

# minutes

MEETING HELD ON **TUESDAY, 23 OCTOBER 2012**

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## CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON TUESDAY, 23 OCTOBER 2012.**

### DECLARATION OF OPENING

The Mayor declared the meeting open at 7.04pm.

### ANNOUNCEMENT OF VISITORS

#### Mayor:

TROY PICKARD

*Absent from 7.51pm  
to 7.54pm*

#### Councillors:

CR KERRY HOLLYWOOD

North Ward

CR TOM McLEAN, JP

North Ward

CR PHILIPPA TAYLOR

North-Central Ward

CR SAM THOMAS

North-Central Ward

CR LIAM GOBBERT

Central Ward

CR GEOFF AMPHLETT, JP

Central Ward

CR CHRISTINE HAMILTON-PRIME

South-West Ward

*Absent from 7.51pm  
to 7.54pm*

CR MIKE NORMAN

South-West Ward - *Deputy Mayor*

CR JOHN CHESTER

South-East Ward

*Absent from 7.48pm  
to 7.49pm*

CR BRIAN CORR

South-East Ward

CR TERESA RITCHIE

South Ward

*Absent from 8.13pm  
to 8.15pm*

#### Officers:

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 *to 8.32pm*

MR JOHN BYRNE

Governance Coordinator

MRS LESLEY TAYLOR

Governance Officer

MRS ROSE GARLICK

Governance Officer

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

**PUBLIC QUESTION TIME**

The following questions were taken on notice at the Ordinary Council Meeting held on 18 September 2012:

**Mr M Sideris, Mullaloo:**

*Re: Elected Members Strategic Weekend held February 2012.*

*Q1 Advise the total cost, inclusive of all accommodation, hire of facilities, travel expenses, allowances, employee costs, consultant/facilitator costs, meals paid by the City, for the Elected Members Strategic Weekend held in February 2012?*

*A1 \$25,372.88.*

*Q2 Provide a breakdown of those costs?*

<i>A2 Accommodation/hire of facilities:</i>	<i>\$13,902.00 (inc. GST)</i>
<i>Meals:</i>	<i>\$ 3,921.85</i>
<i>Travel and coach hire:</i>	<i>\$ 4,099.03</i>
<i>Facilitator:</i>	<i>\$ 3,450.00</i>

*Q3 Advise what were the dates and place of the Elected Members Strategic Weekend?*

*A3 The Strategic Session was held from 17 to 19 February 2012, at Abbey Beach Resort, Busselton.*

*Q4 Advise costs for all items charged to individual room accounts of all attendees, room by room, attendee by attendee?*

*A4 Refer to response to Question 2.*

*Q5 Advise which Elected Members and or staff members attended meetings at the Mullaloo Beach Hotel on July 20 2011; November 3 2011; November 9 2011; December 29 2011; January 20 2012; February 1 2012 as charged to the Credit Card 5163 2531 0020 1133.*

*A5 Details as follows:*

*20 July 2011:*

*Chief Executive Officer plus seven senior staff (reward and recognition for budget completion).*

*3 November 2011:*

*Chief Executive Officer plus six senior staff members (farewell Director).*

*9 November 2011:*

*Chief Executive Officer plus one senior staff member.*

*29 December 2011 Chief Executive Officer plus two staff members (reward and recognition).*

*20 January 2012:*

*Chief Executive Officer and one Elected Member.*

*1 February 2012:*

*Chief Executive Officer and Deputy Mayor.*

**Mr S Turner, Burns Beach:**

*Re: Proposed development of Bramston Park, Burns Beach.*

*Q1 Why does the junior facility at Bramston Park need such extensive flood lighting?*

A1 The Floodlighting proposed for Bramston Park will be designed to meet the requirements for Australian Standard (AS2560.2.3). This standard is for large ball sports (for example soccer and rugby) and meets the training level criterion (50lux).

**Mrs M Macdonald, Mullaloo:**

*Re: Draft Local Commercial Strategy.*

*Q1 Why isn't there a schedule attached to the Draft Local Commercial Strategy which compares the current NLA of centres, retail NLA of centres and commercial zones with the proposed retail NLA and lots? And why aren't there maps identifying the lot area that the centre covers, such as the one provided for Item CJ181-09/12 - Request to Prepare Activity Centre Structure Plan – Whitford Activity Centre?*

A1 The existing maximum retail floorspace figures for each centre are available within the District Planning Scheme No. 2. The draft Local Commercial Strategy is based on a new retail needs analysis for the City of Joondalup and therefore does not rely on any comparison with the existing retail floorspace figures. The boundaries of each individual centre will be considered as part of the preparation of the new Local Planning Scheme.

*Q2 Given that currently in Schedule 3 of the District Planning Scheme No. 2 the lot occupied by the Mullaloo Hotel is listed as having 500sqm of retail NLA attached to it, how can this site accommodate a 200% increase as listed in the draft strategy to 500sqm of retail NLA given that the car parking in the area is already under supplied at peak periods? Is the intention of the strategy to expand the Centre to adjacent lots and to provide more car parking? And if so, why isn't this detail in the draft strategy?*

A2 The retail floorspace provisions indicated in the draft Local Commercial Strategy are based on a retail needs analysis, not on the specific built form of existing centres. An indicative retail floorspace provision does not mean a particular centre has the automatic right to develop to that indicative retail floorspace. Any proposed development is still assessed against District Planning Scheme No. 2 requirements, including the provision of car parking. The draft Local Commercial Strategy does not encourage the expansion of the Mullaloo Beach Hotel site onto adjoining sites.

**The following questions were submitted prior to the Council meeting on 23 October 2012:**

**Mr D Blackburn, Kingsley:**

*Re: Advertising of Scheme Amendments.*

*Q1 If such a motion for a lot comes to the meeting of Council 20 November 2012 and is carried how will the advertising period of 42 days be conducted considering that the Community Consultation and Engagement Policy Para. 2c states:*

*“Consultations are not to be conducted during the summer break (between the last Ordinary Meeting of Council in December to the first Ordinary Meeting of Council in February), unless otherwise stipulated by Council. Consultations to meet statutory planning requirements may be conducted during the summer break, as they are approved by the Chief Executive Officer.”*

*A1 Advertising would usually not commence until after the first Council meeting in February 2013. Public advertising will always consist of notices in the local and The West Australian newspapers and on the City’s website. Depending on the particular proposal, adjoining and nearby landowners may be contacted in writing and a sign placed on the site.*

*Q2 Would the advertising period of 42 days for the above scheme amendment scenario be conducted over the summer break?*

*A2 No.*

*Q3 When and how would advertising be conducted?*

*A3 Refer to the response to Question 1.*

*Q4 If alternatively a Scheme Amendment went to the Meeting of Council 11 December 2012 when and how would advertising be conducted?*

*A4 Refer to the response to Question 1.*

**Mr P Friedlieb, Mullaloo:**

*Re: Proposed Draft Local Housing Strategy.*

*Q1 Can you please provide an update on the Proposed Draft Local Housing Strategy?*

*A1 Following the public consultation period in 2010, Council considered all submissions received and resolved at its meeting held 15 February 2011 to adopt the draft Local Housing Strategy. The Strategy was then forwarded to the Western Australian Planning Commission (via the Department of Planning) for endorsement.*

The Department of Planning has assessed the Strategy and requested that the City consider a number of issues and additional matters. The City is currently working with the Department of Planning to address the issues raised. This will take some time as it is important that the draft Local Housing Strategy addresses State Government policy objectives as well as the needs and wishes of the community.



The draft Strategy will need to go back to Council and will likely be readvertised early in 2013 before it is, once again, sent to the Western Australian Planning Commission (via the Department of Planning) for endorsement.

Once the draft Strategy is endorsed by the Western Australian Planning Commission, the recommendations will be implemented through a new Local Planning Scheme. The new Local Planning Scheme will be required to go through a similar process as the draft Local Housing Strategy, including public consultation and approval from the Western Australian Planning Commission, before owners of land in Housing Opportunity Areas can apply for subdivision or for approval of additional dwellings on their land.

**Mrs M Macdonald, Mullaloo:**

*Re: Beach Management Plan.*

*Q1 Given that the Beach Management Plan contains the following statement:  
“The City acknowledges that future environmental changes will occur in light of the effects of global warming and that these changes will have impact on the City’s coastal areas. Given that information on the extent of these impacts is yet to become readily available, this Plan does not address the issue of sea-level rising. However, statements made within the Plan are cognisant of the fact that sea-level rising will become an issue in the future. When information does become available, the City will ensure its integration into the Plan when undertaking scheduled review processes.”*

*Why hasn’t this plan been updated as there is much information on the effects of climate change available in the public arena?*

*A1 While general information on sea-level rising and climate change is publicly available, there is little information to inform responses at a local level. As such, the City is currently in the process of obtaining localised data to support the development of a Climate Change Strategy. This data will assess coastal risks and vulnerabilities to enable the development of relevant, local responses to identified issues. The development of a Climate Change Strategy is currently listed as an action in the City’s 2012/2013 Annual Plan. Upon obtaining more detailed information through this process, the City will review its current *Beach Management Plan* and incorporate information where relevant.*

*Re: Whitford Activity Centre Structure Plan.*

*Q2 Given that the recommendation states:  
“NOTES that advertising of the proposed scheme amendment will not commence until such time as a draft Whitford Activity Centre Structure Plan is also adopted by Council for the purpose of public advertising at which time the proposed scheme amendment and draft structure plan will be advertised concurrently.”*

*And last month there was an item dealing with the Whitford City Structure plan boundary, why is the City choosing to deal with the issue of Whitford City’s future development in three different parts when it could have been dealt with all at one time and would have given ratepayers a better understanding of future development controls?*

- A2 The City is required to consider and progress planning applications and proposals in the appropriate order, as they are submitted and in a timely manner. In the case of the Whitford Activity Centre, there are a number of separate planning processes that need to occur.

Council needed to request the preparation of a structure plan and determine the boundary of the area to be covered by that plan before it could consider any structure plan and associated amendment. The proposed amendment needs to be referred to the Environmental Protection Authority before it can be advertised and that is why it needed to be considered ahead of the structure plan, if the two documents were to be advertised together.

Re: *Annual General Meeting of Electors.*

- Q3 *Given the recommendation:  
“AGREES to convene the 2012 Annual General Meeting of Electors on Tuesday, 4 December 2012, commencing at 5.30pm in the Council Chambers.”*

*Why is Council showing no respect for ratepayers who work and might want to attend the meeting at the normal time of 7.00pm and also ignoring the motion from last year’s Electors’ meeting?*

- A3 The motion passed at last year's Annual General Meeting of Electors was considered by Council at its meeting held on 21 February 2012 (CJ011-02/12 refers). It was noted that the date time and place of the Annual General Meeting of Electors is set by Council and in accordance with the provisions within the *Local Government Act 1995*. Council will consider a range of factors when determining the date and time for the 2012 Annual General Meeting of Electors.

Re: *Draft Local Commercial Strategy.*

- Q4 *Given the following extract from part A of the Draft Local Commercial Strategy:*

*SPP 4.2 allows for local planning strategies, schemes and district and local structure plans to identify the indicative boundaries of activity centres in both established and new urban areas. This would have implications for the Whitfords centre if the boundary were to expand to include the St Marks school site. The additional floorspace at St Marks would add to the Mixed Use category and effectively allow for expansion beyond 50,000m<sup>2</sup> of Shop Retail while meeting the mixed use target of 40% total floorspace. Note that schools are included in SPP 4.2 under the definition of mix land uses under Health/Welfare/Community services.*

*Why did the City set a boundary for Whitford City Structure plan which includes the St Mark’s school site and which would allow the argument to be made for an increase Retail NLA beyond 50000sq mtrs whilst stating that the Retail NLA should not grow beyond 50000sq mtrs in its Draft Local Commercial Strategy Part B?*

- A4 Given that St Marks school is a major source of activity, it is sensible to include that land use within the Whitford Activity Centre. It is noted that the indicative retail floorspaces included within the draft Local Commercial Strategy are not maximum retail floorspaces, and centres can propose additional retail floorspace provided an appropriate Retail Sustainability Assessment demonstrates this will not have an undesirable effect on other centres.

**Mr M Sideris, Mullaloo:**

*Re: Elected Members Strategic Weekend held February 2012 at Abbey Beach Resort, Busselton.*

*Q1 Provide a breakdown list of all items charged to individual room accounts of all attendees, room by room, attendee by attendee?*

*Q2 Provide the cost of all purchases of alcohol charged to individual room accounts, room by room, attendee by attendee?*

*Q3 Advise how many partners of elected members and attending staff had accommodation, meals and travel expenses subsidised by the City?*

*Q4 For the travel and coach hire cost stated to be \$ 4,099.03 provide the cost of motor vehicle (or other) travel expenses paid to each attendee?*

A1-4 These questions will be taken on notice.

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

*Re: Ocean Reef Marina Project.*

*Q1 Can you please advise the status of the Ocean Reef Marina and when we will see a business plan including the sources of funding?*

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

*Re: Development Assessment Panel.*

*Q2 How does the City judge the influence of the Development Assessment Panels which will decide all development applications above \$7 million? Will these Development Assessment Panels not reduce the influence the City has over its own destiny?*

A2 Mayor Pickard advised that the Development Assessment Panel does not reduce the City's influence in determining the future shape of the City. Mayor Pickard advised that the Development Assessment Panel is framed around the City's District Planning Scheme, Structure Plans and Policies and that these planning tools, which have been endorsed by Council, are used to frame the development outcomes of the City.

**Mrs M Zakrevsky, Mullaloo:**

*Re: Recognition of former Councillor Norman Rundle*

*Q1 Would the Councillors consider honouring and remembering her in some way?*

A1 Mayor Pickard advised that individual questions cannot be directed to individual Councillors, however he intended to make a statement on behalf of the City in his announcements during this meeting.

## **PUBLIC STATEMENT TIME**

**The following statements were submitted verbally at the Council meeting:**

### **Mr Rainer Repke, Kallaroo:**

*Re: CJ220-10/12 - Opportunity for upgrade of Community Facilities - Whitford Activity Centre: Project Philosophy and Parameters.*

Mr Repke spoke in relation to Item CJ220-10/12 - Opportunity for upgrade of Community Facilities - Whitford Activity Centre: Project Philosophy and Parameters.

### **Mrs M Zakrevsky, Mullaloo:**

*Re: Former Councillor Norma Rundle.*

Mrs Zakrevsky spoke in relation to the recent passing of former City of Wanneroo Councillor Norma Rundle (between 1990 – 1994).

## **APOLOGIES AND LEAVE OF ABSENCE**

Apology: Mr Garry Hunt, Chief Executive Officer

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

Cr Russ Fishwick, JP 29 September to 9 November 2012 inclusive.

Cr Liam Gobbert 20 – 21 November 2012 inclusive.

### **C68-10/12 REQUESTS FOR LEAVE OF ABSENCE – CRS CHRISTINE HAMILTON-PRIME, BRIAN CORR, SAM THOMAS, TERESA RITCHIE, GEOFF AMPHLETT AND LIAM GOBBERT - [102280]**

Cr Christine Hamilton-Prime requested Leave of Absence from Council duties covering the period 1 November to 25 November 2012 inclusive.

Cr Brian Corr requested Leave of Absence from Council duties covering the period 6 November to 16 November 2012 inclusive.

Cr Sam Thomas requested Leave of Absence from Council duties covering the period 12 November to 24 November 2012 inclusive.

Cr Teresa Ritchie requested Leave of Absence from Council duties covering the period 27 November to 4 December 2012 inclusive.

Cr Geoff Amphlett requested Leave of Absence from Council duties covering the period 14 November to 23 November 2012 inclusive.

Cr Liam Gobbert made reference to his previously approved leave of absence covering the period 20 to 21 November 2012 inclusive and advised it was now necessary to amend the dates to cover the period 20 to 28 November 2012 inclusive.

