Standard

The Department of Local Government has issued a series of planning guidelines for local government covering:

- 1 Long Term Financial Planning – Framework & Guidelines.
- 2 Asset Management – Framework and Guidelines.
- 3 Integrated Planning and Reporting – Advisory Standard.

The Advisory Standard has listed seven standards, which are described in more detail in the table below. Each of the seven standards will be assessed by June 2013 with a determination as to whether they have been met as:

- 1 Advanced Standard.
- 2 Intermediate or Basic.
- 3 Not met.

The Plan currently does not meet the advanced standard in all of these standards.

In terms of whether the City should aspire for advanced status it is highly unlikely that this could be achieved by the first assessment of June 2013. In discussions with DLG they advise there is no expectation that any local government should meet advanced standards at the first assessment. The only legislative requirement is that basic standards be met. The intermediate and advanced standards demonstrate the higher levels to which local governments should aspire as they strive towards achieving best practice.

The following table sets out the seven standards together with the current assessment of where the City of Joondalup is, or is forecast to be, regarding each standard.

Table 8 – Seven Standards

	Standard	Requirements	City of Joondalup Status and expectation by June 2013
1	<b>Strategic Community Plan (SCP)</b>	<p>10 year SCP adopted by Council by June 2013, which includes:</p> <ul style="list-style-type: none"> <li>• Community aspirations, vision and objectives.</li> <li>• Developed with community engagement.</li> <li>• Takes account of demographics, resource capacity and strategic measurements.</li> </ul>	<p>Currently being prepared for consideration by Council.</p> <p>City is forecast to achieve advanced standard in this area.</p>
2	<b>Corporate Business Plan (CBP)</b>	<p>4 year CBP adopted by Council by June 2013:</p> <ul style="list-style-type: none"> <li>• Identifies and prioritises activities in line with above.</li> <li>• Services delivered, methods and cost needed to deliver.</li> <li>• References asset management plan, finance and workforce plans.</li> </ul>	<p>Whilst the Corporate Business Plan is expected to achieve full integration with all resourcing strategies, the standards for this Plan are also linked to asset and financial KPIs. As described below, the City will be unable to achieve the advanced standards for these ratios in 2013, due to the current unavailability of information.</p>
3	<b>Financial Management</b>	Four Key Performance Indicators	<p>Current projections would achieve basic standard, but not advanced standard. (See table 9 for further details below).</p>
4	<b>Asset Management</b>	<p>Three Key Performance Indicators used to measure effectiveness of Local Government in Asset management.</p> <p>Framework and guidelines for development of Asset Management Plan have been released.</p>	<p>Do not currently have information to calculate two of the three ratios.</p> <p>The Asset Management Plan will be updated by June 2013, and will ensure that data is available to calculate all three ratios. (See Table 10 for further details below)</p>

	<b>Standard</b>	<b>Requirements</b>	<b>City of Joondalup Status and expectation by June 2013</b>
5	<b>Workforce Planning</b>	<p>Council to have a current workforce plan, that identifies:</p> <ul style="list-style-type: none"> <li>• current workforce profile and structure.</li> <li>• gaps between profile and requirements.</li> <li>• activities to foster and develop workforce.</li> <li>• consistent with long term financial plan.</li> </ul> <p>DLG had intended to issue guidelines by now (May 2012), including an evaluation criteria. The guidelines are now expected to be released during July 2012.</p>	<p>City already has an existing workforce plan however until the DLG Framework and evaluation criteria can be reviewed, it is not possible to state what further action is required in this area.</p>
6	<b>Annual Report</b>	<p>From 2013/14 onwards, the Local Government Annual Report is to contain:</p> <ul style="list-style-type: none"> <li>• Overview of items SCP and CBP.</li> <li>• Major initiatives to commence / continue in the next year.</li> <li>• Modifications made to the SCP and CBP during the previous year.</li> </ul>	<p>The City will amend the Annual Report to comply with the requirements and achieve advanced standard.</p>
7	<b>Plan for the Future</b>	<ul style="list-style-type: none"> <li>• Local Government must have a Plan for the Future in operation between 26 August 2011 and 30 June 2013.</li> </ul>	<p>City currently has a plan for the future and therefore the standard will be achieved.</p>

#### Performance criteria for Ref 3 of Table 8 Financial Management Standard

As described in Table 8, there are four Financial Management ratios that are prescribed by the Advisory Standard. These ratios are now incorporated into the updated Local Government (Financial Management) Regulations 1996, and will now be required to be produced as part of the Annual Financial Report.

Table 9 – Estimated Projection of Financial Key Indicators

	Issue DLG	Requirement City	Projection	Comment
1	<b>Operating Surplus Ratio</b>	<p>Calculation is Operating Surplus divided by own source revenue.</p> <p>1. Standard is not met if surplus ratio is less than 0%.</p> <p>2. Basic standard is met if between 0% and 15%.</p> <p>3. Advanced standard is met if greater than 15%.</p>	<p>None of the 20 years achieve greater than 15%, and therefore no years achieve advanced standard.</p> <p>All years are between 0% and 15% and achieve basic standard, this ranges from 4% in some years to 11% in other years.</p> <p>The overall average over 20 year period is 7%.</p>	<p>The City of Joondalup already has a clear strategy for operating surpluses (see Attachment 1).</p> <p>The sentiment of what the ratio is trying to demonstrate is consistent with the City's existing approach, that is to generate adequate surpluses to fund new projects. However, 15% is excessive and if the City aspired to achieve this, then it would require significant change in the Plan projections such as rate increases of 6% every year or significant expenditure and project reductions.</p>
2	<b>Own Source Revenue Coverage Ratio</b>	<p>Calculation is Own Source Revenue as a Percentage of Operating Expenditure.</p> <p>Not included in the Advisory Standard, but has now been included in the Financial Management Regulations. No formal guidelines has been provided yet on evaluation criteria, however initial view from DLG is that criteria to be achieved is 90%.</p>	<p>Projections range from 92% to 104%, with an overall average of 99%.</p>	<p>Based on the initial notification of the performance criteria, the City achieves this standard. However, the evaluation criteria is yet to be formally distributed.</p>

Issue DLG		Requirement City	Projection	Comment
3	Current Ratio	<p>Calculation is Current Assets (excluding Reserves) divided by Current Liabilities.</p> <p>The Standard is simply to have a ratio of greater than 100%.</p>	Projections range from 123% to 213%, with an overall average of 164%.	Standard achieved.
4	Debt Service Cover Ratio	<p>Calculated as annual surplus (before interest and depreciation) divided by annual debt service payments.</p> <p>The evaluation criteria is:</p> <ol style="list-style-type: none"> <li>1. Standard is NOT met if ratio is less than two.</li> <li>2. Basic Standard if ratio is between two and five.</li> <li>3. Advanced standard if greater than five.</li> </ol>	<p>3 of the years (2017/18, 2018/19 and 2019/20) achieve basic standard with a ratio of 3.5, 3.1 and 3.1.</p> <p>All other years achieve the advanced standard, the overall average is 6.6.</p>	<p>Despite the increase in the use of loans in the majority of the years, the advanced standard is still achieved.</p> <p>However, those years where the advanced standard is not achieved, is primarily caused by the Edgewater Quarry project.</p>

#### Performance criteria for Ref 4 of Table 8 Asset Management Standard

There are three Asset Management ratios that are prescribed by the Advisory Standard. These ratios are also now incorporated into the updated Local Government (Financial Management) Regulations 1996, and will now be required to be produced as part of the annual accounts.

Table 10 – Comments on Asset Management key indicators

Issue DLG		Requirement City	Projection	Comment
1	Asset Consumption Ratio (ACR)	<p>Calculated as depreciated replacement cost of assets divided by current replacement costs.</p> <ol style="list-style-type: none"> <li>1. Standard is not met if ratio cannot be identified or if less than 50%.</li> <li>2. Basic standard is met if ratio can be calculated and over 50%.</li> <li>3. Advanced standard is met if between 60% and 75%.</li> </ol>	Insufficient information at this stage to calculate.	<p>The City has the replacement cost of the majority of its assets, but not for land and buildings.</p> <p>The information required will be sought to allow this ratio to be calculated for the annual report due at end of July 2013.</p>

	Issue DLG	Requirement City	Projection	Comment
2	Asset Sustainability Ratio (ASR)	<p>Calculation is Capital Expenditure on replacement/renewal of assets divided by depreciation expense.</p> <ol style="list-style-type: none"> <li>Standard is not met is less than 90%.</li> <li>Basic if greater than 90%.</li> <li>Advanced if between 90% and 110%.</li> </ol>	<p>Advanced standard estimated for 2012/13 and basic standard for 2013/14.</p> <p>All other years there is no standard achieved.</p>	<p>Based on projected expenditure within the 5yrCWP, 54% of the Capital expense for the next five years is based on existing assets, the other 46% is on new projects. This is a low ratio.</p> <p>Therefore, the rate at which assets are depreciating is greater than the replacement expenditure.</p>
3	Asset renewal funding ratio	<p>Net Present Value (NPV) of planned capital expenditure over 10 years, divided by the NPV of the required capital expenditure.</p> <ol style="list-style-type: none"> <li>Standard is not met if ratio cannot be identified, or if less than 75%.</li> <li>Basic standard if between 75% and 95%.</li> <li>Advanced standard if between 95% &amp; 105%, and ASR falls within 90% to 110% &amp; ACR falls within range of 50% to 75%.</li> </ol>	<p>Insufficient information at this stage to calculate.</p>	<p>The information required will be sought to allow this ratio to be calculated for the annual report due at end of July 2013.</p>

## Strategic Plan

**Key Focus Area:** Leadership and Governance

**Objective:** 1.3.2 The City maintains a long-term Strategic Financial Plan which is reviewed regularly

## Policy

Not Applicable.

## Risk Management Considerations:

The Plan is based on many assumptions. There is a risk that those assumptions could be wrong or may not come to pass, however, it is a planning tool and the City is not committed to anything in the plan by virtue of endorsing it. Periodic review and update of the plan will ensure that it remains a relevant and useful document to manage the City's financial affairs into the future.