**MOVED Cr Chester, SECONDED Cr Amphlett that Council APPROVES the requests for leave of absence from Council duties covering the following dates:**

- |          |                                    |   |
|----------|------------------------------------|---|
| <b>1</b> | <b>Cr Christine Hamilton-Prime</b> | <b>1 to 25 November 2012 inclusive.</b>           |
| <b>2</b> | <b>Cr Brian Corr</b>               | <b>6 to 16 November 2012 inclusive.</b>           |
| <b>3</b> | <b>Cr Sam Thomas</b>               | <b>12 to 24 November 2012 inclusive.</b>          |
| <b>4</b> | <b>Cr Teresa Ritchie</b>           | <b>27 November to 04 December 2012 inclusive.</b> |
| <b>5</b> | <b>Cr Amphlett</b>                 | <b>14 to 23 November 2012 inclusive.</b>          |
| <b>6</b> | <b>Cr Gobbert</b>                  | <b>20 to 28 November 2012 inclusive.</b>          |

**The Motion was Put and**

**CARRIED (12/0)**

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

## **CONFIRMATION OF MINUTES**

### **C69-10/12 MINUTES OF COUNCIL MEETING HELD 18 SEPTEMBER 2012**

**MOVED Cr Hamilton-Prime SECONDED Cr Hollywood that the minutes of the Council meeting held on 18 September 2012 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED (12/0)**

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

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

### **City of Joondalup Invitation Art Award**

Mayor Pickard advised that the City's popular Invitation Art Award has been running since 1998 and is the highlight of the City's visual arts program. Mayor Pickard stated that the prestigious Award recognises the artistic, creative and innovative skills of Western Australian artists and the importance of their contribution to evolving communities like Joondalup.

Mayor Pickard announced that the City is again pleased to hold the event for the 15<sup>th</sup> consecutive year and will be officially launched this weekend at Lakeside Joondalup Shopping City and will run until Friday 16 November.

Mayor Pickard informed members of the chamber that the Invitation Art Award is recognised as a prestigious exhibition with one of the biggest cash prizes of its kind on offer in WA, and that the Invitation Art Award is a must-see exhibition. Mayor Pickard encouraged all residents to take the time to view the vast array of artworks over the next few weeks.

### **City of Joondalup Summer Events Series**

Mayor Pickard announced that with the warmer months fast approaching, the City's calendar of summer events is about to commence for another year and continues the City's tradition of providing free, family entertainment to its residents and the broader community.

Mayor Pickard advised that the City's Music in the Park Concert Series will kick off with Carus Thompson, Junior Bowles and Ship Wreck in Mawson Park on 17 November. Over the summer months, four free concerts will be held throughout the City, culminating in the very popular Valentine's Concert to be held at the Joondalup Resort on Valentine's Day next year.

Mayor Pickard advised that the concerts are always a great night out and are family friendly, and added that those attending should pack a picnic basket and enjoy the free entertainment. Mayor Pickard advised that further information on these events will be available soon on the City's website.

Mayor Pickard informed members of the chamber that the City's Summer Markets in the Joondalup City Centre will also start in November, and this year, the markets are moving from Friday nights to Sunday afternoons and will be located alongside Lakeside Shopping City at the corner of Boas Avenue and McLarty Avenue.

Mayor Pickard announced that starting from November 18, the Summer Sunday Markets will bring the best of WA's arts, crafts, food and fashion to the very heart of the Joondalup City Centre.

Mayor Pickard advised that the markets will run for five weeks over the summer months and stated that further information about the Summer Sunday Markets can be found by visiting the City's website.

### Recognition of former Councillor Norma Rundle

Mayor Pickard acknowledged with great sadness the recent passing of Mrs Norma Rundle. Mayor Pickard informed members of the chamber that Norma served as a City of Wanneroo Councillor between 1990 and 1994 and among other things, was instrumental in advocating for the conservation of 38 hectares of bush land at Hepburn Heights, Padbury.

Mayor Pickard stated that for over six years, the sustained dedication of Norma and other members of our community resulted in the preservation of this natural bushland asset which can now be enjoyed by the entire Joondalup community.

Mayor Pickard on behalf of the City of Joondalup Elected Members and City staff, extended his commiserations and warmest sympathies to the Rundle family.

### Recognition of the late Tom Stannage

Mayor Pickard wished to also publicly acknowledge the recent passing of Professor Tom Stannage, the author of the Joondalup historical literary piece *Lakeside City: The Dreaming of Joondalup*.

Mayor Pickard advised that Professor Stannage, both a brilliant footballer and renowned academic and tutor, is attributed to several literary pieces that have made a great historical account and documentation of the City of Joondalup as well as the broader Western Australian landscape.

Mayor Pickard advised that Professor Stannage was a history professor at UWA in 1997, and won the inaugural Prime Minister's Award for Australian University Teacher of the Year and also became a Member of the Order of Australia for services to the study of history and museum development in Australia.

Mayor Pickard on behalf of the City of Joondalup, extended sympathies and thoughts to Professor Stannage's family.

## 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 John Chester.</b>
<b>Item No/Subject</b>	CJ199-10/12 - Proposed Amendment to District Planning Scheme No. 2 Whitford Activity Centre.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Chester's son owns property in Banks Avenue, Hillarys part of the proposed centre zone.

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ201-10/12 - Request for Reconsideration of Condition of Development Approval - Proposed Child Care Centre at Joondalup Health Campus – corner Upney Mews and Lakeside Drive, Joondalup.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	The applicant provided a financial contribution to Mayor Pickard's 2009 Mayoral election campaign, as previously declared in accordance with Election provisions.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No/Subject</b>	CJ201-10/12 - Request for Reconsideration of Condition of Development Approval - Proposed Child Care Centre at Joondalup Health Campus – corner Upney Mews and Lakeside Drive, Joondalup.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Hamilton-Prime's mother is employed at Joondalup Health Campus and Cr Hamilton-Prime has undertaken work experience at Joondalup Health Campus.

<b>Name/Position</b>	<b>Cr Teresa Ritchie.</b>
<b>Item No/Subject</b>	CJ214 -10/12 - 2013/14 Facility Refurbishment Projects.
<b>Nature of interest</b>	Proximity Interest.
<b>Extent of Interest</b>	Cr Ritchie resides close to Timberlane Park Clubrooms.

<b>Name/Position</b>	<b>Mr Garry Hunt - Chief Executive Officer.</b>
<b>Item No/Subject</b>	CJ218-10/12 – Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of interest</b>	Financial.
<b>Extent of Interest</b>	Mr Hunt holds the position of CEO.  Mr Hunt was not in attendance at this meeting.

<b>Name/Position</b>	<b>Mr Garry Hunt - Chief Executive Officer.</b>
<b>Item No/Subject</b>	CJ219-10/12 – Confidential - Annual Salary Review - Chief Executive Officer.
<b>Nature of interest</b>	Financial.
<b>Extent of Interest</b>	Mr Hunt holds the position of CEO.  Mr Hunt was not in attendance at this meeting.

### Disclosures of interest that may affect impartiality

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



<b>Name/Position</b>	<b>Cr Liam Gobbert.</b>
<b>Item No/Subject</b>	CJ199-10/12 - Proposed Amendment to District Planning Scheme No. 2 - Whitford Activity Centre.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Gobbert works at a shop at the Whitford City Shopping Centre and knows an employee of Urbis, Planning Consultants.

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ199-10/12 - Proposed Amendment to District Planning Scheme No. 2 - Whitford Activity Centre.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas is the Vice President of the Whitford Seniors Citizens Club.

<b>Name/Position</b>	<b>Cr Philippa Taylor.</b>
<b>Item No/Subject</b>	CJ200-10/12 - Retrospective Planning Approval – Unauthorised Security Fence Addition to Motor Industry Training Association at Lot 805 (10) Injune Way, Joondalup.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Taylor sits on an industry committee with the Chief Executive Officer of Motor Industry Training Association.

<b>Name/Position</b>	<b>Mr Mike Tidy - Director Corporate Services.</b>
<b>Item No/Subject</b>	CJ218-10/12 - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of his employment relationship with the CEO.

<b>Name/Position</b>	<b>Mr Mike Tidy - Director Corporate Services.</b>
<b>Item No/Subject</b>	CJ219-10/12 - Annual Salary Review - Chief Executive Officer.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of his employment relationship with the CEO.

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

Mayor Pickard advised that there are three reports that have been issued under confidential cover and the City's administration has advised that there is no need to retain the confidential nature of the report for Item CJ217-10/12 marked Confidential – Joondalup City Centre Commercial Office Development. However, the following Items require Council to go behind closed doors:

CJ218-10/12	Confidential – Chief Executive Officer Concluded Annual Performance Review
CJ219-10/12	Confidential – Annual Salary Review - Chief Executive Officer

**C70-10/12    CONSIDERATION OF LIFTING CONFIDENTIALITY RESTRICTION- [02154]**

**MOVED** Mayor Pickard, **SECONDED** Cr Amphlett that Council removes the confidentiality restriction for Item CJ217-10/12 – Confidential - Joondalup City Centre Commercial Office Development and permits the details of the report and associated attachments to be included in the minutes of the Council meeting.

**The Motion was Put and**

**CARRIED (12/0)**

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

**C71-10/12    CONSIDERATION OF CHANGE TO ORDER OF BUSINESS - [02154]**

**MOVED** Cr Norman, **SECONDED** Cr Hollywood that Council, in accordance with Clause 14(4) of the *City of Joondalup Standing Orders Local Law 2005*, **DEFERS** consideration of the following items to be dealt with as the last reports at the end of the Council meeting following Item CJ220-10/12:

- 1      **CJ218-10/12 – Confidential – Chief Executive Officer Concluded Annual Performance Review; and**
- 2      **CJ219-10/12 – Confidential – Annual Salary Review – Chief Executive Officer.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**C72-10/12    PETITIONS****PETITION IN RELATION TO TRAFFIC ISSUES IN CASTLEGATE WAY, WOODVALE – [48565]**

Cr Gobbert tabled a 111 signature petition on behalf of electors of the City of Joondalup requesting Council take prompt action to remedy the traffic issues in Castlegate Way, Woodvale by truncating the street at the northern end adjacent to the medical centre.

**MOVED** Cr Gobbert, **SECONDED** Cr Amphlett that the following petition be received, referred to the Chief Executive Officer and a subsequent report presented to Council for consideration:

- 1      **Petition in relation to traffic issues in Castlegate Way, Woodvale.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**REPORTS****CJ197-10/12 ELECTION OF DEPUTY MAYOR OF THE CITY OF JOONDALUP**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	19607, 100654, 101515
<b>ATTACHMENTS:</b>	Nil.

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**PURPOSE**

For Council to elect a new Deputy Mayor for a term to expire at the next ordinary elections in October 2013, as a result of Cr John Chester's resignation as Deputy Mayor.

**EXECUTIVE SUMMARY**

In October 2011 Cr John Chester was elected to the position of Deputy Mayor for a term of two years to expire at the October 2013 Ordinary Council elections.

Cr Chester submitted his written resignation as Deputy Mayor on Monday, 10 September 2012, effective from the commencement of the October 2012 Council meeting. It is therefore necessary for Council to elect a Deputy Mayor for a term to expire at the ordinary elections in October 2013.

*It is recommended that Council:*

- 1 *NOTES the resignation of Cr John Chester as Deputy Mayor of the City of Joondalup, effective from 7.00pm on Tuesday, 23 October 2012 and THANKS him for his valuable contribution during his term of office as Deputy Mayor; and*
- 2 *ELECTS a Deputy Mayor for a term to expire at the next ordinary elections in October 2013.*

**BACKGROUND**

Following the ordinary elections held in October 2011, Council at its Special Meeting held on 18 October 2011 elected Cr John Chester to the position of Deputy Mayor for a term to expire at the ordinary elections to be held in October 2013.

It is current Council practice to rotate the position of Deputy Mayor on an annual basis amongst Elected Members. In accordance with this practice, Cr Chester submitted his written resignation as Deputy Mayor on Monday, 10 September 2012, effective from the commencement of the October 2012 Council meeting. It is therefore necessary for Council to elect a Deputy Mayor for a term to expire at the ordinary elections in October 2013.

## **DETAILS**

Cr Chester submitted his resignation as Deputy Mayor for the City of Joondalup to take effect at 7.00pm on Tuesday, 23 October 2012. An extraordinary vacancy for the position of Deputy Mayor therefore occurs in accordance with Sections 2.31 and 2.34 of the *Local Government Act 1995*.

The role of the Deputy Mayor is to perform the functions of the Mayor when authorised to do so; that is, when the office of Mayor is vacant or the Mayor is not available or unwilling to perform the functions of the Mayor.

Clause 7 of Schedule 2.3, Division 2 of the *Local Government Act 1995* requires the office of Deputy Mayor to be filled as the first matter dealt with at the first meeting of the Council after an extraordinary vacancy occurs in the office. Upon election of the Deputy Mayor, there is a requirement for the incumbent to make a declaration for that office.

How the Deputy Mayor is elected is provided under Clause 8 of Schedule 2.3, Division 2 of the *Local Government Act 1995*, as follows:

- 1 *The Council is to elect a Councillor to fill the office.*
- 2 *The election is to be conducted by the Mayor, or if he is not present, by the Chief Executive Officer.*
- 3 *Nominations for the office are to be given to the person conducting the election in writing.*
- 4 *Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.*
- 5 *If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that they are willing to be nominated for the office.*
- 6 *The Council members are to vote on the matter by secret ballot as if they were electors voting at an election.*
- 7 *Subject to Clause 9(1) of Schedule 2.3 of the Local Government Act 1995, the votes cast under subclause (6) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 of the Local Government Act 1995, as if those votes were cast at an election.*

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

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

**Legislation**                      Section 2.15 and Schedule 2.3 of the *Local Government Act 1995*.

**Strategic Plan**

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

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

**Policy:**

Not Applicable.

**Risk Management Considerations:**

The role of the Deputy Mayor is critical to providing effective support for the Mayor and to perform the functions of the Mayor when authorised to do so; that is, when the office of Mayor is vacant or the Mayor is not available or unwilling to perform the functions of the Mayor.

**Financial/Budget Implications:**

Not Applicable.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

As a result of the resignation of Cr John Chester as Deputy Mayor, Council is required to elect a Deputy Mayor for a term to expire at the next ordinary elections in October 2013.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1 NOTES the resignation of Cr John Chester as Deputy Mayor of the City of Joondalup, effective from 7.00pm on Tuesday, 23 October 2012 and THANKS him for his valuable contribution during his term of office as Deputy Mayor; and
- 2 ELECTS a Deputy Mayor for a term to expire at the next ordinary elections in October 2013.

Mayor Pickard called for nominations and advised that two nominations had been received for the position of Deputy Mayor as follows:

Cr Hollywood nominated Cr Russ Fishwick. Cr Fishwick accepted the nomination prior to his leave of absence from Council duties covering the period 29 September 2012 to 9 November 2012.

Mayor Pickard nominated Cr Mike Norman. Cr Norman accepted the nomination.

Mayor Pickard declared nominations closed and advised that as two nominations for the position of Deputy Mayor were made, a secret ballot was required to be conducted.

Mayor Pickard provided an explanation of the process to be undertaken with respect to the secret ballot. Once the ballot papers had been put into the ballot box by the 12 Elected Members present, the counting of votes was undertaken by the Director Governance and Strategy and Manager Governance and Marketing.

At the conclusion of the counting of the votes, Mayor Troy Pickard declared Cr Mike Norman elected to the office of Deputy Mayor.

Mayor Pickard congratulated Cr Norman on his new appointment and thanked Cr Chester, expressing his appreciation for his contributions made over the last 12 months to the office of Deputy Mayor.

#### **DECLARATION OF ELECTED MEMBER**

Cr Mike Norman then made a Declaration of Elected Member for the office of Deputy Mayor before Mayor Troy Pickard.

*Appendix 19 refers*

*To access this attachment on electronic document, click here: [Attach19min231012.pdf](#)*

#### **ADDRESS BY DEPUTY MAYOR**

Cr Norman stated this was a proud moment being elected as Deputy Mayor and thanked his fellow Elected Members for their support.

**MOVED Mayor Pickard, SECONDED Cr Hamilton-Prime that Council:**

- 1 NOTES the resignation of Cr John Chester as Deputy Mayor of the City of Joondalup, effective from 7.00pm on Tuesday, 23 October 2012 and THANKS him for his valuable contribution during his term of office as Deputy Mayor; and**
- 2 NOTES Cr Mike Norman has been elected to the office of Deputy Mayor for a term to expire at the start of the first meeting of the Council after the next Ordinary Local Government Election.**

**The Motion was Put and**

**CARRIED (12/0)**

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

## **CJ198-10/12      DEVELOPMENT,      CODE      VARIATION      AND SUBDIVISION APPLICATIONS – AUGUST 2012**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	07032, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Monthly Development Applications Determined - August 2012 Attachment 2      Monthly Building Application Code Variations Decision – August 2012 Attachment 3      Monthly Subdivision Applications Processed - August 2012

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### **PURPOSE**

For Council to note 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 August 2012 (Attachments 1, 2 and 3 refer):

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

### **BACKGROUND**

The DPS2 requires that delegations be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 15 May 2012, Council considered and adopted the most recent Town Planning Delegations.



**DETAILS**

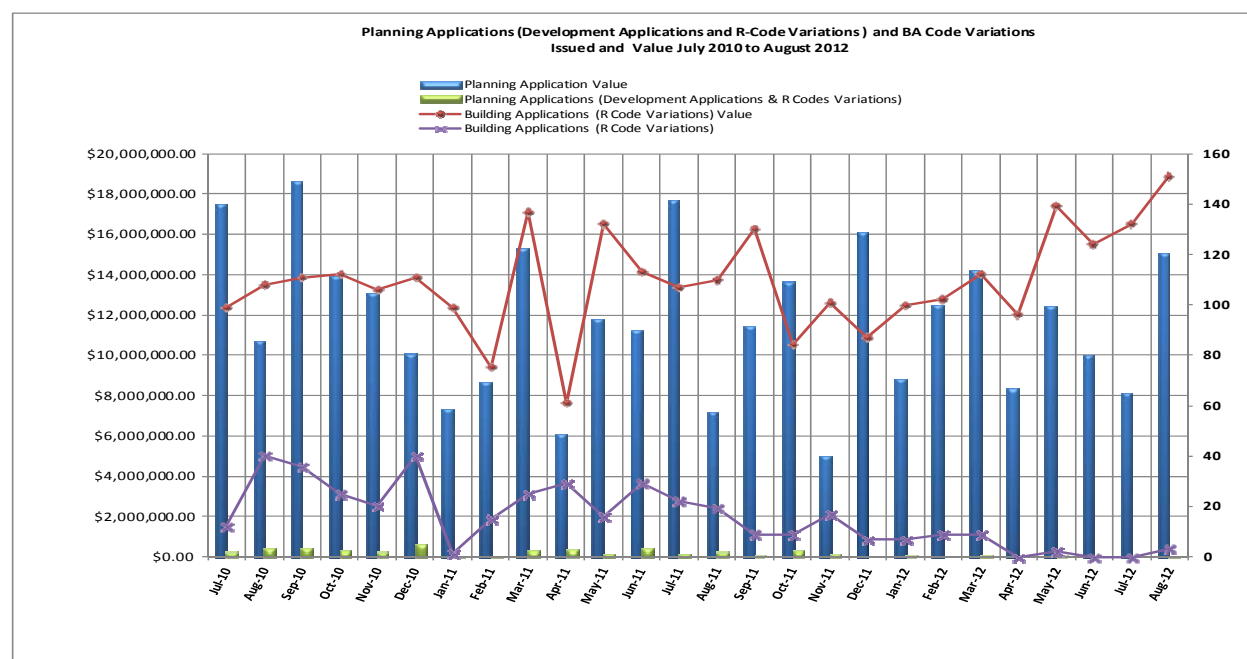
The number of applications determined under delegated authority during August 2012, is shown below:

Approvals determined under delegated authority – August 2012		
Type of Approval	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	153	\$ 14,981,867
Building applications (R – Codes applications)	3	\$ 34,000
<b>TOTAL</b>	<b>156</b>	<b>\$ 15,015,867</b>

The number of development applications received during August was 142. (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 August was 182. Of these, 53 were pending additional information from applicants, and 59 were being advertised for public comment.

In addition to the above, six building applications and 319 building permits were issued during the month of August with an estimated construction value of \$68,372,623.



<b>Subdivision approvals processed under delegated authority for August 2012</b>		
<b>Type of approval</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	5	128 residential lots 1 city centre lot 2 public open space lots
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 156 applications were determined for the month of August with a total amount of \$59,872 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 153 development applications determined during August 2012 consultation was undertaken for 62 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 seven subdivision applications processed during August 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 City, 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 Ritchie, SECONDED Cr Gobbert 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 CJ198-10/12 during August 2012;**
- 2 Building applications described in Attachment 2 to Report CJ198-10/12 during August 2012; and**
- 3 Subdivision applications described in Attachment 3 to Report CJ198-10/12 during August 2012.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of CJ214-10/12 Page, 104 refers.**

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

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf091012.pdf](#)*

**Disclosures of Financial Interest**

<b>Name/Position</b>	<b>Cr John Chester.</b>
<b>Item No/Subject</b>	CJ199-10/12 - Proposed Amendment to District Planning Scheme No. 2 Whitford Activity Centre.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Chester's son owns property in Banks Avenue, Hillarys part of the proposed centre zone.

**Disclosures of Interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Liam Gobbert.</b>
<b>Item No/Subject</b>	CJ199-10/12 - Proposed Amendment to District Planning Scheme No. 2 - Whitford Activity Centre.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Gobbert works at a shop at the Whitford City Shopping Centre and knows an employee of Urbis, Planning Consultants.

<b>Name/Position</b>	<b>Cr Sam Thomas.</b>
<b>Item No/Subject</b>	CJ199-10/12 - Proposed Amendment to District Planning Scheme No. 2 - Whitford Activity Centre.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Thomas is the Vice President of the Whitford Seniors Citizens Club.

*Cr Chester left the Chamber at 7.48pm.*

## **CJ199-10/12      PROPOSED AMENDMENT TO DISTRICT PLANNING SCHEME NO. 2 - WHITFORD ACTIVITY CENTRE**

**WARD:** South-West

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

**FILE NUMBER:** 101482, 102594, 101515

**ATTACHMENTS:** Attachment 1      Proposed Zoning and R-coding Plans  
Attachment 2      Scheme Amendment Process

**PURPOSE**

For Council to consider a proposed scheme amendment to zone and rezone the land within the Whitford Activity Centre to the 'Centre' zone, and remove the existing R20 residential density code.

## EXECUTIVE SUMMARY

Council, at its meeting held on 16 September 2012, determined the extent of the Whitford Activity Centre boundary (CJ181-09/12 refers). This boundary outlines the area to be covered by the Whitford Activity Centre Structure Plan that is currently being prepared by planning consultants on behalf of Westfield Management.

An application has now been received to zone and rezone the various lots contained within the Whitford Activity Centre to the 'Centre' zone under District Planning Scheme No. 2 (DPS2). The 'Centre' zone would replace the 'Commercial', 'Business', 'Civic and Cultural', and 'Residential' zones, and the 'Parks and Recreation' Reserve that currently apply to the various properties with the activity centre boundary.

The proposed zoning of the activity centre to 'Centre' would provide the statutory basis for the implementation of the Whitford Activity Centre Structure Plan that is currently being prepared by Westfield's planning consultants. The standards and provisions applicable to development within the 'Centre' zone would be contained within the Whitford Activity Centre Structure Plan. The proposed zoning is consistent with *SPP4.2 – Activity Centres for Perth and Peel* (SPP4.2).

Although not addressed in the applicant's proposal, the existing R20 residential density code over the land within the activity centre should be removed as an approved structure plan will contain the appropriate density and associated provisions.

If Council resolves to initiate the proposed scheme amendment for the purpose of public comment, advertising of the proposed amendment will occur concurrently with the advertising of any draft activity centre structure plan (if adopted by Council) as these statutory processes are directly linked. Advertising these documents concurrently will also minimise any confusion in the community.

The reason that the amendment request has been made and is being considered ahead of Council considering the draft activity centre structure plan is that the amendment first needs to be referred to the Environmental Protection Authority before it can be advertised. To ensure that both the proposed amendment and the draft activity centre structure plan can be advertised together, the amendment process needs to be initiated before the structure plan process.

If Council resolves to initiate the scheme amendment for public advertising, it should be made clear to the applicant that Council's support for the advertising of the amendment in no way indicates support or otherwise for any future structure plan. The structure plan will be assessed and determined by Council in the same manner as any other structure plan.

## BACKGROUND

**Suburb/Location:** Lot 501 and Lot 6 Whitford Avenue, Hillarys; Lot 503 Banks Avenue and Lot 9089 Banks Avenue, Hillarys; Lot 14284 Endeavour Road, Hillarys; Lot 181 St Mark's Drive, Hillarys; various residential lots in Hillarys.

**Applicant:** Urbis (planning consultants).

**Owner:** Westfield Management Ltd; City of Joondalup; Department for Family and Children's Services; The Anglican School Commission Inc; the Crown; various other individual owners.

**Zoning:**       **DPS:** Commercial; Business; Civic and Cultural; Residential; Private Clubs/Recreation; Local Reserve – Parks and Recreation.  
                  **MRS:** Urban.  
**Site Area:**       Various.  
**Structure Plan:**   Not Applicable.

The Whitford Activity Centre boundary was determined by Council at its September 2012 meeting (CJ181-09/12 refers).

## DETAILS

The scheme amendment proposes to zone and rezone the land contained within the Whitford Activity Centre to the 'Centre' zone as outlined at Attachment 1.

In support of the proposed scheme amendment, the applicant has provided the following:

*The rezoning of the WAC to 'Centre' zone will provide the statutory basis for the preparation of an Activity Centre Structure Plan. The ACSP will then become the statutory vehicle and framework for future redevelopment and subdivision. It is acknowledged that an Activity Centre Structure Plan for WAC cannot be approved until such time as this amendment is approved by the Minister for Planning and gazetted. Accordingly, given that the need to undertake this rezoning is primarily borne out of non-model scheme provisions (that allow for the preparation of a structure plan over any zoned land), it is respectfully requested that both the City of Joondalup and Department of Planning progress this amendment as a matter of priority.*

Although not addressed in the applicant's proposal, the existing R20 residential density code over the land within the activity centre should be removed as an approved structure plan will contain the appropriate density provisions.

### Issues and options considered:

The options available to Council in considering the scheme amendment proposal are:

- Support the initiation of the proposed amendment for the purpose of public advertising;
- Support the initiation of the proposed amendment, with modification, for the purpose of public advertising; or
- Not support the initiation of the proposed amendment for the purpose of public advertising.

### Legislation/Strategic Plan/Policy Implications

#### Legislation

Part 5 of the *Planning and Development Act 2005* enables local governments to amend their local planning schemes and sets out the process to be followed (Attachment 2 refers).

Should Council support the initiation of the proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review is required. Should the EPA decide that an environmental review is not required, upon the City's receipt of written confirmation of this from the EPA, the City advertises the proposed amendment for 42 days.

Upon closure of the advertising period, Council is required to consider all submissions received during the advertising period and will resolve to either adopt the amendment, with or without modifications, or refuse 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 the amendment.

If Council resolves not to initiate the amendment, there is no right of review to the State Administrative Tribunal by the applicant. However, the applicant can make representation to the Minister for Planning under Section 76 of the *Planning and Development Act 2005* that the local government has failed to adopt an amendment that ought to have been adopted. If the Minister agrees, the local government can be directed to adopt the scheme amendment.

### **Strategic Plan**

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

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

### **Policy:**

Not Applicable.

### **Risk Management Considerations:**

Not Applicable.

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

The applicant has paid fees of \$6,339 (excluding GST) to cover the City's costs for processing the scheme amendment.

### **Regional Significance:**

In regard to the matter before Council, there are no direct regional significance considerations. However, when a structure plan is submitted to the City, the scale and extent of the proposal will be assessed in regard to the impact on other centres in the region, including the Joondalup City Centre.

### **Sustainability Implications:**

Not Applicable.

**Consultation:**

Should Council initiate the proposed amendment, it is required to be advertised for public comment for a period of 42 days. Advertising will consist of the following:

- Written notification to land owners within the Whitford Activity Centre;
- A notice placed in the Joondalup Community newspaper and The West Australian newspaper;
- A sign on the subject site; and
- A notice on the City's website.

If Council resolves to initiate the proposed scheme amendment for the purpose of public advertising, that advertising will occur concurrently with the advertising of any draft activity centre structure plan (if adopted by Council) because these statutory processes are directly linked. Advertising these documents concurrently will also minimise any confusion in the community.

The reason that the amendment request has been made and is being considered ahead of Council considering the draft activity centre structure plan is that the amendment first needs to be referred to the Environmental Protection Authority before it can be advertised. To ensure that both the proposed amendment and the draft activity centre structure plan can be advertised together, the amendment process needs to be initiated before the structure plan process.

**COMMENT**Alignment with SPP4.2

SPP4.2 outlines that local planning schemes should zone activity centres in accordance with the activity centre hierarchy and should reflect the objective of providing flexibility and promoting a mix of uses. Standard zones from the Model Scheme Text are to be used for this purpose (such as 'Strategic Centre' zone, 'Regional Centre' zone). Although DPS2 does not contain these standard zones, the 'Centre' zone within DPS2 will serve the same purpose and is considered to meet the objective of SPP4.2.

Proposed 'Centre' zone

The zoning of the land within the Whitford Activity Centre to 'Centre' is a statutory requirement to allow the development and approval of an Activity Centre Structure Plan over the land in accordance with the requires of SPP4.2. DPS2 does not prescribe any development provisions or standards for the 'Centre' zone as those provisions and standards will be contained within an adopted structure plan.

Given the link between this proposed scheme amendment and a future activity centre structure plan, advertising of the proposed scheme amendment would not commence until such time as a draft structure plan is also adopted by Council for advertising.

**VOTING REQUIREMENTS**

Simple Majority.



**MOVED Cr Norman, SECONDED Cr Hamilton-Prime that Council:**

- 1 Pursuant to Part 5 of the *Planning and Development Act 2005*, CONSENTS to initiate an amendment to the City of Joondalup District Planning Scheme No. 2 to zone and rezone the following lots to 'Centre' and remove the 'R20' residential density code from the lots, for the purposes of public advertising for a period of 42 days:
  - 1.1 Lot 501 and Lot 6 Whitfords Avenue, Hillarys;
  - 1.2 Lot 503 Banks Avenue, Hillarys;
  - 1.3 Lot 9089 Banks Avenue, Hillarys;
  - 1.4 Lot 14284 Endeavour Road, Hillarys;
  - 1.5 Lot 181 St Mark's Drive, Hillarys;
  - 1.6 Lots 226 to 243 (inclusive) Banks Avenue, Hillarys;
  - 1.7 Lot 272 Banks Avenue, Hillarys;
  - 1.8 Lots 278 and 279 Endeavour Road, Hillarys;
  - 1.9 Lots 280 to 283 (inclusive) Banks Avenue, Hillarys;
  - 1.10 Lots 4 to 6 (inclusive) Banks Avenue, Hillarys;
  - 1.11 Lots 11, 12 and 3 Solander Road, Hillarys;
  - 1.12 Lots 7 to 10 (inclusive) Monkhouse Way, Hillarys;
  - 1.13 Lots 244 and 245 Green Road, Hillarys;
- 2 NOTES that advertising of the proposed scheme amendment will not commence until such time as a draft Whitford Activity Centre Structure Plan is also adopted by Council for the purpose of public advertising at which time the proposed scheme amendment and draft structure plan will be advertised concurrently;
- 3 ADVISES the applicant that Council's support to initiate the scheme amendment for public advertising does not constitute, in any way, endorsement of or support for any Whitford Activity Centre Structure Plan submitted.

**The Motion was Put and**

**CARRIED (11/0)**

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

*Cr Chester entered the Chamber at 7.49pm.*

*Appendix 2 refers*

*To access this attachment on electronic document, click here: [Attach2brf091012.pdf](#)*

<b>Name/Position</b>	<b>Cr Philippa Taylor.</b>
<b>Item No/Subject</b>	CJ200-10/12 - Retrospective Planning Approval – Unauthorised Security Fence Addition to Motor Industry Training Association at Lot 805 (10) Injune Way, Joondalup.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Taylor sits on an industry committee with the Chief Executive Officer of Motor Industry Training Association.

## **CJ200-10/12      RETROSPECTIVE PLANNING APPROVAL – UNAUTHORISED SECURITY FENCE ADDITION TO MOTOR INDUSTRY TRAINING ASSOCIATION AT LOT 805 (10) INJUNE WAY, JOONDALUP**

**WARD:** North

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

**FILE NUMBER:** 27581, 101515

**ATTACHMENTS:** Attachment 1      Location Plan  
Attachment 2      Site Photos  
Attachment 3      Development Plans

### **PURPOSE**

For Council to determine an application for retrospective planning approval of unauthorised fence additions to the Motor Industry Training Association development located at Lot 805 (10) Injune Way, Joondalup.

### **EXECUTIVE SUMMARY**

An application for retrospective planning approval has been received for an existing galvanised steel fence constructed along the Injune Way boundary and to a portion of the truncation fronting Joondalup Drive, and for an existing chain mesh fence constructed along the Joondalup Drive boundary at Lot 805 (10) Injune Way, Joondalup. The fences enclose the Motor Industry Training Association complex.

The site in question is subject to both the provisions of the current Joondalup City Centre Development Plan and Manual (JCCDPM) and the draft Joondalup City Centre Structure Plan (JCCSP), with both documents overriding the provisions relating to boundary fencing contained within the City of Joondalup's District Planning Scheme No 2.