### Projects not included in the Plan.

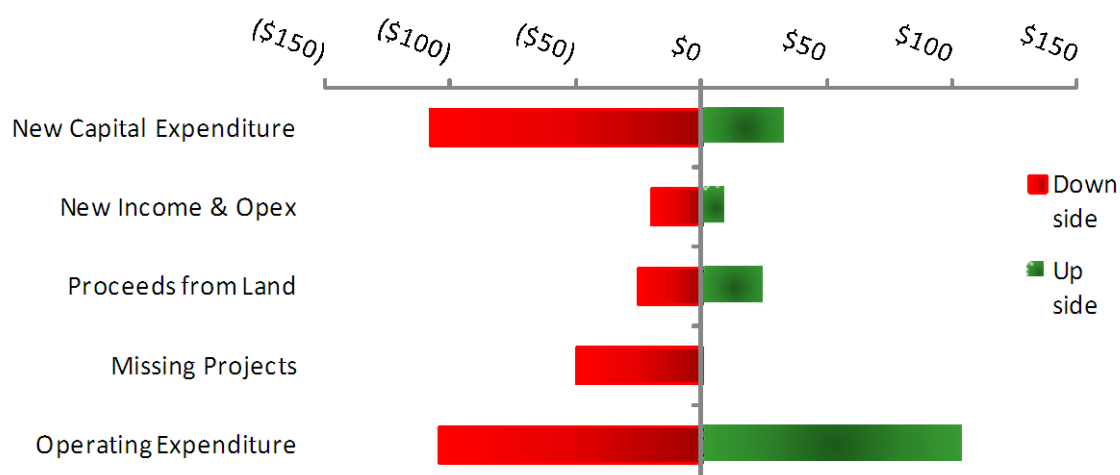
There are a number of projects which have been subject to some discussion, but not included in the Plan as they have not yet sufficiently been clarified. This could be due to a requirement for a Council decision, the need to determine some financial basis for how it may happen, unresolved external factors such as State Government participation or some combination of these.

The list of projects discussed but NOT included are as follows:

- 1 Wanneroo Basketball Association relocation.
- 2 Lotteries House extension.
- 3 Ocean Reef Marina – further development/investment by the City.
- 4 Cafés and Kiosks – further development/investment by the City.
- 5 CBD Office development – further development/investment by the City.
- 6 Arena transfer to the City.

High level analysis has been prepared against some of the key assumptions, so that we can understand the potential downside and upside to the plan over a 20 year period. The table and graph below show that there is significantly more risk (\$308 million) than opportunity of \$173 million.

20 Year Plan Risk Analysis \$m	CashFlow Total	%age Low & High		Impact	
	20 Yr	Down side	Up side	Down side	Up side
New Capital Expenditure	(\$204)	53.0%	-16.3%	(\$108)	\$33
New Income & Opex	\$12	-172.5%	86.3%	(\$20)	\$10
Proceeds from Land	\$102	-24.5%	24.5%	(\$25)	\$25
Missing Projects				(\$50)	
Operating Expenditure	(\$3,488)	3.0%	-3.0%	(\$105)	\$105
<b>Total</b>	<b>(\$3,578)</b>	<b>8.6%</b>	<b>-4.8%</b>	<b>(\$308)</b>	<b>\$173</b>



Further comments about the table and graph are:

- 1 New Capital Expenditure – high level review of each project, to understand the range (low, medium, high) for the estimated expense. For example, the Plan currently has \$50 million included for Joondalup Performing Arts and Culture Facility (JPACF). The low estimate for this project is \$50 million, whereas the high estimate is \$90 million. By adding all the project estimates together produces an overall potential downside (increase in costs) of \$108 million, and a potential upside (decrease in costs) of \$33 million.
- 2 New Income and Opex. For those new projects, such as the JPACF or Edgewater Quarry, there remains some uncertainty on the estimated recurring expenses required to maintain and operate the facility and uncertainty on the income streams.
- 3 Proceeds from Land, comprise different projects (Sale of Tamala Park, Asset Rationalisation, Edgewater Quarry, for example). These estimates have the potential to increase or decrease.
- 4 Missing Projects (\$50 million). This is a crude estimate relating to the potential cost to the City of the six missing projects listed in the page above. There is no detailed breakdown of the \$50 million, this is merely intended to demonstrate that there is a potentially high cost not yet included in the 20 Year Plan.
- 5 Operating Expenditure. The day to day expenses and income make up the vast majority of the cashflows in the Plan, over and above the new capital projects. The overall cost over 20 years (excluding 2011/12) is \$3.488 billion. Although the projections are based on sound principles, there are risks and opportunities in the future projections, and the table shows the extent of a 3% upside or downside.

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

The Plan represents projections and estimates, based on many assumptions and is a planning tool. Endorsement of the Plan does not constitute a commitment or agreement by the City to the projects and proposals or the projections included in the Plan.

#### **Regional Significance:**

Not Applicable.

#### **Sustainability Implications:**

The Plan represents the primary and key financial planning document for the City and has a direct bearing on planning for the financial sustainability of the City.

#### **Consultation:**

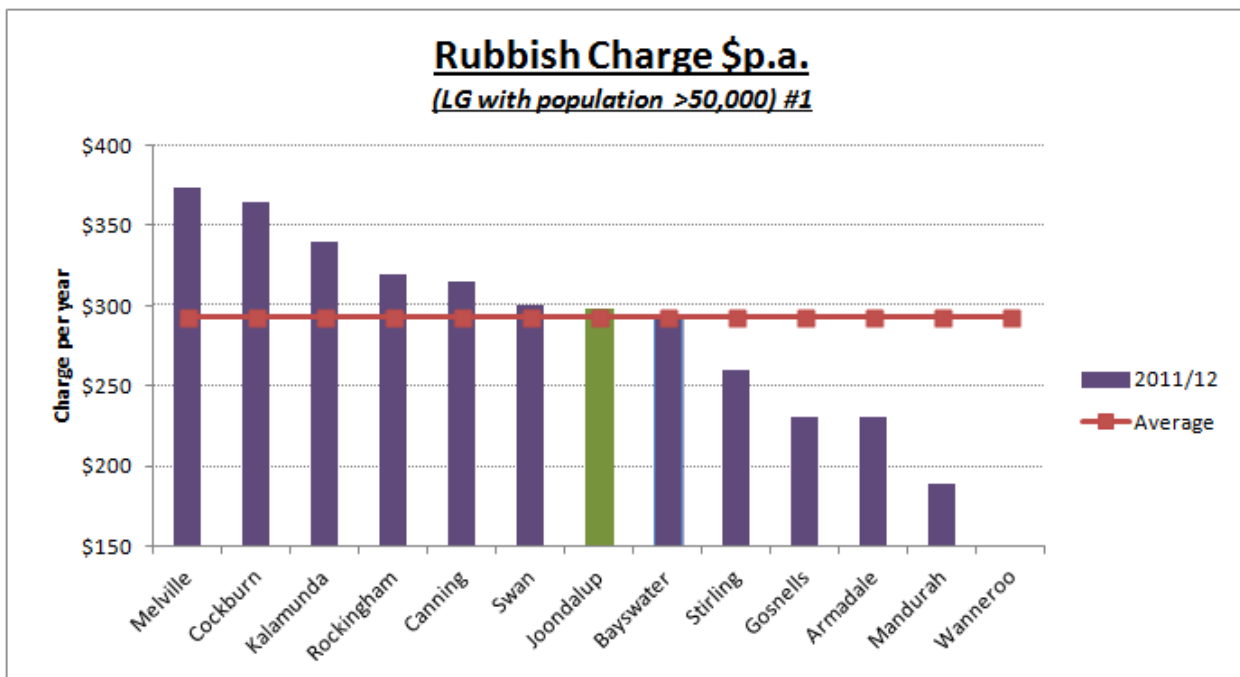
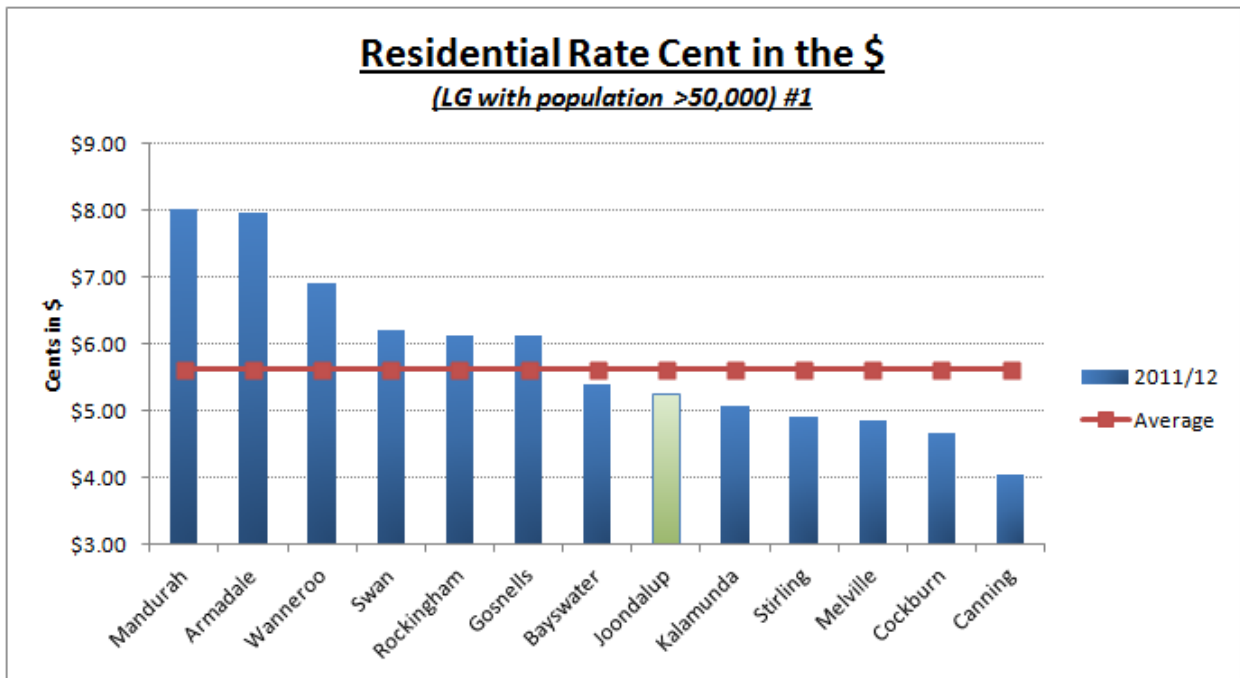
The Plan has been prepared after consulting with a range of City Business Units and previous reports to SFMC. Further feedback on the projections and proposals for the Plan is now sought from the SFMC before the Plan is progressed further.



**COMMENT**

How do we compare to other Local Governments?

Please find below two charts which compare the City’s rates and rubbish charges, in comparison to other authorities that have a population greater than 50,000.



#1 Report published by Haines Norton (Feb 2012), 'WA Local Government Rates Comparison'.