The existing security fences and access gate the subject of this application do not meet the fencing requirements stipulated under both the JCCDPM and the draft JCCSP, as the fences exceed the maximum height of 1.8 metres.

The application has been assessed against the objectives of both Structure Plans and is considered to satisfy these. It is recommended that the application be approved subject to conditions.

## BACKGROUND

**Suburb/Location:** Lot 805 (10) Injune Way, Joondalup.  
**Applicant:** Motor Industry Training Association of WA Inc.  
**Owner:** Motor Industry Training Association of WA Inc.  
**Zoning:** **DPS:** Centre.  
**MRS:** Central City Area.  
**Site Area:** 49,323m<sup>2</sup>.  
**Structure Plan:** Joondalup City Centre Development Plan and Manual (JCCDPM).  
Draft Joondalup City Centre Structure Plan (JCCSP).

The subject site is located at the northern end of the City's Southern Business District, or the area commonly known as the "Quadrangle". It is bounded by Hodges Drive to the north, Joondalup Drive to the east and Injune Way to the south (Attachment 1 refers). At its meeting held on 18 December 2007 (CJ286-12/07 refers), Council approved an educational establishment, proposed by the Motor Industry Training Association. Construction of the development has now been completed, with the site fully operational as a training facility specialising in providing training to apprentices, pre-apprentices and school to work transitional students.

In addition, at its meeting held on 22 June 2011, Council approved a development which will accommodate the National Electrical and Communications Associate College of Electrical Training on the adjoining lot located to the south-west of the site. The Department of Planning at its meeting of the Metro North West Development Panel held on the 29 August 2012 also approved a development for a hardware store and showrooms on the adjacent lot located to the south-east of the site.

The site is zoned Central City Area under the Metropolitan Region Scheme and Centre under the City's District Planning Scheme No 2 (DPS2). It is also subject to the provisions of both the JCCDPM where the site falls within the Southern Business District's Technology Park precinct, and the draft JCCSP, where it falls under the Business Support precinct.

## DETAILS

Two separate security fences are the subject of this application. The first being the existing black galvanised steel fence located along the entire southern (Injune Way) boundary of the property and to the south-east truncation fronting Joondalup Drive. This fence has a maximum height of 2.2 metres as measured from natural ground level. An access gate has also been erected within this fence to the southern boundary providing the only vehicle access point to the site. The gate is constructed to a height of 2.1 metres and is similarly constructed of black galvanised steel posts.

The second fence, is an existing black chain mesh fence with three strands of barbed wire located to the top of the fence. This fence is located along the Joondalup Drive frontage and has a height of 1.8 metres as measured from the natural ground level to the top of the chain mesh and a height of 2.2 metres as measured from the natural ground level to the top of the barbed wire. This fence is largely obscured by existing mature vegetation which is considered to reduce the visual impact onto Joondalup Drive.

Under the JCCDPM Technology Park precinct, fencing located between a street frontage and a building shall be of a permeable construction, of a high aesthetic standard and shall be a maximum of 1.8 metres in height. The City considers that whilst both visually permeable fences are constructed to a high standard, the fences exceed the required height as stipulated within this development plan.

The City, however, must also take into account the fencing provision of the draft JCCSP which states that fencing shall be visually permeable above 0.75 metres from natural ground level, to a maximum height of 1.8 metres. Details pertaining to materials and finishes are not specified.

The City's local laws pertaining to boundary fencing had been considered in an assessment of this application; however it was noted that those provisions relate only to dividing boundary fencing and as such do not apply in this instance. The City also took into account Part 6.1.3(a) of the City's DPS2 which states that planning approval is not required if the development consists of the erection of a boundary fence. It was determined however that under Part 9.8.3(b) of DPS2, the provisions of the Structure Plan would prevail over relevant scheme provisions.

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

Council has the discretion to:

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

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

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

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

#### *4.5 Variations to site and development standards and requirements*

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

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

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

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

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

6.8 *Matters to be considered by Council*

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

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

**Strategic Plan**

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

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

**Policy:**

Not Applicable.

**Risk Management Considerations:**

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

**Financial/Budget Implications:**

The applicant has paid the fees of \$417 (excluding GST) to cover all costs with assessing the application.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

The development application has not been advertised as it is considered that the existing fence does not have a significant impact on the amenity of any adjoining or nearby landowners within the locality.

**COMMENT**

The applicant is seeking retrospective approval of two existing unauthorised security fences to the southern and south-eastern (truncation) boundary located along Injune Way and to the eastern boundary fronting Joondalup Drive. Both fences the subject of this application generally comply with the fencing provisions of both the JCCDPM and draft JCCSP, although seek a departure to the maximum height requirement of 1.8 metres required under both structure plans.

The existing fence to the southern (Injune Way) boundary is constructed of black galvanised steel posts and has a constructed height of 2.1 metres with a maximum height of 2.2 metres as measured from natural ground level. This fence allows for full visual permeability to the site whilst providing a high level of security, doing so in an aesthetically pleasing manner. The finish and materials are of a high standard and the non compliant height of 2.2 metres is not considered to have a detrimental impact on the existing streetscape as viewed from both Injune Way and Joondalup Drive.

The black chain mesh fence located along the Joondalup Drive frontage has been constructed to a height of 1.8 metres with three strands of barbed wire located above the chain mesh increasing the height to 2.2 metres as measured from natural ground level. The fence is largely obscured by mature and at times dense vegetation.

It is proposed that Council in this instance support two conditions of approval requiring that the three strands of barbed wire be removed from the fencing fronting Joondalup Drive and a subsequent condition requiring that both fences be maintained in a state of good repair to the satisfaction of the City. Upon compliance with these conditions, the City is satisfied that this fence will meet the stipulated fencing provisions of both the JCCDPM and the draft JCCSP.

### Conclusion

Having regard to the above it is recommended that the application be approved.

### **VOTING REQUIREMENTS**

Simple Majority.

### **OFFICER'S RECOMMENDATION**

That Council:

- 1 EXERCISES discretion in relation to Clause 4.5 of the City's District Planning Scheme No 2, and determines that the following is appropriate in this instance:
  - 1.1 Black galvanised steel fence to a maximum height of 2.2 metres as measured from natural ground level;
- 2 NOTES that the proposal does not meet the requirements of the City's draft Joondalup City Centre Structure Plan in relation to the maximum "permitted" fence height;
- 3 APPROVES the application for planning approval, dated 3 April 2012 submitted by the Motor Industry Training Association WA (Inc) as the applicant and owner, for retrospective security fence addition at Lot 805 (10) Injune Way, Joondalup, subject to the following conditions:
  - 3.1 All construction works shall be contained within the property boundary;
  - 3.2 The three strands of barbed wire to the black chain mesh fence fronting Joondalup Drive shall be removed within 28 days from the date of this approval; and
  - 3.3 The fences shall be maintained in a state of good repair at all times to the satisfaction of the City.

**MOVED Cr McLean, SECONDED Cr Hollywood that Council DEFERS the application for planning approval, dated 3 April 2012 submitted by the Motor Industry Trade Association WA (Inc) as the applicant and owner, for retrospective security fence addition at Lot 805 (10) Injune Way, Joondalup, to enable further discussions to take place with the applicant about the most appropriate fencing treatment on the Joondalup Drive frontage.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf091012.pdf](#)



**Disclosures of Financial Interest**

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ201-10/12 - Request for Reconsideration of Condition of Development Approval - Proposed Child Care Centre at Joondalup Health Campus – corner Upney Mews and Lakeside Drive, Joondalup.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	The applicant provided a financial contribution to Mayor Pickard's 2009 Mayoral election campaign, as previously declared in accordance with Election provisions.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No/Subject</b>	CJ201-10/12 - Request for Reconsideration of Condition of Development Approval - Proposed Child Care Centre at Joondalup Health Campus – corner Upney Mews and Lakeside Drive, Joondalup.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Hamilton-Prime's mother is employed at Joondalup Health Campus and Cr Hamilton-Prime has undertaken work experience at Joondalup Health Campus.

*Mayor Pickard left the Chamber at 7.51pm. Cr Norman assumed the Chair.*

*Cr Hamilton-Prime left the Chamber at 7.51pm.*

## **CJ201-10/12      REQUEST      FOR      RECONSIDERATION      OF CONDITION OF DEVELOPMENT APPROVAL - PROPOSED CHILD CARE CENTRE AT JOONDALUP HEALTH CAMPUS – CORNER UPNEY MEWS AND LAKESIDE DRIVE, JOONDALUP**

**WARD:** North

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

**FILE NUMBER:** 00109, 101515

**ATTACHMENTS:** Attachment 1 Location Plan  
Attachment 2 Letter from Department of Health regarding  
Reconsideration of Condition 4.8  
Attachment 3 Development Plans

**PURPOSE**

For Council to consider a request for reconsideration of a condition imposed on the development approval issued for a proposed child care centre and car park at the Joondalup Health Campus (JHC).

## EXECUTIVE SUMMARY

At its meeting held on 26 June 2012 (CJ103-06/12 refers), Council considered an application for development approval for a proposed child care centre and car park addition to the JHC. The development proposal included:

- Construction of a single storey building and associated 'drop off and pick up' car bays on the north-eastern corner of the JHC site;
- The building being used for the purposes of child day care for up to 72 children, and vacation care for up to 72 children; and
- Construction of a single level, 105 bay car park over the existing sump on the northern portion of the site.

The proposed development was approved subject to a number of conditions, including condition 4.8 which reads as follows:

*4.8 The child care centre and vacation care centre shall, at all times, be used by children of Joondalup Health Campus staff only.*

Pursuant to the provisions of clause 6.10.2 of the City's District Planning Scheme No. 2 (DPS2) the applicant has requested a reconsideration of condition 4.8 of the abovementioned approval.

The request has been reviewed in conjunction with the original assessment of the development application, the submissions received during the consultation period on that proposal and Council Policy – Child Care Centres. It is recommended that Council determine that it is not appropriate to modify its approval to alter or remove condition 4.8.

## BACKGROUND

**Suburb/Location:** Lot 500 (60) Shenton Avenue, Joondalup.  
**Applicant:** Project Directors Australia Pty Ltd.  
**Owner:** Minister for Health.  
**Zoning:** **DPS:** Centre.  
**MRS:** Central City Area.  
**Site Area:** 13.33ha.  
**Structure Plan:** Joondalup City Centre Development Plan and Manual (JCCDPM).  
Draft Joondalup City Centre Structure Plan (JCCSP).

The proposed development that is the subject of this application is to be located in the north-eastern corner of the JHC site. This position on the corner of Upney Mews and Lakeside Drive has previously been set aside through JHC's masterplanning process for the purposes of a child care centre. The portion of the site set aside for the centre is currently being used as a temporary construction car park and as such has been completely cleared. The location of the proposed car park is already used for the purpose of a drainage sump.

To the west of the existing sump site is an Intermediate Health Care facility currently under construction by a separate developer. To the north of the subject site, on the opposite side of Upney Mews are existing residential dwellings, and to the east of the subject site is Yellagonga Regional Park (Attachment 1 refers).

At its meeting in February 2008 (CJ027-02/08 refers), Council conditionally approved an application for alterations and additions to the JHC which included various new buildings and parking areas. An application for review of several conditions of approval was subsequently lodged with the State Administrative Tribunal. Following mediation, Council conditionally approved a revised proposal in September 2008 (CJ216-09/08 refers). The revised proposal included additional car parking to meet the requirements of DPS2.

Several other development approvals have been issued since this date, including approvals for a new private hospital, and ambulance station on the site. Further details of these approvals are provided in the background section of report CJ103-06/12.

At its meeting held on 26 June 2012 (CJ103–06/12 refers), Council considered an application for development approval for a proposed child care centre and car park addition to the JHC. The proposed development was approved subject to a number of conditions, including condition 4.8 which reads as follows:

4.8 *The child care centre and vacation care centre shall, at all times, be used by children of Joondalup Health Campus staff only.*

## **DETAILS**

Pursuant to the provisions of clause 6.10.2 of the City's District Planning Scheme No. 2 (DPS2) the applicant has requested a reconsideration of condition 4.8 of the abovementioned approval.

The applicant has provided the following justification for the reconsideration:

*“Planning for the Child Care Centre size and capacity has been based on surveys from Hospital Staff and we are reasonably confident that the majority of, if not all of the places will be utilised by the Hospital Staff.*

*However, Ramsay Health Care is considering partnering with a child care operator for the running, licensing and management of its Child Care Centre. During initial discussions with possible partners this issue of capacity and ability to operate at capacity has been raised.*

*Ramsay Health Care would like to request a relaxing of this condition if the operator of the Child Care Centre is unable to fill all the available positions for children from the Hospital population.*

*It is understood that it is necessary for the Centre to have full or near to full capacity for an operator to be economically viable. Ramsay Health Care's request for the review is to accommodate the situation when the demand for places at the Child Care Centre is lower than the places available and as such will have an impact on the viability of the centre.*

*We have noted from some recent enquiries, that there are currently very few vacancies available for families in the Joondalup area. With this in mind we would see it as a mutually beneficial solution that vacancies at the Hospitals Child Care Centre that are not required by Hospital employees can be made available to local residents.*

*Ramsay Health Care has tried to ensure that the development is generally consistent with the requirements of the JCCDPM, draft JCCSP and Council Policy for Child Care Centres, whilst working within the constraints of the Hospital site.”*

A letter in support of this request from the Department of Health as the landowner, was also submitted and is provided as Attachment 2.

### Issues and options considered:

Pursuant to Clause 6.10.2 of DPS2, Council may:

- Determine that condition 4.8 as set out above is appropriate and should not be deleted; or
- Determine that condition 4.8 as set out above is not appropriate and should be either altered or deleted from the approval.

### Legislation/Strategic Plan/Policy Implications

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

In making a decision on a development application, the matters set out in clause 6.8 of DPS2 require consideration.

#### 6.8 *Matters to be considered by Council*

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

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

Clause 6.10 of DPS2 sets out provisions relating to compliance with conditions of development approval, including clause 6.10.2 which provides that Council may amend the planning approval prior to the development which is the subject of that approval commencing.

#### 6.10 Compliance with Conditions

6.10.1 *If the Council, or the State Administrative Tribunal on appeal from a decision of the Council, or any other decision making authority grants its approval of any development subject to conditions, no person shall use any land or building affected by the conditions or suffer or permit them to be used, or otherwise commence or carry out or suffer or permit the commencement or carrying out of any development on land otherwise than in accordance with the conditions.*

6.10.2 *The Council may, on application in writing from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval.*

### Strategic Plan

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

**Objective:** 3.2 To increase employment opportunities within the City.

The development and operation of the child care centre at the JHC may assist in providing additional employment opportunities for suitably skilled workers within the area.

#### Policy:

Council Policy – Child Care Centres.

This policy sets out development standards and requirements specifically for child care centres. The approved proposal was assessed against these requirements, and advertised for public comment in accordance with the requirements of this policy.

It is noted that the proposal complied with the requirements of this policy, with the exception of the location of the centre on a District Distributor 'B' road.

Several of the requirements of this policy were also reinforced through conditions of approval, including those relating to operating hours, and the screening of plant and equipment.

#### Risk Management Considerations:

The proponents did not act on their right of review to the State Administrative Tribunal that existed in accordance with the *State Administrative Tribunal Act 2004* and the *Planning and Development Act 2005* in relation to Council's decision of 26 June 2012, instead electing to pursue a reconsideration of the condition.

The proponent will have a right of review in relation to this reconsideration decision, in accordance with the *State Administrative Tribunal Act 2004* and the *Planning and Development Act 2005*.

**Financial/Budget Implications:**

The applicant paid \$14,227 (excluding GST), to cover all costs associated with assessing the original application for the development.

No additional fees have been paid for the reconsideration of this proposal.

**Regional Significance:**

The JHC provides health and education facilities for northern suburbs residents within and beyond the City's boundaries. It is acknowledged that the approval that has been issued for the addition of car parking, and child care facilities for children of hospital staff will assist in facilitating this.

**Sustainability Implications:**

The City's Environmentally Sustainable Design Checklist was completed and provided to Council in order to facilitate the original application being determined.

The condition which Council is being asked to reconsider does not affect the design of the development in any way.

**Consultation:**

The approved proposal was advertised for public comment for a period of 21 days in accordance with Council Policy - Child Care Centres. This consultation took place between 12 April 2012 and 3 May 2012 and included:

- Letters to adjoining and opposite landowners;
- A sign on site facing towards Lakeside Drive in the approximate location of the development;
- A notice on the City's website including copies of the development plans; and
- Notices in the local newspaper on three separate occasions.

A total of three submissions were received, being two letters stating no objections to the proposal and one objection.

One of the letters stating no objection requests that the vehicle entrance from Lakeside Drive be well signposted to ensure cars enter the site correctly and do not continue to Upney Mews causing traffic congestion.