The tables above inform us that:

1. Rates in the \$ - The City of Joondalup for 2011/12 was 6.4% below the average of those local governments included in the graph.
2. Rubbish Charges 2011/12 - At a charge of \$298, the City of Joondalup was slightly above (2%) the average.

The comparisons between local governments must be taken with some care. The rates charges do not necessarily mean that the City is more efficient, or providing better value, than those who are charging a greater amount. There are many differences between each local government in terms of the services provided, the geography, the demographics, the facilities currently available, the developments required or not required.

### **VOTING REQUIREMENTS**

Simple Majority.

### **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Strategic Financial Management Committee at its meeting held on 9 July 2012.

The original recommendation as presented by City Officers to the Committee is as follows:

*That Council:*

- 1 *ENDORSES the projections and proposals of the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 as summarised in Attachments 2 to 6 to this Report;*
- 2 *REQUESTS that the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 be progressed to a final version, that meets the requirements of the Department of Local Government's Long Term Financial Planning Framework and Guidelines, for consideration and recommendation to Council for adoption; and*
- 3 *ADOPTS the revised 20 Year Strategic Financial Plan - Guiding Principles Statement forming Attachment 1 to this Report.*

The Committee's subsequent recommendation to Council is as follows (changes identified):

*That Council:*

- 1 *ENDORSES the projections and proposals of the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 as summarised in Attachments 2 to 6 to this Report;*
- 2 *REQUESTS that the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 be progressed to a final version, that meets the requirements of the Department of Local Government's Long Term Financial Planning Framework and Guidelines, for consideration and recommendation to Council for adoption; and*

- 3 *ADOPTS the revised 20 Year Strategic Financial Plan - Guiding Principles Statement, forming Attachment 1 to this Report, modified as follows:*

Key Elements/Assumptions

*Annual Process – The 20 Year Strategic Financial Plan will be prepared and reviewed during the first quarter of each financial year by the Administration for submission to the Strategic Financial Management Committee in the second quarter for consideration. This will enable the 20 Year Strategic Financial Plan to be used as an enabler to the Budget setting process for the following year.*

**MOVED Cr McLean, SECONDED Mayor Pickard that Council:**

- 1 **ENDORSES the projections and proposals of the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 as summarised in Attachments 2 to 6 to Report CJ138-07/12;**
- 2 **REQUESTS that the draft 20 Year Strategic Financial Plan 2011/12 – 2030/31 be progressed to a final version, that meets the requirements of the Department of Local Government’s Long Term Financial Planning Framework and Guidelines, for consideration and recommendation to Council for adoption; and**
- 3 **ADOPTS the revised 20 Year Strategic Financial Plan - Guiding Principles Statement, forming Attachment 1 to Report CJ138-07/12, modified as follows:**

Key Elements/Assumptions

**Annual Process – The 20 Year Strategic Financial Plan will be prepared and reviewed during the first quarter of each financial year by the Administration for submission to the Strategic Financial Management Committee in the second quarter for consideration. This will enable the 20 Year Strategic Financial Plan to be used as an enabler to the Budget setting process for the following year.**

**The Motion was Put and CARRIED (10/0) by En Bloc Resolution following consideration of Item CJ142-07/12, Page 140 refers.**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf170712.pdf](#)*

## **CJ139-07/12      PROPOSED DISPOSAL OF LOT 202 (20) KANANGRA CRESCENT, GREENWOOD – PUBLIC ADVERTISING OF BUSINESS PLAN**

<b>WARD:</b>	South-East	
<b>RESPONSIBLE A/DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services	
<b>FILE NUMBER:</b>	63627, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Schedule of Submissions
	Attachment 2	Map of Site
	Attachment 3	Business Plan

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### **PURPOSE**

For Council to consider submissions received during the public advertising of the Business Plan of the proposed disposal of Lot 202 (20) Kanangra Crescent, Greenwood in accordance with Section 3.59 of the *Local Government Act 1995* and as part of a review and rationalisation of land holdings owned by the City.

### **EXECUTIVE SUMMARY**

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council adopted the Business Plans to support the disposal of four freehold lots. These lots are:

- Lot 200 (18) Quilter Drive, Duncraig;
- Lot 766 (167) Dampier Avenue, Kallaroo;
- Lot 202 (20) Kanangra Crescent, Greenwood; and
- Lot 147 (25) Millport Drive, Warwick.

Council also requested a further report be presented at the conclusion of the public advertising period to consider any submissions received. The Business Plans were advertised for a period of six weeks, closing on 16 May 2012.

A letter was sent to landowners within a 200 metre radius of Lot 202. A total of eight submissions were received, which comprised of three submissions of support; two were from residents living outside of the 200 metre radius consultation area. There were three objecting submissions, one comment on the proposal and one submission indicating no objection.

The main theme of the objections received covered various aspects of the future development of the site, such as earthworks, traffic, parking and loss of trees. These matters will be dealt with as part of the subdivision and/or development of the property and there may be further opportunity for local residents to comment on these matters. Other concerns detailed were loss of privacy and devaluation of surrounding property values. Two of the three supporting submissions requested the trees to be retained.

Advertising of the Business Plan for Lot 202 was the first opportunity that the community had to comment on the future intent for this lot. There has been eight submissions received and the comments and concerns are detailed in Attachment 1 to this report. Council has in past resolutions determined that Lot 202 is surplus to the City's requirements and disposing of Lot 202 for the proposed use of aged persons housing is considered appropriate. The funds raised are to be included in the Joondalup Performing Arts and Cultural Facility reserve fund and will be of benefit to the City and its residents overall.

## BACKGROUND

**Suburb/Location:** Lot 202 (20) Kanangra Crescent, Greenwood  
**Owner:** City of Joondalup  
**Zoning:** **DPS:** Residential R20  
**MRS:** Urban  
**Site Area:** 1605m<sup>2</sup>

On 4 April 1977, Lot 202 (20) Kanangra Crescent, Greenwood was transferred to the City free of charge by FCA Finance Pty Ltd, the developer of the area. The recorded purpose for the land is detailed as being required for a kindergarten. The lot is currently vacant and is located in a residential area with residential development on its western boundary, vacant City freehold land on its southern boundary, a doctor's surgery and a two-group dwelling on its eastern boundary and a shopping complex on its northern boundary.

At its meeting held on 21 September 2010 (CJ163-09/10 refers), Council noted the unconfirmed minutes of the Strategic Financial Management Committee meeting held on 14 September 2010 and subject to consideration of Business Plans, supported the disposal of five City freehold land sites. Council also noted that the proceeds from the disposals were to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council confirmed that only four of the original five sites would be advertised for disposal, with Lot 181 (4) Rowan Place, Mullaloo being withdrawn.

## DETAILS

A Business Plan was prepared for the purpose of advertising in accordance with Section 3.59 of the *Local Government Act 1995* for Lot 202 (20) Kanangra Crescent, Greenwood.

The process of advertising included:

- A sign on site;
- 158 letters sent to landowners within a radius of 200 metres of the site with a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website;
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre, and all City libraries.

The following table provides a breakdown of submissions received:

<b>Type of Submission</b>	<b>Number Received</b>
Support	3
No Objection	1
Objection	3
Comments	1
<b>TOTAL</b>	<b>8</b>

#### Support for the proposal

The submissions in support of the proposal to develop the lot as aged persons accommodation referred to matters such as it providing a better mix of housing types, though there would be a better financial return should the land have a density code of R40 or R60. Two requests for the trees to be retained were included in the supporting submissions. Council had resolved not to change the coding of Lot 202 to enable future development to remain in keeping with the surrounding residential area. Retaining the trees is a matter that would be considered as part of the subdivision and/or development application process.

#### Objection to the proposal

Two of the objections received related to the future development of the site, the details of which are currently unknown. The City using the land as a skate park was a comment as part of one objection, as was a comment on tree planting of the site rather than disposal. Privacy concerns, property value decreases and loss of trees were also detailed in objecting submissions. Development details are as yet unknown and as part of the future subdivision and/or development of Lot 202, a further opportunity may be provided for local residents to comment.

#### Comment on the proposal

One respondent requested a definition of the term 'aged persons,' which as defined by the Residential Design Codes (2010) is 55 years plus. A concern was detailed about the future development of the site and parking requirements. These matters would be examined as part of the future development application process, at which time local residents may have a further opportunity to comment.

#### Density Code

The lot is zoned 'Residential' with a density code of R20 and has been included in the Housing Opportunity Areas in the City's draft Local Housing Strategy. In the draft document it is proposed that the site will have a density increase from R20 to a dual coding of R20/30.

At the density of R20, the lots are an average of 500m<sup>2</sup> for freehold title and 450m<sup>2</sup> for strata lots. At the dual coding of R20/30, subject to compliance with development requirements, the lots may average 300m<sup>2</sup>.

It should be noted the Local Housing Strategy is still a draft document and is pending endorsement from the Western Australian Planning Commission and inclusion in the City's new District Planning Scheme. It is envisaged that it will be approximately two to five years before landowners will be in a position to develop properties using the amended density code.

## Legislation

Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property. As at 27 September 2011, Part 3 of the *Local Government (Functions and General) Regulations 1996* was amended. The financial threshold at which local government land can be disposed of without advertising Business Plans was amended from \$1,000,000 to \$10,000,000. Based on this amendment and the valuation information with regard to Lot 202, advertising a Business Plan was not a statutory requirement for this proposal.

## Strategic Plan

**Key Focus Area:** The Built Environment

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

### Policy:

City Policy – Asset Management

City Policy – Sustainability

## Risk Management Considerations

There are a number of risk considerations related to the disposal of the property described.

The City has complied with Section 3.59 of the *Local Government Act 1995* to ensure openness and accountability in this disposal process.

There is a potential loss of rates income by setting a condition that the land may only be used for aged persons accommodation.

## Financial/Budget Implications

The highest and best valuation dated 24 May 2010 on the scenarios provided by the City to the valuers at that time for Lot 202 (20) Kanangra Crescent, Greenwood was \$1,000,000.

## Regional Significance:

There is no regional significance regarding this matter.

## Sustainability Implications

The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose.

The development of aged persons accommodation is considered appropriate given the existing character of the area. The types of dwellings will provide for alternative housing choices for the City's ageing population to remain within their local area.

Council has agreed that the proceeds from the sale of this lot would be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

## Consultation

The Business Plan was adopted for public advertising, and advertising was as follows:

- A sign on site;
- 158 letters sent to landowners within a radius of 200 metres of each site with a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and The West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website; and
- Business Plans will also be available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre, and all City libraries.

A total of eight submissions were received, comprising of three submissions in support, with two supporting submissions being received from residents living outside of the 200 metre radius consultation area used by the City for direct contact by letter. There were three objecting submissions, one comment on the proposal and one submission indicating no objection.

## COMMENT

Of the eight submissions received during the advertising period of the Business Plan for Lot 202, the three objections generally referred to the future development details of the land, including the size of the complex, parking and privacy concerns, and loss of the trees. These matters will be dealt with at the development application stage and dependent upon application details submitted, residents living locally to the site may be given a further opportunity to comment.

Council has provided its support for Lot 202 to be developed for aged persons accommodation, and this use is considered appropriate based on the location of the site and the ageing demographic of the City.

## VOTING REQUIREMENTS

Absolute Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Strategic Financial Management Committee at its meeting held on 9 July 2012.

The original recommendation as presented by City Officers to the Committee is as follows:

*That Council:*

- 1 *NOTES that there were eight (8) submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 202 (20) Kanangra Crescent, Greenwood;*
- 2 *in accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 202 (20) Kanangra Crescent, Greenwood as described in the Business Plan detailed in Attachment 3 to this Report; and*



- 3 *NOTES that the proceeds from the sales of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund.*

The Committee's subsequent recommendation to Council is as follows (changes identified):

*That Council:*

- 1 *NOTES that there were eight (8) submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 202 (20) Kanangra Crescent, Greenwood;*
- 2 *in accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 202 (20) Kanangra Crescent, Greenwood as described in the Business Plan detailed in Attachment 3 to this Report; and*
- 3 *NOTES it has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund, with the lot designated for Aged or Dependent Persons' Dwellings.*

**MOVED Cr Amphlett, SECONDED Cr Thomas that Council:**

- 1 **NOTES that there were eight submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 202 (20) Kanangra Crescent, Greenwood;**
- 2 **in accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 202 (20) Kanangra Crescent, Greenwood as described in the Business Plan detailed in Attachment 3 to Report CJ139-07/12; and**
- 3 **NOTES it has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund, with the lot designated for Aged Persons' Dwellings.**

**The Motion was Put and**

**CARRIED (9/1)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

**Against the Motion:** Cr Corr.

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf170712.pdf](#)*

## **CJ140-07/12      PROPOSED DISPOSAL OF LOT 200 (18) QUILTER DRIVE, DUNCRAIG – PUBLIC ADVERTISING OF BUSINESS PLAN**

<b>WARD:</b>	South	
<b>RESPONSIBLE A/DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services	
<b>FILE NUMBER:</b>	63627, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Schedule of Submissions
	Attachment 2	Map of Site
	Attachment 3	Business Plan

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### **PURPOSE**

For Council to consider submissions received during the public advertising of the Business Plan of the proposed disposal of Lot 200 (18) Quilter Drive, Duncraig in accordance with Section 3.59 of the *Local Government Act 1995* and as part of a review and rationalisation of land holdings owned by the City.

### **EXECUTIVE SUMMARY**

At its meeting held on 20 March 2012 (CJ034-03/12 refers) Council adopted the Business Plans to support the disposal of four City freehold lots. These lots are:

- Lot 200 (18) Quilter Drive, Duncraig;
- Lot 766 (167) Dampier Avenue, Kallaroo;
- Lot 202 (20) Kanangra Crescent, Greenwood; and
- Lot 147 (25) Millport Drive, Warwick.

Council also requested that a further report be presented at the conclusion of the public advertising period to consider any submissions received. The Business Plans were advertised for a period of six weeks, closing on 16 May 2012.

A letter was sent to landowners within a 200 metre radius of Lot 200. A total of seven submissions were received representing six households; one submitter forwarded two submissions. There were three objections (two from the same household) and four supporters of the proposal. Two of the supporters lived outside of the 200 metre radius the letters were distributed to.

The submissions in support of the proposal to develop the lot as aged persons accommodation referred to matters such as retaining the trees, being able to comment on the proposed future development, using the funds raised for the local community and increasing the density codes in order to increase the financial return.

The main themes of the objections received were in relation to matters of potential traffic issues, lack of details regarding the proposed future development, the City considering the land surplus when it could be used as a local amenity and the funds raised not being expended locally.

Advertising of the Business Plan for Lot 200 was the first opportunity that the community had to comment on the future intent for this lot. The comments and concerns from the seven submissions received are detailed in Attachment 1 to this Report. Council has in past resolutions determined that Lot 200 is surplus to the City's requirements and disposing of the lot for the proposed use of aged persons housing is considered appropriate. The funds raised are to be included in the Joondalup Performing Arts and Cultural Facility reserve fund and will be of benefit to the City and its residents overall.

## BACKGROUND

**Suburb/Location:** Lot 200 (18) Quilter Drive Duncraig  
**Owner:** City of Joondalup  
**Zoning:** **DPS:** Residential R20  
**MRS:** Urban  
**Site Area:** 2001m<sup>2</sup>

On 7 April 1989, Lot 200 (18) Quilter Drive Duncraig was transferred to the City free of charge by LandCorp, the developer of the area. The recorded purpose for the land is detailed as being required for a child care centre. The lot is currently vacant and is located in a residential area with grouped housing on its eastern and southern boundaries and Poynter Park on its western boundary.

At its meeting held on 21 September 2010 (CJ163-09/10 refers), Council noted the unconfirmed minutes of the Strategic Financial Management Committee meeting held on 14 September 2010 and subject to consideration of Business Plans, supported the disposal of five City freehold land sites. Council also noted that the proceeds from the disposals were to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council confirmed that only four of the original five sites would be advertised for disposal, with Lot 181 (4) Rowan Place, Mullaloo being withdrawn.

## DETAILS

A Business Plan was prepared for the purpose of advertising the proposed disposal of Lot 200 in accordance with Section 3.59 of the *Local Government Act 1995*.

The process of advertising included:

- A sign on site;
- 105 letters forwarded to landowners within a radius of 200 metres of the site including a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and The West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website; and
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre and all City libraries.

## Issues and options considered

The following table provides a breakdown of submissions received:

Type of Submission	Number Received
Support	4
Objection*	3
<b>TOTAL</b>	<b>7</b>

\*Two submissions from the same household.

### Support for the proposal

The submissions in support of the proposal to develop the lot as aged persons accommodation referred to matters such as retaining the trees, being able to comment on the proposed future development, spending the funds raised within the local community and increasing the density codes to increase the financial return. Council had resolved not to change the coding of Lot 200 to enable future development to remain in keeping with the surrounding residential area.

### Objections to the proposal

The two submissions of objection received from the same household made reference to the City not having authority to dispose of the asset. The respondent referred to the land as being park and that the City should not be selling it – the land is adjacent to Poynter Park but is City freehold land. The respondent sought justification for the land being described as 'surplus' and considered it highly inappropriate that any funds raised should go the Joondalup Performing Arts and Cultural Facility reserve fund.

The same respondent objected to the lack of detail on the future development of the site. Until there is a purchaser for the site these details are unknown, however, dependent upon the application details submitted for a proposed future development, local residents may be provided with a further opportunity to comment as part of the subdivision and/or development application process. The objector also requested that the disposal must be transparent. The City's level of public advertising of the Business Plan for Lot 200 goes beyond that detailed in Section 3.59 of the *Local Government Act 1995*.

A further submission referred to potential traffic and footpath issues and these types of matters would also be assessed as part of the subdivision/development application process.

## Legislation

Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property. As at 27 September 2011, Part 3 of the *Local Government (Functions and General) Regulations 1996* was amended. The financial threshold at which local government land can be disposed of without advertising Business Plans was amended from \$1,000,000 to \$10,000,000. Based on this amendment and the valuation information with regard to Lot 200, advertising a Business Plan was not a statutory requirement for this proposal.

## Strategic Plan

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

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

### Policy:

City Policy – Asset Management

City Policy – Sustainability

## Risk Management Considerations

There are a number of risk considerations related to the disposal of the property described.

The City has complied with Section 3.59 of the *Local Government Act 1995* to ensure openness and accountability in the disposal process.

There is a potential loss of rates income by setting a condition that the land may only be used for aged persons accommodation.

## Financial/Budget Implications

The highest and best valuation dated 24 May 2010 on the scenarios provided by the City to the valuers at that time for Lot 200 (18) Quilter Drive, Duncraig was \$1,300,000.

## Regional Significance

There is no regional significance regarding this matter.

## Sustainability Implications

The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose.

The development of aged persons' accommodation is considered appropriate given the existing character of the area. The types of dwellings will provide for alternative housing choices for the City's ageing population to remain within their local area.

Council has agreed that the proceeds from the sale of this lot are to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

## Consultation

The Business Plan was adopted for public advertising at Council's meeting of 20 March 2012 and advertising was as follows:

- A sign on site;
- 105 letters sent to landowners within a radius of 200 metres of each site with a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and The West Australian newspapers;

- A notice, copies of the Business Plans and FAQs placed on the City's website; and
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre, and all City libraries.

A total of seven submissions were received, comprising of four submissions in support and three objections, of which two of the objections were from the same household.

## COMMENT

There were strong objections raised by one household during the advertising of the Business Plan for Lot 200. Objections such as lack of details of the proposal; the site being considered surplus and the funds raised going to the Joondalup Performing Arts and Cultural Facility Reserve Fund; potential traffic issues were also raised. Supporters of the proposal also referred to concerns about the future development of the site and having adequate community consultation. The funds raised being spent locally was also brought up by a supporter and that the trees on the site should remain.

Council has previously supported the sale of Lot 200 for the development of aged persons accommodation. The use for Lot 200 is considered appropriate given that there is public transport, shopping facilities and other support services in proximity and the City has an ageing demographic.

The concerns regarding the future development of the site and the significance of the trees would be assessed as part of the planning approval process. Also, depending upon the application details submitted, there may be further public advertising of the proposed development.

## VOTING REQUIREMENTS

Absolute Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Strategic Financial Management Committee at its meeting held on 9 July 2012.