The objection raised concerns regarding:

- The increase in local traffic in surrounding streets – particularly Upney Mews and St Paul's Crescent;
- The original intent for the 'sump' area was for it to be used as a park, and it is now an eyesore;
- Natural bush should not be destroyed, leaving no separation between commercial and residential properties; and
- No consideration has been given in the proposed development to the streetscape between Upney Mews and any development on the JHC site.

The request for reconsideration of condition 4.8 has not been advertised to surrounding landowners, however the concerns previously raised have been taken into account when providing comment and forming the recommendation below.

## **COMMENT**

Council previously considered and approved child care centre additions to the JHC. These additions, and the variations that were sought to the JCCDPM, draft JCCSP and Council Policy – Child Care Centre were generally found to be appropriate and the application was approved subject to conditions.

It is noted that the justifications put forward in the officer's report, in order to recommend that several of the variations to the abovementioned planning instruments be supported related to the premise that the centre was for the provision of child care services for JHC staff. The main variation that was supported on this basis being the location of the centre on a District Distributor Road which is generally not supported in accordance with the Council Policy.

In this instance it was felt that as the staff would be accessing the site irrespective of whether they were utilising the centre or not, and that they were also regular visitors to the site the traffic impact would not be comparable to a normal commercial childcare centre. Furthermore, the users would be familiar with the location of entries to, and exits from the site, and would continue into the site to park after dropping off children. Therefore the impact, particularly by way of traffic, on the surrounding locality was also anticipated to be less than that of a normal commercial childcare centre. This same context and consideration was utilised to address the concerns raised during the public consultation period on the proposal.

### Conclusion

Based on the above considerations, it is not considered appropriate to modify the approval that has been issued. As such, it is recommended that Council resolve to not modify its previous decision and to advise the applicant that all conditions of approval remain effective.

## **VOTING REQUIREMENTS**

Simple Majority.

### **MOVED Cr Hollywood, SECONDED Cr McLean that Council:**

- 1 ADVISES the applicant, Project Directors Australia Pty Ltd, that it has considered the request for reconsideration of Condition 4.8 of approval DA12/0232, and has resolved not to amend the approval for the following reasons:**
  - 1.1 The proposed child care centre location on a District Distributor Road was supported on the basis that the centre was to be used by Health Campus staff only and was not a normal commercial child care centre;**
  - 1.2 The land use Child Care Centre, and the associated building design variations were supported in this location on the basis that the centre was necessary for the Health Campus, and was to be used by Health Campus staff only;**

- 1.3 Concerns raised during the submission period on the proposal were addressed on the basis that the centre was to be used by Health Campus staff only who were familiar with the area. It was therefore considered that these persons would be accessing the site regularly, would be familiar with the site and location, and would not generate any additional traffic in the locality; and
- 2 ADVISES the applicant that the conditions of approval as set out in the decision letter for approval DA12/0232 dated 6 July 2012 remain effective, and that the date of the decision remains 6 July 2012.

**The Motion was Put and**

**CARRIED (10/0)**

**In favour of the Motion:** Crs Amphlett, Chester, Corr, Gobbert, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Mayor Pickard returned to the Chamber at 7.54pm and resumed the Chair.*

*Cr Hamilton-Prime entered the Chamber at 7.54pm.*

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf091012.pdf](#)



**CJ202-10/12      JOONDALUP      MEN'S      SHED      -      FACILITY  
DEVELOPMENT**

**WARD:** North-Central

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

**FILE NUMBER:** 77613, 101515

**ATTACHMENTS:** Attachment 1      Location Plan - Reserve 34330 Sail Terrace,  
Heathridge

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This Item was dealt with later in the meeting prior to Item C73-10/12 Council Decision – En Bloc Resolution Page 98 refers.

**CJ203-10/12 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 4 September 2012 to 18 September 2012

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 4 September 2012 to 18 September 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.

*It is recommended that Council NOTES the Schedule of Documents covering the period 4 September 2012 to 18 September 2012, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ203-10/12.*

**BACKGROUND**

During the period 4 September 2012 to 18 September 2012, four documents were executed by affixing the Common Seal. A summary is provided below:

**DETAILS**

Type	Number
Section 70A Notification.	2
Withdrawal of Caveat.	1
Amendment Agreement – Establishment Agreement.	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 Ritchie, SECONDED Cr Gobbert that Council NOTES the Schedule of Documents covering the period 4 September 2012 To 18 September 2012, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ203-10/12.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of CJ214-10/12 Page, 104 refers.**

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

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf091012.pdf](#)*

**CJ204-10/12      MINUTES OF EXTERNAL COMMITTEES****WARD:** All**RESPONSIBLE  
DIRECTOR:** Mr Jamie Parry  
Governance and Strategy**FILE NUMBER:** 60514, 00033, 101515**ATTACHMENTS:** Attachment 1      Minutes of the Western Australian Local  
Government Association State Council Meeting  
held on 5 September 2012.

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

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**PURPOSE**

For Council to consider the minutes of External Boards/Committees/Organisations of which it is a participant.

**EXECUTIVE SUMMARY**

The following minutes are provided:

- Western Australian Local Government Association (WALGA) State Council meeting – 5 September 2012.

**DETAILS****WALGA – State Council Meeting – 5 September 2012.**

A meeting of the Western Australian Local Government Association (WALGA) State Council was held on 5 September 2012.

The Council's representative on the WALGA State Council is Cr Amphlett JP. 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 2012 Annual General Meeting Minutes

It was resolved by WALGA as follows:

*“That:*

- 1 *AGM Motion 5.1, 5.3 and 6.2 be endorsed;*
- 2 *AGM Motion 6.1 be noted;*
- 3 *AGM Motion 5.2 be amended and adopted as follows:*

*That:*

- A *WALGA reaffirm the requested State/Local Government Communication and Consultation Protocol to the State Government that suggests the following protocols:*
  - i *New legislation and amendments, proposals and legal mandate that will have an impact on Local Government expenditure – Minimum of twelve (12) weeks consultation.*
  - ii *Consultation for a minimum of eight weeks on proposed changes to Regulations or other compliance requirements that will have an impact on Local Government’s responsibilities.*
  - iii *Communication between both spheres of government relating to changes in operating procedure or practice which will have minimal impact requires advice prior to any action.*
- B *WALGA again request the State Government to endorse the proposed protocol as part of the State Local Government Agreement.”*

## 5.2 Metropolitan Local Government Review

It was resolved by WALGA as follows:

*“That the following policy positions be reaffirmed:*

- 1 *The Association’s commitment to structural reform of Local Government being voluntary; and*
- 2 *The Association’s recommended transition process in relation to the Metropolitan Local Government Review process.”*

At its meeting held on 15 May 2012 (CJ083-05/12 refers), Council endorsed the intent of the City’s submission and approved the submission being forwarded to the WALGA.

**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 Ritchie, SECONDED Cr Gobbert that Council NOTES the minutes of the Western Australian Local Government Association State Council meeting held on 5 September 2012, forming Attachment 1 to Report CJ204-10/12.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of CJ214-10/12 Page, 104 refers.**

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

*To access this attachment on electronic document, click here: [Externalminutes050912.pdf](#)*

**CJ205-10/12      CUSTOMER SATISFACTION MONITOR 2011/12**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	69609, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Top Line Results including actions and improvements for 2011/12 Attachment 2      Comparison of results with other Local Governments

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**PURPOSE**

For Council to receive the detailed results of the 2011/12 Customer Satisfaction Survey.

**EXECUTIVE SUMMARY**

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

Overall results for the 2011/12 Customer Satisfaction Monitor are positive, reflecting a high level of community satisfaction with the City and services delivered to the community.

The 2011/12 Survey shows an overall satisfaction rating of 87.5%. This compares with 84.1% recorded for the 2010/11 Survey reflecting increasing high levels of community satisfaction with the City.

Customer Satisfaction with services provided by the City in 2011/12 was 92.7% compared to 92% in 2010/11, reflecting continuing high levels of satisfaction with services delivered to the community.

At an individual service level the following changes in satisfaction levels have occurred.

There have been increases in satisfaction levels for:

- Libraries;
- Mobile Security Patrols;
- Ranger Services;
- Fortnightly Recycling;
- Parks and Public Open Spaces;
- Street Appearance;
- Local Traffic;
- Parking – City Centre;
- Parking – Residential;
- Community Consultation;
- Community Information; and
- Understanding Community Needs.

Satisfaction levels for the following services have decreased from 2010/11 (however satisfaction ratings remain high):

- Festivals;
- Building; and
- Planning.

## **BACKGROUND**

Customer Satisfaction Monitors have been conducted on an annual basis since 2000. The most recent survey was conducted from 28 May to 10 June 2012.

An independent market research company conducted the 2011/12 Survey.

The broad objective of the study is to determine resident perceptions of the facilities and services provided by the City of Joondalup.

Specifically, the study measures:

- Overall satisfaction with the City of Joondalup;
- Satisfaction with:
  - Services provided by the City of Joondalup;
  - Value for money provided by rates;
  - City facilities (libraries, sports and recreation centres, parks and public open spaces);
  - City services (festivals and events, security patrols, graffiti removal, ranger services, rubbish collections, streetscape, management and control of traffic, city parking, residential parking, parking adjacent to schools and railway stations);
  - Consultation and information; and
  - Key issues of concern and suggestions for improvement.

This latest community research was undertaken during May and June 2012 and involved random sampling and telephone interviewing of 600 respondents from within the City. The sample was crosschecked to ensure that it significantly matched the demographic profile and population spread of Joondalup in terms of age, gender and location to obtain a representative sample.

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

The sampling size for the overall Customer Satisfaction Survey produces a sampling precision of +/- 3.98% at the 95% confidence interval such as there is a 95% certainty that the results obtained will be within +/- 3.98% if a census was conducted of all households within the City of Joondalup. This percentage is in accordance with the level specified by the Auditor General.



## DETAILS

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

The overall satisfaction rating in 2011/12 was 87.5% compared to the 2010/11 rating of 84.1%.

Respondents were prompted with a list of 16 services provided by the City, and asked how satisfied they were with the City's performance. To maintain comparability across Surveys, the questionnaire used was based on the version used in previous years. However, some changes were made to the Survey in 2010/11 to provide greater clarity with regard to parking issues – namely the separation of satisfaction with parking into the following areas:

- Parking in the City Centre;
- Parking adjacent to schools and stations, and
- Parking in residential areas.

A separate survey of planning and building applicants was conducted to measure specific levels of satisfaction with planning and building services. This survey was aimed at determining the satisfaction of those residents that had directly used the planning and building services. (The smaller sampling size for the separate survey of planning and building applicants produces a sampling precision of +/- 9.13% at the 95% confidence interval).

The top line findings indicate that, for the majority of services, high satisfaction ratings have continued. The Survey also shows that in 2011/12 overall satisfaction ratings increased with significant increases for a number of City services.

The 2011/12 Survey showed increases in satisfaction from 2010/11 in the following services:

- Libraries;
- Mobile Security Patrols;
- Ranger Services;
- Fortnightly Recycling;
- Parks and Public Open Spaces;
- Street Appearance;
- Local Traffic;
- Parking – City Centre;
- Parking – Residential;
- Community Consultation;
- Community Information; and
- Understanding Community Needs.

Satisfaction with the value for money provided by City rates has also remained relatively strong and consistent with results recorded last year

Satisfaction levels for the following services have decreased from 2010/11:

- Festivals;
- Building; and
- Planning.

The changes in the 2010/11 Survey to differentiate satisfaction with parking into the three separate areas of City Centre Parking, Parking adjacent to Schools and Train Stations, and Residential Parking indicates that satisfaction levels for residential parking are fairly high (83.9%) whereas satisfaction levels with City Centre Parking (55%) and Parking adjacent to Schools and Train Stations (42.7%) are low however, City Centre Parking increased significantly from 2010/11.

The following table provides comparisons of satisfaction ratings with previous surveys undertaken in 2006/07, 2007/08, 2008/09, 2009/10, 2010/11 with the latest 2011/12 Survey.

<b>Service</b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>
<b>Overall Satisfaction</b>	86.1	81.9	83.1	82.6	84.1	87.5
<b>Satisfaction with services provided</b>	Not measured	Not measured	89.8	89.2	92	92.7
<b>Value for money from rates</b>	67.3	67.5	62.3	63.4	66	66.8
<b>Libraries</b>	95.5	93.7	93.5	92.3	95.1	97.2
<b>Festivals</b>	87.4	87.6	90.3	88.3	93.1	89.8
<b>Sport and recreation</b>	91.5	88.5	90.2	90.2	95.6	94.2
<b>Mobile security patrols</b>	70.6	62.3	63.5	70.4	66.7	71.1
<b>Graffiti removal</b>	74.6	75.4	78.4	82.1	92.1	89.8
<b>Ranger services</b>	Not measured	79.6	79.3	77.8	78.3	85
<b>Weekly rubbish collection</b>	98	96.3	97.2	97	98.5	97.4
<b>Fortnightly recycling</b>	95	91.1	92.6	92	89.9	91.4
<b>Parks and POS</b>	Not measured	91.9	91.5	91.7	90.8	93
<b>Street appearance</b>	82.1	84.2	84.1	83.5	83.4	88
<b>Planning Services</b>	61.6	54.8	80	85.1	95.2	84
<b>Building Services</b>	61.6	54.8	89.7	87	94.7	84
<b>Local traffic</b>	77.3	72.9	77.4	79.5	73.5	81.8
<b>Parking</b>	72.4	69.4	58.2	54.4	N/A	N/A

Service	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
Parking in City Centre	N/A	N/A	N/A	N/A	45.5	55
Parking – Schools and Stations	N/A	N/A	N/A	N/A	43.2	42.7
Parking - Residential	N/A	N/A	N/A	N/A	76.8	83.9
Community consultation	Not measured	Not measured	69.7	74.8	67.4	71.3
City information	Not measured	Not measured	72	78.3	72.9	76
Understand community needs	Not measured	Not measured	73.5	72.6	68.8	74.5

Although overall satisfaction levels continue to increase, and satisfaction with City Services is high, the City will continue to improve service delivery in all areas, with particular focus on those service areas that have recorded decreases in satisfaction ratings including:

- Festivals;
- Building; and
- Planning.

The top line results shown in Attachment 1 including details of actions taken in 2011/12 to improve service delivery, and planned actions and priorities for 2012/13 for all service areas.

### **Benchmarking satisfaction ratings with other local governments**

The City also endeavours, wherever possible, to benchmark results against other local governments where benchmarking data is available, a similar methodology for conducting customer surveys is employed, and the surveys are conducted in similar timeframes. Attachment 2 provides comparative information with local governments who have completed customer satisfaction surveys in 2011/12.

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

All services showing decreased levels of satisfaction have been reviewed and improvement strategies for 2012/13 are shown in Attachment 1.

**Legislation/Strategic Plan/Policy Implications**

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

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

**Strategic Plan**

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

**Objective:** To engage proactively with the community.

**Policy:** Community Consultation and Engagement Policy.

**Risk Management Considerations:**

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

**Financial/Budget Implications:**

<b>Account No:</b>	531 A5301 3265 0000
<b>Budget Item:</b>	Customer Satisfaction Monitor
<b>Budget Amount:</b>	\$35,000
<b>Amount Spent To Date:</b>	\$32,000
<b>Proposed Cost:</b>	\$32,000
<b>Balance:</b>	\$ 3,000

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

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

**Consultation:**

The 2011/12 Customer Satisfaction Survey was conducted by surveying 600 residents of the City of Joondalup and the Planning and Building Survey was conducted by surveying 96 residents who had made contact with the City regarding a planning or building matter in the previous 12 months.

## COMMENT

The 2011/12 Customer Satisfaction Survey results show that, in the main, residents are satisfied with the services provided by the City. A number of service areas attracted extremely high satisfaction ratings indicating that residents are very satisfied with service levels and service activities, and there have been significant increases in a number of service areas. The percentage of residents who are very satisfied (rating score of 8 to 10 out of 10) with service provision has also increased significantly in 2011/12.

Overall satisfaction ratings have increased from the 2010/11 results, and satisfaction with City Services has remained very high.

The City will put significant emphasis on implementing improvement strategies, where possible, to address those areas that have recorded decreases in satisfaction levels from 2010/11 as well as continuing to look for improvements in all service areas.