The original recommendation as presented by City Officers to the Committee is as follows:

*That Council:*

- 1 *NOTES that there were seven (7) submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 200 (18) Quilter Drive, Duncraig;*
- 2 *in accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 200 (18) Quilter Drive, Duncraig as described in the Business Plan detailed in Attachment 3 to this Report; and*
- 3 *NOTES that the proceeds from the sales of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund.*

The Committee's subsequent recommendation to Council is as follows (changes identified):

*That Council:*

- 1 *NOTES that there were seven (7) submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 200 (18) Quilter Drive, Duncraig;*
- 2 *in accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 200 (18) Quilter Drive, Duncraig as described in the Business Plan detailed in Attachment 3 to this Report; and*
- 3 *NOTES it has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund, with the lot designated for Aged or Dependent Persons' Dwellings.*

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

- 1 **NOTES that there were seven submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 200 (18) Quilter Drive, Duncraig;**
- 2 **In accordance with section 3.59(5) of the *Local Government Act 1995*, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 200 (18) Quilter Drive, Duncraig as described in the Business Plan detailed in Attachment 3 to Report CJ140-07/12;**
- 3 **NOTES it has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund, with the lot designated for Aged Persons' Dwellings; and**
- 4 **NOTES that there is a single large mature tuart tree at the extreme south-west corner of Lot 200 (18) Quilter Drive, Duncraig which is an active nesting site for native birds. Any developer of the site will be strongly encouraged to retain this tree if possible.**

**The Motion was Put and**

**CARRIED (9/1)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

**Against the Motion:** Cr Corr.

*Appendix 15 refers*

*To access this attachment on electronic document, click here: [Attach15brf170712.pdf](#)*

## **CJ141-07/12      PROPOSED DISPOSAL OF LOT 766 (167) DAMPIER AVENUE, KALLAROO – PUBLIC ADVERTISING OF BUSINESS PLAN**

<b>WARD:</b>	Central
<b>RESPONSIBLE A/DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services
<b>FILE NUMBER:</b>	63627, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Schedule of Submissions Attachment 2      Map of Site Attachment 3      Business Plan

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### **PURPOSE**

For Council to consider submissions received during the public advertising of the Business Plan of the proposed disposal of Lot 766 (167) Dampier Avenue, Kallaroo in accordance with Section 3.59 of the *Local Government Act 1995* and as part of a review and rationalisation of land holdings owned by the City.

### **EXECUTIVE SUMMARY**

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council adopted the Business Plans to support the disposal of four City freehold lots. These lots are:

- Lot 200 (18) Quilter Drive, Duncraig;
- Lot 766 (167) Dampier Avenue, Kallaroo;
- Lot 202 (20) Kanangra Crescent, Greenwood; and
- Lot 147 (25) Millport Drive, Warwick.

Council also requested a further report be presented at the conclusion of the public advertising period to consider any submissions received. The Business Plans were advertised for a period of six weeks, closing on 16 May 2012.

A letter was sent to landowners within a 200 metre radius of Lot 766. A total of four submissions were received, which comprised of three submissions of support. Two of the supporting submissions received were from residents living outside of the 200 metre radius consultation area. There was one submission that commented only and no objections were received.

Support for the proposal detailed matters such as retaining the existing trees on the site and that aged persons accommodation would provide a better mix of housing types. One resident sought Council's assurance that the proposed development would be in keeping with the surrounding neighbourhood. Concerns with regard to the future development of the site would be assessed as part of the subdivision/development application stage of the proposal and there may be further opportunity for residents to comment at that time.



Advertising of the Business Plan for Lot 766 was the first opportunity that the community had to comment on the future intent for this lot and there has been four submissions received with the comments detailed in Attachment 1 to this Report. Council has in past resolutions determined that Lot 766 is surplus to the City's requirements and disposing of the land for the proposed use of aged persons housing is considered appropriate. The funds raised are to be included in the Joondalup Performing Arts and Cultural Facility Reserve Fund and will be of benefit to the City and its residents overall.

## BACKGROUND

**Suburb/Location:** Lot 766 (167) Dampier Avenue, Kallaroo  
**Owner:** City of Joondalup  
**Zoning:** **DPS:** Residential R20  
**MRS:** Urban  
**Site Area:** 2000m<sup>2</sup>

On 12 September 1978, Lot 766 (167) Dampier Avenue, Kallaroo was transferred to the City free of charge by North Whitfords Estate Limited, the developer of the area. The recorded purpose for the land is detailed as being required for a kindergarten. The lot is currently vacant and is located within a residential area with Dampier Park on its western boundary and a retirement village on its southern boundary.

At its meeting held on 21 September 2010 (CJ163-09/10 refers), Council noted the unconfirmed minutes of the Strategic Financial Management Committee meeting held on 14 September 2010 and subject to consideration of Business Plans, supported the disposal of five City freehold land sites. Council also noted that the proceeds from the disposals will be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council confirmed that only four of the original five sites would be advertised for disposal, with Lot 181 (4) Rowan Place, Mullaloo being withdrawn.

## DETAILS

A Business Plan was prepared for the purpose of advertising the proposed disposal of Lot 766 in accordance with Section 3.59 of the *Local Government Act 1995*.

The process of advertising included:

- A sign on site;
- 255 letters forwarded to landowners within a radius of 200 metres of the site, including a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and The West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website; and
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre and all City libraries.

## Issues and options considered

The following table provides a breakdown of submissions received:

Type of Submission	Number Received
Support	3
Comments	1
Objection	0
<b>TOTAL</b>	<b>4</b>

### Support for the proposal

The submissions in support of the proposal to develop the lot as aged persons accommodation referred to matters such as it providing a better mix of housing types, though there would be a better financial return should the land have a density code of R40 or R60. Council had resolved not to change the coding of Lot 766 to enable future development to remain in keeping with the surrounding residential area. Retaining the trees was requested by a supporter, and the significance of the trees on Lot 766 is a matter that would be considered as part of the subdivision and/or development application process.

### Comments on the proposal

One respondent requested that there be assurance that development will be in keeping with the surrounding neighbourhood i.e. no approval given for a high rise tower. The future development of Lot 766 will be in accordance with its R20 density code and dependent upon the application details submitted, further consultation with local residents may take place as part of the development application stage.

### Objection to the proposal

There were no objections to the proposal to dispose of the land.

## Legislation

Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property. As at 27 September 2011, Part 3 of the *Local Government (Functions and General) Regulations 1996* was amended. The financial threshold at which local government land can be disposed of without advertising Business Plans was amended from \$1,000,000 to \$10,000,000. Based on this amendment and the valuation information with regard to Lot 766, advertising a Business Plan was not a statutory requirement for this proposal.

## Strategic Plan

**Key Focus Area:** The Built Environment

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

### **Policy:**

City Policy – Asset Management

City Policy – Sustainability

### **Risk Management Considerations**

There are a number of risk considerations related to the disposal of the property described.

The City has complied with Section 3.59 of the *Local Government Act 1995* to ensure openness and accountability in this disposal process.

There is a potential loss of rates income by setting a condition that the land may only be used for aged persons accommodation.

### **Financial/Budget Implications**

The highest and best valuation dated 24 May 2010 on the scenarios provided by the City to the valuers at that time for Lot 766 (167) Dampier Avenue, Kallaroo was \$1,300,000.

### **Regional Significance**

There is no regional significance regarding this matter.

### **Sustainability Implications**

The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose.

The development of aged persons accommodation is considered appropriate given the existing character of the area. The types of dwellings will provide for alternative housing choices for the City's ageing population to remain within their local area.

Council has agreed that the proceeds from the sale of the lot are to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

### **Consultation**

The Business Plan was adopted for public advertising at Council's meeting of 20 March 2012 and advertising was as follows:

- A sign on site;
- 255 letters sent to landowners within a radius of 200 metres of each site with a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and The West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website; and
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre, and all City libraries.

There were 255 letters forwarded to landowners as there is a retirement village (with 141 individually owned units) adjacent to Lot 766. The retirement village was part of the 200 metre radius.

Four submissions were received, which comprised of three submissions of support, with two of the submissions being received from residents living outside of the 200 metre radius. There was one comment received and no objections.

## COMMENT

There has been no objections raised to the proposal of utilising Lot 766 for aged persons accommodation during the advertising period of the Business Plan and Council has provided its support for this use. The use is considered appropriate based on the location of the site and the ageing demographic of the City.

One submission of support received did enquire as to the proposed height of the proposed new development and another supporter would prefer the trees are retained.

## VOTING REQUIREMENTS

Absolute Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Strategic Financial Management Committee at its meeting held on 9 July 2012.

The original recommendation as presented by City Officers to the Committee is as follows:

*That Council:*

- 1 *NOTES that there were four (4) submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 766 (167) Dampier Avenue Kallaroo;*
- 2 *in accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 766 (167) Dampier Avenue Kallaroo as described in the Business Plan detailed in Attachment 3 to this Report; and*
- 3 *NOTES that the proceeds from the sales of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund.*

The Committee's subsequent recommendation to Council is as follows (changes identified):

*That Council:*

- 1 *NOTES that there were four (4) submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 766 (167) Dampier Avenue Kallaroo;*
- 2 *in accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 766 (167) Dampier Avenue Kallaroo as described in the Business Plan detailed in Attachment 3 to this Report; and*
- 3 *NOTES it has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund, with the lot designated for Aged or Dependent Persons' Dwellings.*

**MOVED Cr Amphlett, SECONDED Cr McLean that Council:**

- 1** NOTES that there were four (4) submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 766 (167) Dampier Avenue Kallaroo;
- 2** In accordance with section 3.59(5) of the *Local Government Act 1995*, **BY AN ABSOLUTE MAJORITY PROCEEDS** with the Major Land Transaction at Lot 766 (167) Dampier Avenue Kallaroo as described in the Business Plan detailed in Attachment 3 to Report CJ141-07/12; and
- 3** NOTES it has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund, with the lot designated for Aged Persons' Dwellings.

**The Motion was Put and**

**CARRIED (9/1)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

**Against the Motion:** Cr Corr.

*Appendix 16 refers*

To access this attachment on electronic document, click here: [Attach16brf170712.pdf](#)

## **CJ142-07/12      PROPOSED DISPOSAL OF LOT 147 (25) MILLPORT DRIVE, WARWICK – PUBLIC ADVERTISING OF BUSINESS PLAN**

<b>WARD:</b>	South	
<b>RESPONSIBLE A/DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services	
<b>FILE NUMBER:</b>	63627, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Schedule of Submissions
	Attachment 2	Map of Site
	Attachment 3	Business Plan

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### **PURPOSE**

For Council to consider submissions received during the public advertising of the Business Plan of the proposed disposal of Lot 147 (25) Millport Drive, Warwick in accordance with Section 3.59 of the *Local Government Act 1995* and as part of a review and rationalisation of land holdings owned by the City.

### **EXECUTIVE SUMMARY**

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council adopted the Business Plans to support the disposal of four City freehold lots. These lots are:

- Lot 200 (18) Quilter Drive, Duncraig;
- Lot 766 (167) Dampier Avenue, Kallaroo;
- Lot 202 (20) Kanangra Crescent, Greenwood; and
- Lot 147 (25) Millport Drive, Warwick.

Council also requested that a further report be presented at the conclusion of the advertising period to consider any submissions received. The Business Plans were advertised for a period of six weeks, closing on 16 May 2012.

A letter was sent to landowners within a 200 metre radius of Lot 147. The City received a total of 33 submissions; with a multiple-signature submission being counted as one submission (although was analysed separately). One householder provided one supporting submission early in the public consultation period then later provided one objecting submission.

Without including the two submissions mentioned above and the multiple-signature submission, the City received a total of 30 submissions, of which there were 23 objections, four supporting submissions and three submitters who made comments or stated no objection to the proposal.

The multi-signature submission was signed by 48 local residents; representing 46 individual objections or 36 objecting households (a number of households had several people who signed the submission). There were two who did not object.

The main concerns detailed in the objecting submissions related to traffic concerns and the potential loss of the existing Tuart trees on the lot. Additionally, lack of details with regard to the size and scale of the future development on the site was also stated. Other matters raised were the devaluation of surrounding residential properties and any funds raised from the sale being used for local people, in the local area, and not for the Joondalup Performing Arts and Cultural Facility.

Until there is a purchaser for the site, future development details are unknown, however dependent upon the application details submitted for a proposed future development, local residents may be provided with a further opportunity to comment.

Supporting submissions referred to the proposal providing a better mix of housing types, a preference for the trees to be retained when the development took place and support for a retirement village rather than a nursing home.

Advertising of the Business Plan for Lot 147 was the first opportunity that the community had to comment on the future intent for this lot and there has been a significant response from local residents as detailed in Attachment 1 to this Report. Council has in past resolutions determined that Lot 147 is surplus to the City's requirements and its disposal for the proposed use of aged persons housing is considered appropriate. The funds raised are to be included in the Joondalup Performing Arts and Cultural Facility reserve fund and will be of benefit to the City and its residents overall.

## BACKGROUND

**Suburb/Location:** Lot 147 (25) Millport Drive Warwick  
**Owner:** City of Joondalup  
**Zoning:** **DPS:** Residential R20  
**MRS:** Urban  
**Site Area:** 2490m<sup>2</sup>

On 28 June 1985, Lot 147 (25) Millport Drive Warwick was transferred to the City free of charge by Residential Sites Limited, the developer of the area. The recorded purpose for the land was detailed as being required for community purposes. The lot is currently vacant and is located in a residential area with grouped housing on its eastern and southern boundaries and Hawker Park on its western boundary.

At its meeting held on 21 September 2010 (CJ163-09/10 refers), Council noted the unconfirmed minutes of the Strategic Financial Management Committee meeting held on 14 September 2010 and subject to consideration of Business Plans, supported the disposal of five City freehold land sites. Council also noted that the proceeds from the disposals were to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council confirmed that only four of the original five sites would be advertised for disposal, with Lot 181 (4) Rowan Place, Mullaloo being withdrawn.

## DETAILS

A Business Plan was prepared for the purpose of advertising in accordance with Section 3.59 of the *Local Government Act 1995* for Lot 147 (25) Millport Drive Warwick.

The process of advertising included:

- A sign on site;
- 108 letters sent to landowners within a radius of 200 metres of each site with a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website;
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre, and all City libraries.

The following table provides a breakdown of the individual submissions received:

Type of Submission	Number Received
Support	4
Objection	23
No objections / Comments	3
<b>TOTAL</b>	<b>30*</b>

N.B. This total does not include the multiple-signature submission as this was dealt with separately. Also the City received a supporting submission from a resident, who later submitted an objecting submission, therefore both submissions were not included in the final count.

### Support for the proposal

Supporting submissions referred to the proposal providing a better mix of housing types, but that the City would get a better financial return if the lot had a density code of R40 or R60. Council had resolved not to change the coding of Lot 147 to enable future development to remain in keeping with the surrounding residential area. A supporter requested that the development approval be conditional that the trees on the site are retained. A further supporting submission was only for privately owned dwellings or retirement villas and a nursing home.

Council has provided its support for aged persons accommodation rather than a nursing home and matters related to the significance of the trees and the proposed design of the future development would be assessed as part of the development application process and potentially at that time there may be further opportunity for residents to comment.

### Objection to the proposal

The main concerns detailed in the objecting submissions related to traffic concerns and the potential loss of the existing Tuart trees on the lot. Three Tuart trees have been assessed by the City and their approximate age and heights are:

- 120 years old and 35 metres – located at the corner of Millport Drive and Kirkcolm Way.
- 80 years old and 22 metres – located near Millport Drive.
- 50 years old and 20 metres – located towards the centre of the lot (close to the abovementioned trees).



A theme of many of the objections received was in relation to the actual future design and amenities that will be constructed on the lot. These matters would be assessed at the subdivision and/or development application stage, at which time local residents may have a further opportunity to comment.

Matters raised in some objecting submissions referred to retaining the lot as public open space and some respondents considered that the land was part of the adjoining Hawker Park. Lot 147 is owned by the City in freehold and it is a separate lot to Hawker Park which is Crown land managed by the City for public recreation. Objections also refer to the fact that any funds raised from the sale are to be included in the future Joondalup Performing Arts and Cultural Facility, rather than facilities in the local area. Council has previously resolved to commit the funds from the sale of the land to the Joondalup Performing and Cultural Arts Facility reserve fund, which will be of benefit to the City and its residents overall.

### Multiple-Signature Submission

The following table provides a breakdown of the multiple-signature submission received:

Type of Submission	Signatures	Households
Objects	46	36
No objections / Comments	2	0
<b>TOTAL</b>	<b>48</b>	<b>36</b>

The City received a multi-signature submission signed by 48 local residents; representing 46 individual objections or 36 objecting households (a number of households had several people who signed the submission). There were two who did not object.

The multi-signature submission organiser's referred to ". . . *object[ing] to the proposed sale of the land and generally voted in support of either developing a community use facility on the land (such as lockable tennis courts) or maintain the status quo . . .*".

A number of respondents asked that the trees be retained if the development went ahead. This is an issue which would be dealt with at the subdivision and/or development application stage.

### Additional Information

The lot is zoned 'Residential' with a density of R20 and has been included in the Housing Opportunity Areas in the City's draft Local Housing Strategy, with a proposed density increase from R20 to a dual coding of R20/30.

At the density of R20 the lots are an average of 500m<sup>2</sup> for green title and 450m<sup>2</sup> for strata lots. At the dual coding of R20/30, subject to compliance with development requirements, the lots may average 300m<sup>2</sup>.

It should be noted the Strategy is still a draft document pending endorsement from the Western Australian Planning Commission and inclusion in the City's new District Planning Scheme. It is envisaged that it will be approximately two to five years before landowners will be in a position to develop properties using the amended density code.

**Legislation** Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property. As at 27 September 2011, Part 3 of the *Local Government (Functions and General) Regulations 1996* was amended. The financial threshold at which local government land can be disposed of without advertising Business Plans was amended from \$1,000,000 to \$10,000,000. Based on this amendment and the valuation information with regard to Lot 147, advertising a Business Plan was not a statutory requirement for this proposal.

### **Strategic Plan**

**Key Focus Area:** The Built Environment

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

### **Policy:**

City Policy – Asset Management

City Policy – Sustainability

### **Risk Management Considerations**

There are a number of risk considerations related to the disposal of the property described.

The City has complied with Section 3.59 of the *Local Government Act 1995* to ensure openness and accountability in this disposal process.

There is a potential loss of rates income by setting a condition that the land may only be used for aged persons accommodation.

### **Financial/Budget Implications**

The highest and best valuation dated 24 May 2010 on the scenarios provided by the City to the valuers at that time for Lot 147 (25) Millport Drive Warwick was \$1,300,000.

### **Regional Significance**

There is no regional significance regarding this matter.

### **Sustainability Implications**

The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose.

The development of aged persons accommodation is considered appropriate given the existing character of the area. The types of dwellings will provide for alternative housing choices for the City's ageing population to remain within their local area.

Council has agreed that the proceeds from the sale of this lot are to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

## Consultation

The Business Plan was adopted for public advertising, and advertising was as follows:

- A sign on site;
- 108 letters sent to landowners within a radius of 200 metres of each site with a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and The West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website; and
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre, and all City libraries.

A total of 33 submissions was received; with a multiple-signature submission being counted as one submission (although was analysed separately). One householder provided one supporting submission early in the public consultation period then later provided one objecting submission.

The main concerns raised by the objectors related to traffic issues and the retention of the Tuart trees on the site. Additionally, the design and scale of the future development on the lot was also a concern that received a high level of objections. However, it is anticipated the maximum number of aged person's dwellings that could be developed on the site (with it having a coding of R20) is approximately seven. At an R30 density code, there is the potential for eight lots to be created. Any development would need to be in compliance with the City's draft Dual Density Code Policy should the land be recoded to R30.

The definition of aged person's dwellings are still independent dwellings, only one occupant is required to be over the age of 55 and there is no nursing care provided. As a number of submissions received were in relation to noise, ambulances and traffic, it is suggested that further information or a public meeting be provided to the community to assist in alleviating their concerns.

## Issues and options considered

Given the number of objections received for this site (including a multi-signature submission), two options are available to progress this matter:

**Option 1: Council notes the number of objections and continues to progress the disposal of the site.**

The City has three other sites it is proposing to dispose of which received very little objection from the community. If it is deemed that this lot is no different to the other three sites, the City would progress with the proposed disposal of the lot in line with the other three sites.

**Option 2: Council acknowledges the number of objections and defers the disposal of the site to allow further information to be provided to the community.**

An information session and/or further information can be provided to those respondents who objected to the proposal. However, the issues raised by the respondents are based on the inability for the City to specify exactly what could happen in the future; although the main concerns about noise, ambulances and increased traffic could be addressed in further advice provided by the City.

This option will take more time to be resolved. However, it will potentially alleviate the majority of concerns raised. This option would mean that this site would be delayed in being disposed of and would not be progressed in line with the other three sites.

## COMMENT

The decision to progress the sale of the lot for aged persons accommodation has already been decided by Council. The use of the site for aged persons accommodation is considered appropriate considering the location of the site and the ageing demographics within the City.

The submissions received enquired as to the size of the complex, parking, increased traffic (ambulances) and types of amenities to be provided indicate that residents require more information as to what type of development is likely to take place on the site.