A number of improvements to services are planned for 2012/13 with some improvements already underway. These are detailed in Attachment 1.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Ritchie, SECONDED Cr Gobbert that Council RECEIVES the 2011/12 Customer Satisfaction Survey forming Attachment 1 to Report CJ205-10/12.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of CJ214-10/12 Page, 104 refers.**

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

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf091012.pdf](#)*

## **CJ206-10/12      YELLAGONGA      INTEGRATED      CATCHMENT MANAGEMENT PLAN REVIEW**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	72568, 101515
<b>ATTACHMENTS:</b>	Attachment 1      2011/12 Annual Review of Yellagonga Integrated Catchment Management Plan 2009-2014

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### **PURPOSE**

For Council to note the progress of the implementation of the Yellagonga Integrated Catchment Management Plan 2009-2014.

### **EXECUTIVE SUMMARY**

The Yellagonga Integrated Catchment Management (YICM) Plan 2009-2014 was developed in 2009 as a joint project of the Cities of Joondalup and Wanneroo. The plan provides a holistic and long term strategic plan to improve catchment health to protect the diverse values of the Yellagonga Regional Park.

The YICM Plan contains numerous projects to be implemented over a five year period up to 2014. There are seven joint projects with the City of Wanneroo, seven City of Joondalup individual projects and 11 City of Wanneroo individual projects. This report includes details of the joint projects and City of Joondalup projects only.

City of Joondalup individual and joint projects of the YICM Plan include:

- Management Framework and Memorandum of Understanding;
- Water Quality Mapping and Monitoring;
- Scientific Investigations;
- Yellagonga Community Awareness Program;
- Yellagonga EcoTourism and Events Plan;
- Yellagonga Environment Centre – Phase 2;
- Yellagonga Resource Allocation Strategy;
- Stormwater Management Plans;
- Local Biodiversity;
- District Planning Scheme Review;
- Acid Sulphate Soils;
- Conservation Maintenance Schedule; and
- Water Conservation Plan.

A review has been undertaken to provide a progress report on the implementation of the YICM Plan projects including joint projects with the City of Wanneroo and individual projects managed by the City of Joondalup.

Details of the progress to date for projects within the YICM Plan are provided at Attachment 1.

## **BACKGROUND**

The development of the YICM Plan was an action of the City's Environment Plan 2007-2011:

*Action 2.2 Develop and implement a Yellagonga Integrated Catchment Management Plan to ensure the effective overall management of the water body.*

In November 2009, the Cities of Joondalup and Wanneroo endorsed the YICM Plan (CJ247-11/09 refers). The plan provides recommendations to improve wetland health through an integrated management process, addressing a range of threats and issues associated with landuse activities both past and present that are impacting, or may impact detrimentally on the wetlands within the Yellagonga Regional Park.

The City is currently working in partnership with the City of Wanneroo and in liaison with the Department of Environment and Conservation, Friends of Yellagonga and Edith Cowan University to implement projects within the plan.

In 2010-11 a Memorandum of Understanding and a Management Framework were developed and endorsed by the Cities of Joondalup and Wanneroo to ensure continual commitment to resourcing, implementation, monitoring and reviewing of the YICM Plan.

## **DETAILS**

The City of Joondalup has continued to implement projects from within the YICM Plan with a number of new projects commencing during the 2011/12 financial year. Key achievements for 2011/12 include:

- The continuation of the YICM Water Quality Mapping and Monitoring Program including monthly surface water quality monitoring and annual reporting.
- Commencement of the Acid Sulphate Soils Project including the completion of an investigation to identify indicators of Acid Sulphate Soils north of Lake Goollelal.
- Completion of the Green Frog Drain Stencilling Program.
- Commencement of the Yellagonga Community Awareness Program including the development of a Turtle Awareness Campaign and Prevention of Hand Feeding Wildlife Campaign.
- The installation of interpretive signage at Picnic Cove detailing local wildlife and conservation messages.
- Continuation of ecotourism initiatives including community biodiversity tours, bird watching and cultural heritage tours.
- The development and implementation of the Yellagonga School Ecology Activities including excursions with local primary schools focusing on wetland ecology, bird watching and catchment management.
- Substantial progress being made on the development of a Resource Allocation Strategy including planning for collaborative projects with the Department of Environment and Conservation.

Further details of the progress of the YICM Plan are provided in Attachment 1.

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

**Legislation** Nil.

#### **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.

#### **Policy:**

Continued implementation of the YICM Plan is consistent with the objectives within the City's Sustainability Policy and Stormwater Management Policy.

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

The City has made a commitment to the joint implementation of the YICM Plan in partnership with the City of Wanneroo. Implementation of the YICM Plan will help conserve Yellagonga Regional Park as an important wetland region.

As the park continues to be adversely impacted on by its surrounding urban environment, the risk of not taking measures to reduce this impact is likely to result in a degraded wetland with reduced biodiversity and symptoms such as excessive algae and midge outbreaks.

The progress report against the YICM Plan provides a mechanism for tracking progress against milestones for projects within the plan.

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

<b>Account No:</b>	A5303 533 5006 0000
<b>Budget Item:</b>	Yellagonga Integrated Catchment Management Plan
<b>Budget Amount:</b>	\$58,000
<b>Amount Spent To Date:</b>	\$0
<b>Proposed Cost:</b>	\$0
<b>Balance:</b>	\$58,000

#### **Regional Significance:**

The YICM Plan is a joint initiative of the Cities of Joondalup and Wanneroo with projects to be delivered both jointly and individually to protect the wetlands of the Yellagonga Regional Park. Liaison will continue with the Department of Environment and Conservation, the other key Park Manager. Other key stakeholders the City liaises and partners with are the Friends of Yellagonga and Edith Cowan University. The Yellagonga Regional Park Community Advisory Committee Meetings (facilitated by the Department of Environment and Conservation) are an ideal forum for communicating works undertaken and sharing of ideas between key stakeholders.



**Sustainability Implications:**

Environmental management of the Yellagonga Catchment is a key component of a sustainable community. This wetland asset provides a number of services to the community including amenity, recreational opportunities, air quality improvement, biodiversity and cultural values and is an important haven for hundreds of species of fauna and flora.

**Consultation:**

Not Applicable.

**COMMENT**

The City has made substantial progress in implementing projects within the YICM Plan. A number of new initiatives were commenced in 2011/12 which have led to increased awareness within the community of the importance of the Yellagonga Catchment Area. The continuation of monitoring programs has ensured that accurate and consistent water quality data is collected and is available to inform management decisions regarding the Yellagonga Wetlands.

Continued implementation of the YICM Plan will support the protection and enhancement of the environmental and cultural values of the Yellagonga Regional Park.

The implementation of the YICM Plan is ongoing and progress reports will be provided to Council through to the life of the plan in 2014.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Norman that Council NOTES the progress made in the implementation of the Yellagonga Integrated Catchment Management Plan 2009-2014, as detailed in Attachment 1 to Report CJ206-10/12.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf091012.pdf](#)*

## **CJ207-10/12 STATUS ON THE IMPLEMENTATION OF THE BEACH MANAGEMENT PLAN**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	100932, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Beach Management Plan

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### **PURPOSE**

For Council to note the status and progress of implementation against the Beach Management Plan since its adoption in September 2010.

### **EXECUTIVE SUMMARY**

In order to operationalise the City's Beach Management Plan, an Implementation Plan was developed in July 2011. Since this time, the City has worked towards achieving actions against the plan, in addition to implementing the interim solutions relating to kitesurfing and animal beach exercising activities that were established over the 2010/11 summer period.

It is anticipated that a review of the Beach Management Plan will be undertaken in 2014/15, to align with the expiry of the Implementation Plan in 2015/16.

It is recommended that Council notes the status and progress of implementation against the Beach Management Plan as outlined in this Report.

### **BACKGROUND**

At its meeting held on 21 September 2010 (CJ158-09/10 refers), Council resolved, inter alia, the following:

*“Council REQUESTS a report in the second quarter of 2011 advising of the implementation of Council's agreed Options in relation to animal exercise areas and kitesurfing and a report in September 2012 detailing the status and progress of implementation of Issue Statements 1 to 32 within the Beach Management Plan.”*

In accordance with this direction, a report was presented at the meeting of Council on 28 June 2011 (CJ108-06/11 refers), in which the following was resolved:

*“That Council:*

- 1 *NOTES the report on the outcomes of the implementation measures used to restrict kitesurfing and animal exercising activities over the 2010/11 summer period, in accordance with the City’s Beach Management Plan;*
- 2 *REITERATES its current position with regard to the management of kitesurfing and animal exercising activities under the Beach Management Plan, as resolved by Council at its meeting held on 21 September 2010 (CJ158-09/10 refers); and*
- 3 *REQUESTS a further report be provided to Council at the conclusion of the winter months addressing the implementation methods used to restrict kitesurfing.”*

To address the request in part three of the resolution, a further report was presented at the meeting of Council on 22 November 2011, in which the following was resolved (CJ219-11/11 refers):

*“That Council:*

- 1 *NOTES the Report on the outcomes of the 2011 winter review process for kitesurfing implementation measures; and*
- 2 *REITERATES its current position with regard to the management of kitesurfing activities under the Beach Management Plan, as resolved by Council at its meeting held on 21 September 2010 (CJ158-09/10 refers).”*

In light of Council’s consideration of kitesurfing and animal beach exercising activities in 2011, current implementation actions have continued to progress in accordance with the Implementation Plan.

## DETAILS

The following table outlines the major achievements against each of the key focus areas in the Beach Management Plan since its adoption by Council in September 2010 (CJ158-09/10 refers). Planned activities to be completed up to the expiry of the Implementation Plan in 2015/16 are also identified.

Key Focus Area: Infrastructure	Major Achievements	Planned Activities
<p style="text-align: center;">Paths (Issue Statements 1 – 4)</p>	<ul style="list-style-type: none"> <li>• Coastal shared path upgrades at Hillarys and Mullaloo.</li> <li>• Development of a Draft Walkability Plan.</li> <li>• Delivery of “Share the Path Campaign”.</li> <li>• Commencement of Coastal Vulnerability Study that will identify vulnerable coastal assets.</li> </ul>	<ul style="list-style-type: none"> <li>• Council endorsement of the Walkability Plan - 2012/13.</li> <li>• Beach Access Path Review – 2013/14.</li> <li>• West Coast Drive shared path upgrade from Hepburn Ave. to The Plaza – 2013/14.</li> <li>• Burns Beach to Iluka shared path widening – 2013/14 and 2015/16.</li> </ul>

Key Focus Area: Infrastructure	Major Achievements	Planned Activities
	<ul style="list-style-type: none"> <li>• Commencement of detailed design for Tom Simpson Park Master Plan.</li> <li>• Review of the Coastal Limestone Hazards Policy.</li> </ul>	<ul style="list-style-type: none"> <li>• Oceanside Prom. shared path construction – 2014/15.</li> </ul>
<p style="text-align: center;">Car Parks (Issue Statements 5-7)</p>	<ul style="list-style-type: none"> <li>• Realignment of the Whitfords Horse Beach Car Park.</li> <li>• Construction of additional on-street parking on West Coast Drive, Sorrento.</li> </ul>	<ul style="list-style-type: none"> <li>• Pinnaroo Point Car Park upgrade.</li> <li>• Review of Hillarys Dog Beach Car Park following the closure of the Whitfords Horse Beach in 2014.</li> <li>• Parking additions near Marmion Angling &amp; Aquatic Club – 2012/13.</li> <li>• Construction of on-street parking in Oceanside Promenade, North Mullaloo – 2014/15 to 2016/17.</li> <li>• Transport Study in 2013/14 to 2014/15.</li> </ul>
<p style="text-align: center;">Community Buildings (Issue Statements 8-11)</p>	<ul style="list-style-type: none"> <li>• Development and implementation of Buildings Asset Management Plan 2010-2030.</li> </ul>	<ul style="list-style-type: none"> <li>• No further planned activities.</li> </ul>
<p style="text-align: center;">Toilets and Change Rooms (Issue Statements 12-15)</p>	<ul style="list-style-type: none"> <li>• Automatic time-lock trial conducted and systems now being rolled out across the City (CJ064-04/12 refers).</li> <li>• Vandal-proofing measures being rolled out with automatic time locks (CJ064-04/12 refers).</li> <li>• Refurbishment of Sorrento Surf Lifesaving Club public toilets.</li> <li>• Refurbishment of Whitford Nodes public toilets.</li> </ul>	<ul style="list-style-type: none"> <li>• Sorrento North Toilets refurbishment – 2012/13.</li> <li>• Hillarys Animal Beach Toilets refurbishment – 2012/13.</li> <li>• Hillarys North Whitfords Beach Toilets refurbishment – 2012/13.</li> <li>• Mullaloo South Toilets refurbishment – 2013/14.</li> <li>• Coastal Toilet Mains Connection Upgrades – 2013/14.</li> <li>• Key West Toilet Replacement – 2015/16.</li> </ul>
<p style="text-align: center;">Fencing (Issue Statement 16)</p>	<ul style="list-style-type: none"> <li>• Seaward-facing fencing trial successfully conducted in 2010/11 in Mullaloo.</li> <li>• Further fencing of dunes in Mullaloo completed in 2011/12 following successful trial.</li> </ul>	<ul style="list-style-type: none"> <li>• Marmion-Sorrento Foreshore fencing – 2012/13.</li> <li>• Whitfords Beach Foreshore fencing – 2013/14.</li> <li>• Coastal &amp; Foreshore Fencing Program – \$200,000 over 2014/15 and 2015/16.</li> </ul>

Key Focus Area: Management	Major Achievements	Planned Activities
Signage (Issue Statement 17)	<ul style="list-style-type: none"> <li>• Design and installation of new compliance signage for the Dog Beach, Horse Beach and kitesurfing areas.</li> <li>• Design and installation of new coastal biodiversity signage.</li> </ul>	<ul style="list-style-type: none"> <li>• Coastal Signage Review Project – 2013/14.</li> <li>• Spot Improvements to Signage through the Capital Works Program – 2013/14 and 2015/16.</li> <li>• Outcomes of the Walkability Plan to be implemented.</li> </ul>
Park Assets (Issue Statements 18–19)	<ul style="list-style-type: none"> <li>• Commencement of City-wide park asset audit process.</li> </ul>	<ul style="list-style-type: none"> <li>• Development of Parks Asset Management Plan – 2012/13.</li> <li>• Tom Simpson Park park infrastructure upgrade – 2012/13.</li> </ul>
Recreational Activities (Issue Statements 20–23)	<ul style="list-style-type: none"> <li>• Establishment of designated kitesurfing area and exclusion zones (CJ158-09/10 refers).</li> <li>• Establishment of the Kitesurfing Stakeholder Group.</li> <li>• Extension of the Hillarys Dog Beach (CJ158-09/10 refers).</li> <li>• New restrictions placed over the Whitfords Horse Beach (CJ158-09/10 refers).</li> <li>• Development of dedicated Beach Activities page on the City's website.</li> </ul>	<ul style="list-style-type: none"> <li>• Closure of Whitfords Horse Beach – 2014/15.</li> </ul>
Patrols (Issue Statement 24)	<ul style="list-style-type: none"> <li>• Establishment of new Beach Ranger positions.</li> <li>• Establishment of Incident Reporting Hotline service.</li> <li>• CPTED analysis conducted at Pinnaroo Point.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to monitor service requirements related to Ranger/patrol activities.</li> </ul>
Commercial Trading (Issue Statements 25–26)	<ul style="list-style-type: none"> <li>• Commencement of Trading in Public Places Local Law 1999 review.</li> </ul>	<ul style="list-style-type: none"> <li>• Development of Coastal Commercial Trading Licence Assessment Criteria – 2012/13.</li> <li>• Completion of Trading in Public Places Local Law 1999 review – 2013/14.</li> </ul>

<b>Key Focus Area: Commercial Development</b>	<b>Major Achievements</b>	<b>Planned Activities</b>
Events and Functions (Issue Statements 27–30)	<ul style="list-style-type: none"> <li>• Parking resolution established for coastal triathlon events.</li> <li>• External Events Approval Tracking System developed and implemented.</li> </ul>	<ul style="list-style-type: none"> <li>• Review of Reserves, Parks and Recreation Grounds Policy and Community Facilities – Built Policy – 2012/13.</li> </ul>
Commercial Development (Issue Statements 31–32)	<ul style="list-style-type: none"> <li>• Council endorsement of philosophies and parameters for the establishment of cafes/kiosks/restaurants across the City of Joondalup, including coastal locations (CJ103-06/10 refers).</li> </ul>	<ul style="list-style-type: none"> <li>• Development of business case for identified cafe/kiosk/restaurant sites – 2012/13.</li> <li>• Development of Biodiversity Retention Policy in accordance with the review of the District Planning Scheme No. 2 – 2012/13 to 2014/15.</li> </ul>

**Issues and Options Considered:**

Not Applicable.