Given the number of issues raised it would be beneficial to address these now, rather than to progress with the disposal of the lot. It is considered appropriate that further information is provided via a public meeting.

## VOTING REQUIREMENTS

Absolute Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Strategic Financial Management Committee at its meeting held on 19 July 2012.

The original recommendation as presented by City Officers to the Committee is as follows:

*That Council DOES NOT PROGRESS the sale of Lot 147 (25) Millport Drive, Warwick until further consultation has been undertaken with the community regarding objections raised following advertising of the Business Plan.*

The Committee's subsequent recommendation to Council is as follows (changes identified):

That Council:

- 1 NOTES that there were 33 submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 147 (25) Millport Drive, Warwick;
- 2 In accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 147 (25) Millport Drive, Warwick as described in the Business Plan detailed in Attachment 3 to Report CJ142-07/12;
- 3 REQUESTS that the sump adjacent to Lot 147 at Lot 10362 (29) Millport Drive, Warwick be listed in the City Sump Improvement Program;

- 4 REQUESTS that mature Tuart trees be planted in the vicinity of Lot 147 (25) Millport Drive, Warwick to replace the loss of any existing trees;
- 5 NOTES that in the City's Five Year Capital Works Program a Community Sporting Facility is listed for Hawker Park in 2013/14 for \$1,500,000;
- 6 NOTES that the Council has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund with the lot designated for Aged and Dependent Persons' housing;
- 7 REQUESTS the City advise those households consulted during the public consultation period of Council's decision above, including information about the City Sump Improvement Program, Hawker Park Community Sporting Facility and Tuart tree replacement as well as the provision of additional information providing clarity on the difference between 'Aged Care' and 'Aged and Dependent Persons' housing'; and
- 8 NOTES that there are several mature Tuart trees on Lot 147 (25) Millport Drive, Warwick and any developer of the site will be encouraged to retain the trees where possible.

## REASON

In accordance with Regulation 11 (da) of the *Local Government (Administration) Regulations 1996*, the reason the Committee made its decision which was significantly different to what the administration recommended is because the Committee considers that there is not significant opposition to the business case and the concerns raised by the objectors are not reflective of the business case and development options, and the Committee has adopted a range of additional measures to address the concerns of the surrounding community.

## MOVED Cr Amphlett, SECONDED Cr Thomas that Council:

- 1 NOTES that there were 33 submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 147 (25) Millport Drive, Warwick;**
- 2 In accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 147 (25) Millport Drive, Warwick as described in the Business Plan detailed in Attachment 3 to Report CJ142-07/12;**
- 3 REQUESTS that the sump adjacent to Lot 147 at Lot 10362 (29) Millport Drive, Warwick be listed in the City Sump Improvement Program;**
- 4 REQUESTS that mature Tuart trees be planted in the vicinity of Lot 147 (25) Millport Drive, Warwick to replace the loss of any existing trees;**
- 5 NOTES that in the City's Five Year Capital Works Program a Community Sporting Facility is listed for Hawker Park in 2013/14 for \$1,500,000;**

- 6 **NOTES** that the Council has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund with the lot designated for Aged Persons' Dwellings;
- 7 **REQUESTS** the City advise those households consulted during the public consultation period of Council's decision above, including information about the City Sump Improvement Program, Hawker Park Community Sporting Facility and Tuart tree replacement as well as the provision of additional information providing clarity on the difference between 'Aged Care' and 'Aged Persons' Dwellings'; and
- 8 **NOTES** that there are several mature Tuart trees on Lot 147 (25) Millport Drive, Warwick and any developer of the site will be strongly encouraged to retain the trees where possible.

AMENDMENT MOVED Cr Corr, SECONDED Cr Ritchie that additional Parts 9, 10, 11, 12 and 13 be ADDED to the Motion as follows:

- “9 *NOTES that the officer's original recommendation was to have further consultation with the community regarding objections raised following advertising of the Business Plan;*
- 10 *NOTES that survey forms were sent by the City to 108 adjoining residents for comment;*
- 11 *NOTES that a multi-signature submission signed by 48 local residents was received that, when coupled with the 33 submissions mentioned in 1 above, plus a public meeting with Cr Fishwick attended by about 50 local residents, indicates a high level of public interest in the possible sale of this land;*
- 12 *NOTES that the majority of the residents were strongly against selling the land; and*
- 13 *NOTES that the local residents have had very short notice that this item was coming to Council with the Agenda being put in the public arena last Friday evening, following Thursday night's Special Strategic Financial Management Committee meeting, at which Mayor Pickard successfully moved motions (1) to revoke a previous decision to defer the matter until October, and (2) to proceed with the sale of the land.”*

**The Motion was Put and**

**LOST (4/6)**

**In favour of the Motion:** Crs Chester, Corr, Ritchie and Thomas.

**Against the Motion:** Mayor Pickard, Crs Amphlett, Hamilton-Prime, McLean, Norman and Taylor.

**MOVED Cr Amphlett, SECONDED Cr Thomas that Council:**

- 1 **NOTES that there were 33 submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 147 (25) Millport Drive, Warwick;**
- 2 **In accordance with section 3.59(5) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 147 (25) Millport Drive, Warwick as described in the Business Plan detailed in Attachment 3 to Report CJ142-07/12;**
- 3 **REQUESTS that the sump adjacent to Lot 147 at Lot 10362 (29) Millport Drive, Warwick be listed in the City Sump Improvement Program;**
- 4 **REQUESTS that mature Tuart trees be planted in the vicinity of Lot 147 (25) Millport Drive, Warwick to replace the loss of any existing trees;**
- 5 **NOTES that in the City's Five Year Capital Works Program a Community Sporting Facility is listed for Hawker Park in 2013/14 for \$1,500,000;**
- 6 **NOTES that the Council has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund with the lot designated for Aged Persons' Dwellings;**
- 7 **REQUESTS the City advise those households consulted during the public consultation period of Council's decision above, including information about the City Sump Improvement Program, Hawker Park Community Sporting Facility and Tuart tree replacement as well as the provision of additional information providing clarity on the difference between 'Aged Care' and 'Aged Persons' Dwellings'; and**
- 8 **NOTES that there are several mature Tuart trees on Lot 147 (25) Millport Drive, Warwick and any developer of the site will be strongly encouraged to retain the trees where possible.**

**The Motion was Put and****CARRIED (8/2)****In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Hamilton-Prime, McLean, Norman, Taylor and Thomas.**Against the Motion:** Crs Corr and Ritchie.*Appendix 17 refers**To access this attachment on electronic document, click here: [Attach17agn240712.pdf](#)*

**C48-07/12                    CONSIDERATION OF CHANGE TO ORDER OF BUSINESS**

**MOVED** Cr Amphlett, **SECONDED** Cr McLean that Council **SUSPENDS** clause 14(4) of the City's *Standing Orders Local Law 2005 – Order of Business*, to allow the following report to be considered out of sequence:

- **Item CJ145-07/12, Mindarie Regional Council – Variation to Constitution,**

**and prior to considering Item CJ143-07/12, Confidential - Proposed Disposal of City Freehold Properties –Status Report.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

**C49-07/12                    COUNCIL DECISION – EN BLOC RESOLUTION**

**MOVED** Cr McLean, **SECONDED** Mayor Pickard that Council that pursuant to the *Standing Orders Local Law 2005 – Clause 48 – Adoption of Recommendations En Bloc*, Council adopts the following items **CJ123-07/12, CJ124-07/12, CJ126-07/12, CJ127-07/12, CJ128-07/12, CJ129-07/12, CJ131-07/12, CJ132-07/12, CJ133-07/12, CJ134-07/12 and CJ138-07/12.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.



**REPORT OF THE CHIEF EXECUTIVE OFFICER****CJ145-07/12 MINDARIE REGIONAL COUNCIL – VARIATION TO CONSTITUTION**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Garry Hunt Chief Executive Officer
<b>FILE NUMBER:</b>	03149, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Deed of Variation Attachment 2 Mindarie Regional Council Constitution

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**PURPOSE**

The purpose of this report is to update Council on the proposed withdrawal of the City of Stirling from the Mindarie Regional Council (MRC) and to seek Council's agreement to a variation of the MRC Constitution requested by the MRC.

**EXECUTIVE SUMMARY**

Under Section 699 of the *Local Government Act 1960* (the 1960 Act), two agreements are required to enable the withdrawal of a member local government from the MRC.

- The First Agreement, between the Regional Council and the withdrawing member, concerns an adjustment of the assets and liabilities between them; and
- The Second Agreement, between the remaining members of the MRC, concerns a new constitution (or establishment agreement) to provide for the determination of contributions to be made by each of them to the funds of the Regional Council; and for either or both, the alteration of the number of Councillors –
  - who shall comprise the Regional Council; or
  - who shall be appointed by the member local governments.

The parties have reached a stalemate concerning an adjustment of the assets and liabilities required for the first agreement under the 1960 Act which means that the Minister may now become involved and make a determination in relation to those matters.

However, whilst there is agreement among the non-Stirling members of the MRC on the adjustment of the assets and liabilities, agreement has not been reached on the terms of a new Establishment Agreement.

The MRC is preparing a submission for the Minister urging him to take appropriate action under the Act to enable the withdrawal of the City of Stirling.

The MRC has suggested that whilst the non-Stirling members continue to discuss the terms of the new Establishment Agreement, they agree on the matters required under Section 699 for the second agreement which requires a variation to the existing Constitution. This would be an interim arrangement.

This would then allow the MRC to submit to the Minister that the necessary elements of Section 699 are in place to enable him to make a determination for the withdrawal of Stirling from the MRC.

The MRC has requested that each local government agrees to the changes set out in the Deed of Variation, a copy of which is at Attachment 1. These changes are consistent with the provisions contained in the draft Establishment Agreement which Council endorsed at its April 2012 meeting (CJ071-04/12 refers).

A copy of the MRC Constitution is at Attachment 2.

## **BACKGROUND**

Whilst the development of a new Establishment Agreement to set the guiding parameters of the future membership of the MRC has been under consideration for some time, the proposed withdrawal of the City of Stirling has expedited the process of finalising the text of a new agreement.

Particular consideration has been given to clauses dealing with deficit or surplus, winding up, withdrawal of a member and member obligations to deliver waste. Incidents of membership such as seeking an exemption, seeking to withdraw or seeking the winding up of the MRC are now explicitly dealt with under specific processes based primarily on the business impact of the action on the MRC.

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

In the event that agreement was reached between the MRC and the City of Stirling with respect to an adjustment of assets and liabilities (the First Agreement), it would have been necessary to present the Second Agreement to the Minister concerning a new Establishment Agreement between the remaining members of the MRC.