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

Legislation applicable to the Beach Management Plan includes:

- *Local Government and Public Property Local Law 1999;*
- *Trading in Public Places Local Law 1999;*
- *District Planning Scheme No 2;*
- *Western Australian Marine Act 1982;*
- *Environmental Protection and Biodiversity Protection Act 1999; and*
- *Conservation and Land Management Act 1984.*

**Strategic Plan**

**Key Focus Area:** The Natural Environment.  
The Built Environment.  
Community Wellbeing.

- 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.
  - 4.2: To progress a range of innovative and high quality urban development projects within the City.
  - 5.2: To facilitate healthy lifestyles within the community.

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

### **Policy**

Council Policy - Height of Buildings within the Coast Area (Non-Residential Zones) Policy.

City Policy - Reserves, Parks and Recreation Grounds Policy.

City Policy - Community Facilities – Built Policy.

City Policy - Management of Community Facilities Policy.

City Policy - Asset Management Policy.

### **Risk Management Considerations:**

In light of the significant interest received by the City in the development of the Beach Management Plan, it is important that the plan is effectively implemented to manage community expectations. If the City fails to act on statements contained within the plan, it risks being subject to criticism.

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

The financial costs of implementing the Beach Management Plan relate mainly to capital expenditure outlined within the Five Year Capital Works Program. Relevant capital items include coastal fencing projects, path network infrastructure improvements, car parking upgrades and building refurbishments that have been delivered in alignment with existing planned activities.

The 2012/13 Budget includes \$71,500 for temporary Beach Rangers including overheads, equipment and quad bike operating costs.

### **Regional Significance:**

Based on the City's coastal location, the implementation of beach management activities will have impacts on regional visitors to the area and should therefore seek to accommodate and consider both regional and local needs.

### **Sustainability Implications:**

The purpose of the Beach Management Plan is to provide for the sustainable use and management of the City's coastline.

### **Consultation:**

Not Applicable.

### **COMMENT**

In considering the implementation of the Beach Management Plan, it should be noted that the plan was originally developed as an "umbrella framework" to draw together and compare planned coastal management activities and identify potential gaps and conflicts. As such, some of the implementation actions that have been delivered are previously endorsed projects that were identified through existing plans, strategies and capital works programs.

Most of the new actions and projects reflect major gaps in previous coastal management activities. They relate mainly to dedicated patrolling and enforcement, stakeholder management and asset improvements.

Since implementing the Beach Management Plan, the City has noticed significantly improved levels of beach activity compliance and coastal stakeholder relations. This has been driven mainly through the establishment of the Beach Ranger positions and improved compliance signage at prominent activity sites.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Ritchie, SECONDED Cr Gobbert that Council NOTES the status and progress of implementation actions against the Beach Management Plan, as outlined in Report CJ207-10/12.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of CJ214-10/12 Page, 104 refers.**

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

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf091012.pdf](#)*



**CJ208-10/12      2011/12 ANNUAL REPORT**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	102200, 101515
<b>ATTACHMENTS:</b>	Attachment 1      2011/12 Annual Report

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**PURPOSE**

For Council to accept the Annual Report for the 2011/12 financial year and also determine the date for the 2012 Annual General Meeting of Electors.

**EXECUTIVE SUMMARY**

In accordance with Section 5.53 of the *Local Government Act 1995*, the 2011/12 Annual Report has been prepared, summarising the year's highlights and achievements, as well as including specific statutory requirements.

The City's external auditor has completed the audit of Council's financial statements for the 2011/12 financial year and these statements are presented to Council being the subject of a separate report (refer CJ216-10/12). An abridged version of the Financial Statements will also form part of the 2011/12 Annual Report once they are adopted by Council.

The 2011/12 Annual Report forms the main item of business discussed at the Annual General Meeting of Electors. Section 5.27 of the *Local Government Act 1995* requires that the Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the annual report is accepted. Should Council accept the annual report at its meeting to be held on 23 October 2012 and in accordance with the *Local Government Act 1995*, the Annual General Meeting of Electors must be held before 18 December 2012.

It is suggested that the most appropriate date for holding the Annual General Meeting of Electors is Tuesday, 4 December 2012, prior to Council's scheduled Briefing Session. Elected Members are more likely to be available at this time due to their attendance at the Briefing Session and it also provides opportunity for the public to attend who may also be attending the scheduled Briefing Session.

*It is recommended that Council:*

- 1 *BY AN ABSOLUTE MAJORITY, ACCEPTS the Annual Report of the City of Joondalup for the financial year 2011/12, forming Attachment 1 to Report CJ208-10/12 and subject to the insertion of the audited 2011/12 Financial Statements once adopted by Council; and*
- 2 *AGREES to convene the 2012 Annual General Meeting of Electors on Tuesday 4 December 2012, commencing at 5.30pm in the Council Chambers.*

## BACKGROUND

The *Local Government Act 1995* requires every local government to prepare an annual report and to hold an Annual General Meeting (AGM) of Electors. The annual report reflects the City's achievements during the 2011/12 financial year and is the focus of many highlights.

At its meeting held on 16 October 2007 (CJ206-10/07 refers), Council resolved to "AGREE to hold all future Annual General Meeting of Electors as soon as practical following the adoption of the Annual Report, but in a year where an ordinary election is held, not before the first ordinary meeting of the newly elected Council".

## DETAILS

The receipt of the City's annual report by Council and the holding of an AGM of Electors are both statutory requirements of the *Local Government Act 1995*. A decision is required on the date to hold the AGM of Electors, being aware of Council's decision on 16 October 2007, and in view of the limitations to finalise the necessary documentation as well as complying with the required public notice period.

### Issues and options considered:

It is a statutory requirement that Council accept an annual report and set a meeting date for the AGM of Electors.

### Legislation/Strategic Plan/Policy Implications

**Legislation**                      *Local Government Act 1995.*  
   *Local Government (Administration) Regulations 1996.*

### Strategic Plan

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

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

### Policy:

Not Applicable.

Section 5.53 of the *Local Government Act 1995* states the following in relation to the contents of the annual report:

### 5.53 Annual reports

(1)      *The local government is to prepare an annual report for each financial year.*

(2)      *The annual report is to contain:*

- a.      *a report from the mayor or president;*
- b.      *a report from the Chief Executive Officer;*
- c.      *deleted;*
- d.      *deleted;*

- e. *an overview of the plan for the future of the district made in accordance with Section 5.56 including major initiatives that are proposed to commence or to continue in the next financial year;*
- f. *the financial report for the financial year;*
- g. *such information as may be prescribed in relation to the payments made to employees;*
- h. *the auditor's report for the financial year;*
- ha. *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;*
- hb. *details of entries made under section 5.121 during the financial year in the register of complaints, including –*
  - (i) the number of complaints recorded in the register of complaints;*
  - (ii) how the recorded complaints were dealt with; and*
  - (iii) any other details that the regulations may require; and*
- i. *such other information as may be prescribed.*

Section 5.54 of the *Local Government Act 1995* states the following in relation to the acceptance of the Annual Report:

#### **5.54 Acceptance of annual reports**

- (1) *Subject to subsection (2) the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.*

*\* absolute majority required*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than two months after the auditor's report becomes available.*

Section 5.55 of the *Local Government Act 1995* states the following in regard to the notice regarding the availability of the Annual Report:

#### **5.55 Notice of annual reports**

*The Chief Executive Officer is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.*

Section 5.27 states the following in regard to the Annual General Meeting of Electors:

#### **5.27 Electors' general meetings**

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*

(3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

Section 5.29 states the following in respect to convening electors meetings:

**5.29 Convening electors' meetings**

(1) *The Chief Executive Officer is to convene an electors' meeting by giving:*

- (a) *at least 14 days' local public notice; and*
- (b) *each council member at least 14 days' notice,*

*of the date, time, place and purpose of the meeting.*

(2) *The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.*

Regulation 15 of the *Local Government (Administration) Regulations 1996* details the matters for discussion at the AGM of Electors. They are the contents of the annual report for the previous financial year and then any other general business. It is suggested therefore, that the agenda format for the Annual Meeting of Electors be:

- Attendances and apologies.
- Contents of the 2011/12 Annual Report.
- General business.

**Risk Management Considerations:**

The risk associated with not adopting the 2011/12 Annual Report and failure to set a date for the 2012 Annual General Meeting of Electors will result in non-compliance with the requirements of the *Local Government Act 1995*.

**Financial/Budget Implications:**

There are no financial implications associated with this Report.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The Annual Report 2011/12 provides information on achievements aligned with the Key Focus Areas of the Strategic Plan namely:

- Leadership and Governance;
- The Natural Environment;
- Economic Prosperity and Growth;
- The Built Environment; and
- Community Wellbeing.

The programs and projects delivered in 2011/12 have contributed to increasing the social, economic and environmental capital of the City and facilitated the development of a thriving and sustainable community.

### **Consultation:**

There is no legislative requirement to consult the community on the preparation of the annual report, however the *Local Government Act 1995* requires an AGM of Electors to be held once every year and the annual report to be made publicly available.

At the 2011 Annual General Meeting of Electors, it was resolved that the announcement for the AGM of Electors be placed three weeks prior to the event on the City's website and that the announcement has to include the annual report and the starting time to be set for 7.00pm. At its meeting held on 21 February 2012 Council noted the date, time and place of the Annual General Meeting of Electors is set by the Council and publicised in accordance with the provisions of the *Local Government Act 1995* (CJ011-02/12 refers).

Whilst the City advertises the meeting in accordance with the *Local Government Act 1995*, the City will promote the scheduled meeting date and the availability of the annual report as soon as possible.

### **COMMENT**

The audited financial statements for 2011/12 will be submitted to an Audit Committee meeting to be held prior to the Council meeting, and are the subject of a separate report to Council. Once these statements are adopted by Council, an abridged version will be inserted into the 2011/12 Annual Report, forming Attachment 1 to this Report.

In order for the City to meet its legislative requirements, it is recommended that the Council adopts the 2011/12 Annual Report and convenes the 2012 Annual General Meeting of Electors for Tuesday 4 December 2012, commencing at 5.30pm, prior to the scheduled Briefing Session.

### **VOTING REQUIREMENTS**

Absolute Majority.

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

- 1 BY AN ABSOLUTE MAJORITY, ACCEPTS the Annual Report of the City of Joondalup for the financial year 2011/12, forming Attachment 1 to Report CJ208-10/12 and subject to the insertion of the audited 2011/12 Financial Statements once adopted by Council; and**
- 2 AGREES to convene the 2012 Annual General Meeting of Electors on Tuesday 4 December 2012, commencing at 5.30pm in the Council Chambers.**

**AMENDMENT MOVED Cr Corr, SECONDED Cr Chester** that Part 2 be amended to read as follows:

“2 *AGREES to convene the 2012 Annual General Meeting of Electors on Tuesday, 18 December 2012, commencing at 7.00pm in the Council Chambers.*”

**The Amendment was Put and**

**LOST (3/9)**

**In favour of the Amendment:** Crs Chester, Corr and Ritchie.

**Against the Amendment:** Mayor Pickard, Crs Amphlett, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Taylor and Thomas.

**The Original Motion being that Council:**

- 1 **BY AN ABSOLUTE MAJORITY, ACCEPTS** the Annual Report of the City of Joondalup for the financial year 2011/12, forming Attachment 1 to Report CJ208-10/12 and subject to the insertion of the audited 2011/12 Financial Statements once adopted by Council; and
  
- 2 **AGREES to convene the 2012 Annual General Meeting of Electors on Tuesday 4 December 2012, commencing at 5.30pm in the Council Chambers.**

**Was Put and**

**CARRIED (12/0)**

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

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf091012.pdf](#)*

**CJ209-10/12 CITY OF JOONDALUP DRAFT PATHOGEN MANAGEMENT PLAN 2012–2017**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	102082, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Draft Pathogen Management Plan 2012-2017 Attachment 2 Community Consultation Plan

**PURPOSE**

For Council to receive the draft Pathogen Management Plan and to endorse release of the plan for targeted stakeholder consultation.

**EXECUTIVE SUMMARY**

Organisms such as fungi, bacteria and viruses that cause plant diseases are known as pathogens. Whilst some pathogens are naturally occurring within soil populations, others have been introduced to the environment through the movement of plant materials and soils.

The presence of pathogens within the City of Joondalup poses a serious risk to the biodiversity values within natural areas. It is critical that pathogen management is applied throughout the City's landscaped and natural areas to ensure that the biodiversity values of the City remain protected from the presence of pathogens.

The City currently implements control and treatment actions for species of pathogens once they have been suspected within a park or natural area. However, a consistent and coordinated approach to the management of pathogens within the City is required to ensure the biodiversity values of the City's natural environment are protected into the future.

In developing Pathogen Management Plans, most local governments only investigate areas of known infestation rather than taking a holistic approach to the identification of pathogen risk. Therefore, the approach that the City has taken to develop the draft Pathogen Management Plan serves as a demonstration of best management practice within Western Australia.

A draft Pathogen Management Plan has been developed to protect native vegetation and ecosystems within the City and provide information on the level of risk for pathogens within City parks and natural areas. The plan also identifies areas of high risk where management actions should be concentrated in order to protect the City's biodiversity values into the future.

The plan will provide guidance on management procedures and staff training that should be employed to reduce the spread of pathogens and strategies to engage the community in order to raise the awareness of pathogens within the City.

The draft Pathogen Management Plan, included as Attachment 1, provides information and management recommendations to address species of the pathogens *Phytophthora* and *Armillaria luteobubalina* as these are the plant diseases that can have the greatest potential to impact negatively on the biodiversity values of the City.

## BACKGROUND

Local government has an important role to play in protecting biodiversity values within parks and natural areas through managing the spread of pathogens. Activities such as road and drain construction, earth moving, landscaping and bushland management have the potential to introduce pathogens to previously uninfected areas, or increase the rate of spread. Pathogens can also be spread through recreational activities such as walking and cycling.

*Phytophthora cinnamomi*, also known as Phytophthora Dieback is one of the biggest threats to biodiversity within Western Australia. The *Environment Protection and Biodiversity Conservation Act 1999* lists 'Dieback caused by the root-rot fungus *Phytophthora cinnamomi* as a key threatening process to Australia's biodiversity'.

Whilst *Phytophthora cinnamomi* is the most common species within Western Australia, other species of the pathogen have also been detected or suspected within Western Australia and the Perth Metropolitan Region, these species include:

- *Phytophthora multivora*;
- *Phytophthora humicolalike*; and
- *Phytophthora nicotianae*.

*Armillaria luteobubalina* is a soil-borne fungus that causes root rot of a wide variety of plants including many species of native flora. The fungus is native to Australia and can cause major damage to natural ecosystems. *Armillaria* spreads through the soil as branching threads and can also be found under the bark of trees on the lower portion of the trunk. *Armillaria luteobubalina* reduces the function of the roots and affects the internal structure of the tree, often resulting in a slow decline in health and eventually death in trees.

The City of Joondalup draft Pathogen Management Plan, included as Attachment 1, provides information and management recommendations to address the above species of pathogens.

## DETAILS

The draft Pathogen Management Plan aims to establish the level of risk of pathogens within City parks and natural areas and identifies areas of high risk where management actions should be concentrated.

The draft Pathogen Management Plan includes the following:

- Desktop assessment of parks and natural areas for the pathogens *Phytophthora* species and *Armillaria luteobubalina* to establish the level of risk within the City of Joondalup;
- Development of preventive and management strategies and procedures to be employed within activities relating to the use of City parks, streetscapes and natural areas;



- Identification of control and treatment measures for infested areas; and
- Development of education and communication mechanisms to raise the awareness of pathogens within the organisation and the community.

The objective of the draft Pathogen Management Plan is to protect biodiversity values within the City of Joondalup by minimising the risk of introducing and spreading pathogens including species of *Phytophthora* and *Armillaria luteobubalina* within landscaped and natural areas.

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

As the draft Pathogen Management Plan is technical in nature, it is recommended to release the draft Pathogen Management Plan for targeted stakeholder consultation to industry groups, relevant government agencies and local Friends Groups only.

Council can either:

- release the draft Pathogen Management Plan for targeted stakeholder consultation without modification; or
- release the draft Pathogen Management Plan for targeted stakeholder consultation with amendments.

#### **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.

#### **Policy:**

The development and implementation of the City's draft Pathogen Management Plan is consistent with the City's Sustainability Policy.

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

The presence of pathogens within the City's boundaries poses a serious risk to the biodiversity values within natural areas. It is critical that pathogen management is applied throughout the City's landscaped areas to ensure that natural areas remain protected from the presence of pathogens. *Phytophthora* and *Armillaria* have the potential to significantly impact the composition and distribution of plant and animal species within the City if management actions are not introduced. A proactive approach to managing this issue is required in order to reduce the risk of harm to the City's environment.