In the absence of agreement on the terms of the new Establishment Agreement, the MRC has proposed that the remaining members agree to a variation to the existing Constitution which would satisfy the requirements of section 699 to enable the Stirling withdrawal.

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

**Legislation:** Section 699 of the *Local Government Act 1960*.

#### **Strategic Plan**

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

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

**Strategy:** Elected Members and staff represent the community on external bodies and build strategic alliances.

#### **Policy**

Not Applicable.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

The City is a participating member local government of the Mindarie Regional Council and as such it is important that the constitutional arrangements which govern the MRC's affairs are appropriate, relevant and of the highest standards of governance.

**Sustainability Implications:**

The maintenance of a properly functioning waste collection and recycling program is a critical ingredient in the City's drive towards sustainability.

**Consultation:**

Consultation occurs on a regular basis with other member local governments of the MRC.

**COMMENT**

It is recommended that Council accede to the MRC request and agree to the changes to the existing Constitution as set out in the Deed of Variation attached.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr McLean that Council:**

- 1 ENDORSES the changes to the existing Mindarie Regional Council Constitution as set out in the Deed of Variation forming Attachment 1 to Report CJ145-07/12; and**
- 2 AUTHORISES the Mayor and the Chief Executive Officer to execute the Deed of Variation forming Attachment 1 to Report CJ145-07/12.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 18 refers*

*To access this attachment on electronic document, click here: [Attach18agn240712.pdf](#)*

**C50-07/12                      MOTION TO GO BEHIND CLOSED DOORS**

**MOVED** Cr McLean, **SECONDED** Mayor Pickard that Council:

- 1        in accordance with Sections 5.23(2) (d) of the *Local Government Act 1995* and Clause 67 of the City's *Standing Orders Local Law 2005*, **RESOLVES** to close the meeting to members of the public to consider the following items:
  - 1.1      CJ143-07/12, Confidential - Proposed Disposal of City Freehold Properties –Status Report as it relates to *'the determination by the local government of a price for the sale or purchase of property by the local government'*; and
  - 1.2      CJ144-07/12, Confidential - Rationalisation of Child Health Centres in the City of Joondalup as it relates to *'the determination by the local government of a price for the sale or purchase of property by the local government'*;
  
- 2        **PERMITS** the following employees to remain in the Chamber during discussion on Items CJ143-07/12, Confidential - Proposed Disposal of City Freehold Properties –Status Report and CJ144-07/12, Confidential - Rationalisation of Child Health Centres in the City of Joondalup while the meeting is sitting behind closed doors as detailed in part 1 above:
  - Chief Executive Officer, Mr Garry Hunt
  - Director Corporate Services, Mr Mike Tidy
  - Director Governance and Strategy, Mr Jamie Parry
  - Acting Director Infrastructure Services, Mr Charlie Reynolds
  - Director Planning and Community Development, Ms Dale Page
  - Manager Governance and Marketing, Mr Brad Sillence
  - Manager Planning Services, Mr John Humphreys
  - Governance Coordinator, Mr John Byrne
  - Governance Officer, Mrs Deborah Gouges
  - Governance Officer, Mrs Lesley Taylor

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Corr, Chester, Hamilton-Prime, McLean, Norman, Ritchie, Thomas and Taylor.

*Members of the staff (with the exception of the Chief Executive Officer, Director Corporate Services, Director Governance and Strategy, Acting Director Infrastructure Services, Director Planning and Community Development, Manager Governance and Marketing, Manager Planning Services, Governance Coordinator and Governance Officers) and members of the public and press left the Chambers at this point; the time being 8.13pm.*

*The Manager Planning Services left the Chamber at 8.13pm.*

## **CJ143-07/12      CONFIDENTIAL - PROPOSED DISPOSAL OF CITY FREEHOLD PROPERTIES –STATUS REPORT**

**WARD:** All

**RESPONSIBLE A/DIRECTOR:** Mr Charlie Reynolds  
Infrastructure Services

**FILE NUMBER:** 63627

**ATTACHMENTS:** Location Plans:

Attachment 1	Lot 200 Quilter Drive, Duncraig
Attachment 2	Lot 766 Dampier Avenue, Kallaroo and Lot 202 Kanangra Crescent, Greenwood
Attachment 3	Lot 147 Millport Drive, Warwick and Lot 613 Pacific Way, Beldon
Attachment 4	Lot 178 Camberwarra Drive, Craigie and Lot 103 Caridean Street, Heathridge
Attachment 5	Lot 977 Burlos Court, Joondalup and Lot 23 Gibson Avenue, Padbury
Attachment 6	Lot 1001 Camberwarra Drive, Craigie and Lots 642/643 Marri Road, Duncraig
Attachment 7	Lot 971 Creaney Drive, Kingsley and Lot 549 Moolanda Boulevard, Kingsley

*(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only)*

This report is confidential in accordance with section 5.23 (2)(h) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

*The determination by the local government of a price for the sale or purchase of property by the local government.*

It was requested that Part 1 be put separately:

**MOVED Cr Norman, SECONDED Cr Amphlett that Council:**

**1      NOTES:**

- 1.1      The contents of this Report;**
- 1.2      A further status report on the overall progress of this disposal project will be submitted to the Strategic Financial Management Committee meeting on 15 October 2012;**
- 1.3      A further report on the potential disposal of Lot 971 (52) Creaney Drive, Kingsley will be submitted to the Strategic Financial Management Committee meeting on 15 October 2012;**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

**MOVED Cr Norman, SECONDED Cr Amphlett that Council:**

- 2 DETERMINES that in relation to Lot 23 (77) Gibson Avenue, Padbury to proceed with the disposal with the lodgement of an easement on the land title to recognise the bore water main running through the property and also:
  - 2.1 REQUESTS that the sump adjacent to Lot 23 (77) Gibson Avenue, Padbury in Leichhardt Park be listed in the City Sump Improvement Program;**
  - 2.2 NOTES that there are several mature Tuart trees on Lot 23 (77) Gibson Avenue, Padbury and any developer of the site will be strongly encouraged to retain the trees where possible;**
  - 2.3 REQUESTS that Tuart trees be planted in Leichhardt Park in the vicinity of Lot 23 (77) Gibson Avenue, Padbury;**
  - 2.4 NOTES it has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund, with the lot designated for Aged Persons' Dwellings;****
- 3 SUPPORTS the Department of Education being offered the opportunity to purchase Lots 642/643 Marri Road, Duncraig in accordance with the requirements of section 3.58 of the *Local Government Act 1995*;**
- 4 NOTES that any formal offer from the Department of Education in relation to Part 3 above will be presented to Council for consideration; and**
- 5 NOTES that a further status update in relation to Parts 3 and 4 above will be submitted to the Strategic Financial Management Committee meeting to be held on 15 October 2012.**

**The Motion was Put and**

**CARRIED (9/1)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

**Against the Motion:** Cr Corr.

## **CJ144-07/12      CONFIDENTIAL - RATIONALISATION OF CHILD HEALTH CENTRES IN THE CITY OF JOONDALUP**

<b>WARD:</b>	All	
<b>RESPONSIBLE: A/DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services	
<b>FILE NUMBER:</b>	03398, 27459, 20122, 06769, 19107, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Location Plan – Lots 642/643 (57/59) Marri Road, Duncraig
	Attachment 2	Location Plan – Lot 159 (487L) Beach Road, Duncraig
	Attachment 3	Proximity Plan – Marri Road and Beach Road, Duncraig
	Attachment 4	Location Plan – Lot 1001 (14) Camberwarra Drive, Craigie
	Attachment 5	Location Plan – Lot 699 (2) Caley Road, Padbury
	Attachment 6	Proximity Plan – Camberwarra Drive and Caley Road
	Attachment 7	Existing and Proposed Plan – Padbury Child Health Centre
	Attachment 8	Existing and Proposed Plan – Carine Child Health Centre
	<b>(Please Note:</b>	<i>The Report and Attachment is confidential and will appear in the official Minute Book only)</i>

This report is confidential in accordance with section 5.23 (2)(h) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

*The determination by the local government of a price for the sale or purchase of property by the local government.*

**MOVED Cr Amphlett, SECONDED Cr McLean that Council:**

- 1      NOTES the contents of this Report;**
- 2      AGREES to the City continuing negotiations with the Department of Health's Child and Adolescent Community Health Service to transfer the child health centre services based at Craigie Child Health Centre to Padbury Child Health Centre at Lot 699 (2) Caley Road, Padbury and Duncraig Child Health Centre to Carine Child Health Centre at Lot 159 (487L) Beach Road, Duncraig; and**
- 3      REQUESTS a further report be presented to a future Strategic Financial Management Committee meeting outlining future strategies in relation to enhancing the amenity and standard of existing child health care facilities in the City.**

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

**C51-07/12                    MOTION TO GO TO OPEN DOORS**

**MOVED** Cr Hamilton-Prime, **SECONDED** Cr Amphlett that Council in accordance with Clause 67 (4) of the *City's Standing Orders Local Law 2005*, the meeting be now held with **OPEN DOORS**.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Corr, Hamilton-Prime, McLean, Norman, Ritchie, Taylor and Thomas.

*Doors opened at 8.24pm.*

*No members of the public or press were present.*

*The Manager Planning Services returned to the Chamber at 8.26pm.*

In accordance with the City's *Standing Orders Local Law 2005*, Mayor Pickard read aloud the motions in relation to:

CJ143-07/12                    Confidential - Proposed Disposal of City Freehold Properties – Status Report; and

CJ144-07/12                    Confidential - Rationalisation of Child Health Centres in the City of Joondalup.



**CJ145-07/12      MINDARIE REGIONAL COUNCIL – VARIATION TO  
CONSTITUTION****WARD:** All**RESPONSIBLE  
DIRECTOR:** Mr Garry Hunt  
Chief Executive Officer**FILE NUMBER:** 03149, 101515**ATTACHMENTS:** Attachment 1      Deed of Variation  
Attachment 2      Mindarie Regional Council Constitution

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This Item was dealt with earlier in the meeting after Item CJ142-07/12, Page 141 refers.

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

Nil.

**ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

Nil.

**CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 8.30pm the following Elected Members being present at that time:

MAYOR TROY PICKARD  
CR TOM McLEAN, JP  
CR PHILIPPA TAYLOR  
CR SAM THOMAS  
CR GEOFF AMPHLETT, JP  
CR CHRISTINE HAMILTON-PRIME  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR BRIAN CORR  
CR TERESA RITCHIE