The draft Pathogen Management Plan provides a consistent and coordinated approach to the management of pathogens within the City's boundaries in order to mitigate the effects and limit the spread of pathogens.

**Financial/Budget Implications:**

\$30,000 was allocated to the development of the draft Pathogen Management Plan in the 2011/12 Budget to engage a consultant to undertake a Pathogen Desktop Risk Analysis to inform the development of the Pathogen Management Plan.

Funding will need to be allocated from 2013/14 for the implementation of proposed projects within the Pathogen Management Plan. Approval of these projects will be subject to the City's Annual Budget approval process. Opportunities to apply for grant funding will also be investigated, as they arise.

It should be noted that there are likely to be increases in operating costs resulting from the implementation of the Pathogen Management Plan. For example a proposed recommendation within the draft plan is to develop guidelines regarding the supply of landscaping materials with an aim to purchase certified pathogen free products such as mulch and plant stock. Generally these products are more expensive but have a much lower risk of introducing and spreading pathogens within the landscaped areas.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Pathogens represent one of the most potent, persistent and widespread threats to Australian biodiversity. The development of the City of Joondalup Pathogen Management Plan will ensure that measures are taken to mitigate the effects and limit the spread of pathogens within the City's boundaries, which will result in enhanced protection of the City's natural environment.

**Consultation:**

It is proposed that Council approve the release of the draft Pathogen Management Plan for targeted stakeholder consultation for a period of 21 days. A Community Consultation Plan is included as Attachment 2.

**COMMENT**

Pathogens represent one of the most potent, persistent and widespread threats to Australian biodiversity as they have the potential to significantly impact the composition and distribution of plant and animal species. The City currently implements control and treatment actions for species of pathogens once they have been suspected within a park or natural area. However a consistent and coordinated approach to the management of pathogens within the City is required to ensure the biodiversity values of the City's natural environment are protected into the future.

The City is taking a comprehensive approach to investigating the extent of pathogens within parks and natural areas and the methodology that has been utilised to undertake the Pathogen Desktop Risk Analysis and draft Pathogen Management Plan is considered an innovative approach and one that is yet to be undertaken by a local government within Western Australia. In developing Pathogen Management Plans, most local governments only investigate areas of known infestation rather than taking a holistic approach to the identification of pathogen risk. Therefore the approach that the City has taken to develop the draft Pathogen Management Plan serves as a demonstration of best management practice within Western Australia.

The proposed management recommendations within the draft Pathogen Management Plan are consistent with guidelines developed by the Dieback Working Group, the leading organisation within Western Australian providing advice and technical information regarding pathogen management.

The implementation of the Pathogen Management Plan if adopted will ensure that the risk of pathogens within the City is established and that management recommendations are applied to effectively manage pathogens in the City. The implementation of management actions from within the draft plan, such as the development of hygiene procedures, may also be applicable to the control of other plant diseases within the City.

## **VOTING REQUIREMENTS**

Simple Majority.

### **MOVED Cr Ritchie, SECONDED Cr Gobbert that Council:**

- 1 NOTES the proposed management recommendations and Draft Implementation Plan as described in Section Five of the draft Pathogen Management Plan, included as Attachment 1 to Report CJ209-10/12;**
- 2 NOTES that funds required for the implementation of the draft Pathogen Management Plan will be subject to the City's Annual Budget approval process; and**
- 3 ENDORSES the release of the Draft Pathogen Management Plan, included as Attachment 1 to Report CJ209-10/12, for targeted stakeholder consultation for a period of 21 days.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of CJ214-10/12 Page, 104 refers.**

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

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11agn231012.pdf](#)*

## **CJ210-10/12      ADOPTION OF THE STRATEGIC COMMUNITY PLAN 2012–2022 AND CORPORATE BUSINESS PLAN 2012–2017**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	01529, 52605, 101515
<b>ATTACHMENTS:</b>	Attachment 1      Analysis of Shaping our Future Phase 2 Results Attachment 2      Draft Strategic Community Plan 2012–2022 Attachment 3      Draft Corporate Business Plan 2012–2017

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### **PURPOSE**

For Council to:

- 1      NOTE the outcomes of the *Shaping our Future* community consultation process on the draft *Strategic Community Plan 2012–2022*; and
- 2      ADOPT the final *Strategic Community Plan 2012–2022* and complementary *Corporate Business Plan 2012–2017*.

### **EXECUTIVE SUMMARY**

In alignment with the Department of Local Government's *Integrated Planning and Reporting Framework*, the City has developed a draft *Strategic Community Plan 2012–2022* in consultation with its community and stakeholders. Feedback on the draft document has also been sought to determine the level of support for its proposed outcomes and objectives.

Overall, significant levels of support were received from the community for all proposed Outcomes and Objectives contained within the draft Plan. The City also obtained a reliable number of responses through the consultation process, which should support the confident consideration of results by the Council.

To demonstrate the translation of Strategic Initiatives into actions, the City has also developed a complementary draft *Corporate Business Plan 2012–2017* (Attachment 3 refers) in alignment with the Department of Local Government's *Integrated Planning and Reporting Framework*. This Plan is also presented for Council's consideration.

This report presents the results of phase two of the *Shaping our Future* community consultation process, outlines any amendments suggested to the document as a result of this process and requests the adoption of the draft *Strategic Community Plan 2012–2022* and draft *Corporate Business Plan 2012–2017*, as presented in Attachments 2 and 3, by an absolute majority of Council.

## BACKGROUND

At its meeting held on 21 August 2012 (CJ154-08/12 refers), Council considered the results of phase one of the *Shaping our Future* community engagement initiative in the development of a draft *Strategic Community Plan 2012–2022*. As a result of the input received from phase one, a draft plan was developed and presented to Council, where approval to release the document for a three-week public comment period (“phase two”) was obtained.

The results of phase two of the *Shaping our Future* community consultation process are now presented to Council for its consideration and adoption of the final *Strategic Community Plan 2012–2022* and *Corporate Business Plan 2012–2017* is also requested.

## DETAILS

### ***Consultation Process***

In phase two of the *Shaping our Future* initiative, the City undertook a consultation process by way of surveying identified target audiences on their level of support for the proposed Outcomes and Objectives within the draft *Strategic Community Plan 2012–2022*.

This aimed to encourage maximum feedback from the community as respondents were not required to read the whole draft plan in order to understand what it was proposing. By simplifying the task, the City was able to improve people’s motivation to participate in the consultation process.

The City sent surveys out to the following community stakeholder groupings:

#### 1 Resident Surveys

Hardcopy surveys were sent to 3,000 randomly-selected residents from the City’s property database (500 households per ward), which were accompanied by a cover letter and Frequently Asked Questions document.

These surveys intended to capture the perspective of the broader community on the City’s draft *Strategic Community Plan 2012–2022*.

In light of the significant size of the draft plan, residents were offered the opportunity to view the document online. They were also informed that it was not necessary to read the plan in order to effectively participate in the consultation process, although it was encouraged.

#### 2 Community Surveys

Hardcopy and electronic surveys and Frequently Asked Questions were sent to community members who attended a Stakeholder Roundtable Session or completed a survey as part of phase one of the *Shaping our Future* initiative. Those who were invited to participate in these events but were unable to attend were also sent Community Surveys. (A total of 807 surveys were sent directly to these groups, of which 113 electronic surveys were returned as undeliverable. As such, a total of 694 surveys were assumed to be received by the target audience).

The Community Survey was also extended to include the general public through an online survey and general advertising. To differentiate between respondents, a question was asked within the survey as to whether the respondent had attended the “Vision for Joondalup” Business Forum or a Stakeholder Roundtable Session during phase one of the community engagement initiative.

Again, respondents were offered the opportunity to view the draft Plan online.

### 3 Stakeholder Surveys

Hardcopy surveys were also sent to 39 identified stakeholders within the region (including State and Federal Government politicians within the City’s boundaries, State Government departments, local governments within close proximity of the City, educational institutions and others), which were accompanied by a cover letter, Frequently Asked Questions document and a copy of the draft *Strategic Community Plan 2012–2022*. A full copy of the Plan was sent to stakeholders as it was more likely that qualitative responses would be the preferred method of response by this group.

To generally promote the phase two process, the following advertising channels were utilised:

- Significant website presence.
- Several local newspaper advertisements throughout the consultation period.
- Signage erected at all City libraries, Administration Centre and leisure centres.

### **Consultation Results**

The full results of the phase two consultation process are provided at Attachment 1, however, the following general analysis on the outcomes is provided.

The City received a total of 386 surveys, of which 348 were deemed as valid. (That is, the survey was received before the closing date, sufficient contact details were provided, as stated on the survey, and a previous response by the same individual had not already been received by the City).

Responses were mainly received from the Resident Survey (295), while the Community Survey and Stakeholder Survey returned 44 and nine surveys respectively. In terms of the statistical reliability of these numbers, the Office of the Auditor General recommends that reliable population sampling achieve the following:

- Confidence level of 95% or above (the amount of certainty that will be tolerated).
- Sampling error of +/-5% or less (the margin of error in responses that is tolerated).
- Response distribution of 50% (a conservative assumption that the population may be split 50-50 on their support for an issue, requiring a larger sample size).

Whilst the methodology adopted by the City was not random sampling in its truest sense, applying the above scenario would require the City to receive a total of 384 surveys based on a total population of 152,406 to achieve a reliable level of responses.

Whilst 386 surveys were returned to the City, only 348 were considered valid and analysed. This is slightly less than the required 384, however, it should be noted that the average level of support across the questions was 89%, meaning that the response distribution for the City's survey would be significantly less than the 50% assumed by the Office of the Auditor General. This would result in a noticeable reduction in the number of valid surveys required for the results to be considered reliable.

As such, the City is confident that a reliable number of surveys were returned to support a high level of confidence in the results. The City also achieved an acceptable distribution of surveys returned across all wards, indicating limited bias present in the survey. In terms of demographics, an even spread across male and female respondents was noted, while the age of respondents was skewed to the 55 and over age brackets.

### **Key Outcomes**

Overall, the City received significant levels of support for all proposed Aspirational Outcomes and Objectives contained within the draft *Strategic Community Plan 2012–2022*. On average, 89% of respondents either supported or strongly supported questions posed within the survey, with the most notable areas being:

#### *Governance and Leadership*

- Effective Representation: "To have a highly skilled and effective Council that represents the best interests of the community."
- Corporate Capacity: "For the community to have confidence and trust in the City that it can deliver services effectively and transparently."

#### *Financial Sustainability*

- Effective Management: "To conduct business in a financially sustainable manner."

#### *Quality Urban Environment*

- Quality Open Spaces: "To have urban and green spaces which are attractive, well-utilised and enrich the lives of the community."

#### *Community Wellbeing*

- Quality Facilities: "To provide facilities of the highest quality which reflect the needs of the community now and into the future."
- Community Spirit: "To have proud and active residents who participate in local activities and services for the betterment of the community."
- Community Safety: "For residents to feel safe and confident in their ability to travel and socialise within the community."

The greatest level of *neutral* responses was received within the Key Theme of Economic Prosperity, Vibrancy and Growth. This possibly indicates a lower emphasis placed by the community on economic development activities; however overall, 82% of respondents did, in fact, indicate their support for these Objectives.

In terms of the general comments received from the community, most respondents provided anecdotal feedback on personal experiences they had with the City and its services (both positive and negative). Some respondents also highlighted matters that were very operational in nature and would be covered by a broader Strategic Initiative within the draft

*Strategic Community Plan 2012–2022* or the draft *Corporate Business Plan 2012–2017*. All comments received are presented anonymously within Attachment 1 for Council's consideration.

### **Stakeholder Responses**

The City received feedback from nine stakeholders, namely:

- Hon. Michael Mischin MLC (Member for North Metropolitan Region)
- Hon. Edmund Joseph Dermer MLC (Member for North Metropolitan Region)
- Mr Albert Jacob MLA (Member for Ocean Reef)
- Department of Planning
- Landcorp
- Edith Cowan University
- West Coast Institute of Training
- WA Police Academy
- Joondalup Resort Hotel.

All stakeholders demonstrated full support for the City's proposed Aspirational Outcomes and Objectives. Full comments are provided within Attachment 1.

### **Suggested Amendments**

Following the completion of phase two of the *Shaping our Future* initiative, several amendments have been made to the draft *Strategic Community Plan 2012–2022* prior to its final adoption by Council. The amendments are highlighted in yellow in Attachment 2 and are outlined as follows:

- Amending several typographical errors.
- Incorporation of attendance figures at all community forums.
- Additional section on the phase two consultation process.
- Additional section on key consultation and engagement facts.
- Change of terminology within the Governance and Leadership Indicator from statistical *validity* to the more appropriate term of statistical *reliability*. Confidence level also updated from 96% to 95%, (which aligns with the Office of the Auditor General recommendations for random sampling).
- Amended strategic initiative within the Community Spirit objective, to include education programs.
- Creation of new Major Project Delivery objective within the Financial Sustainability key theme, by splitting the Effective Management objective.
- Creation of new strategic initiative in the Effective Management objective, relating to asset management service levels.
- References to WA Waste Strategy included in relevant sections throughout the document.

The amendments are not considered major and do not alter the purpose and intention of the draft *Strategic Community Plan 2012–2022* that was released for community consultation.



### ***Draft Corporate Business Plan 2012–2017***

In accordance with the Department of Local Government's *Integrated Planning and Reporting Framework*, the City is required to develop a *Corporate Business Plan* to translate Council priorities identified within the *Strategic Community Plan* into City operations over a minimum four-year period.

The City has recently developed a draft *Corporate Business Plan 2012–2017* to align to the draft *Strategic Community Plan 2012–2022*. Although the plan is only required to cover four years under the *Local Government (Administration) Regulations 1996*, a decision was made to extend the duration of the draft *Corporate Business Plan 2012–2017* by one year to align with the City's *Five Year Capital Works Program*. The document would then be treated as a rolling-plan that is subject to annual reviews. This would allow for the *Annual Plan* to be drafted from a "slice" of the most recent financial period within the *Corporate Business Plan 2012-2017* and incorporate specific quarterly milestones in accordance with current annual planning practices. It would also allow for greater flexibility, in case projects need to be re-prioritised on an annual basis.

In terms of the structure, the draft *Corporate Business Plan 2012–2017* has been developed to demonstrate:

- direct alignment with the draft *Strategic Community Plan 2012–2022*;
- the source of planned actions across the City's internal *Integrated Planning Framework*;
- legislative requirements;
- the budget source – whether it is operational or capital; and
- the financial years in which the actions apply.

Where large and broad projects/plans align to more than one Strategic Initiative, the draft *Corporate Business Plan 2012–2017* uses an asterisk to identify replicated actions throughout the Plan.

In addition, many of the specific capital projects that are currently listed in the *Annual Plan 2012–2013* have been grouped according to their associated capital works programs. Greater detail on specific projects and their milestones will remain within the *Annual Plan 2012–2013*, rather than being contained within the draft *Corporate Business Plan 2012–2017*.

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

With regard to the draft *Strategic Community Plan 2012–2022*, Council has the option to:

- 1 adopt the draft *Strategic Community Plan 2012–2022* with the suggested minor amendments, as presented in Attachment 2;
- 2 adopt the draft *Strategic Community Plan 2012–2022* subject to further amendments;  
or
- 3 not adopt the draft *Strategic Community Plan 2012–2022*.

With regard to the draft *Corporate Business Plan 2012–2017*, Council has the option to:

- 1 adopt the draft *Corporate Business Plan 2012–2017*, as presented in Attachment 3;

- 2 adopt the draft *Corporate Business Plan 2012–2017*, with further amendments; or
- 3 not adopt the draft *Corporate Business Plan 2012–2017*.

In both circumstances, option 1 is the recommended option to ensure the City has sufficient time to review and align all major planning documents to the *Strategic Community Plan 2012–2022* and *Corporate Business Plan 2012–2017*, by 30 June 2013.

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

#### **Legislation:**

The process to develop the draft *Strategic Community Plan 2012–2022* and *Corporate Business Plan 2012–2017* is prescribed within the *Local Government (Administration) Regulations 1996*.

Further guidance on the achievement of best practice standards is outlined within the Department of Local Government's *Integrated Planning and Reporting Framework* and *Advisory Standards*.

The City has ensured that the process undertaken to develop the Plans meet all legislative requirements, as well as seeking to achieve best practice standards in accordance with the *Advisory Standards*.

#### **Strategic Plan:**

This report requests the adoption of the new draft *Strategic Community Plan 2012–2022* and *Corporate Business Plan 2012-2017*.

**Key Focus Area** Not Applicable.

**Objective** Not Applicable.

#### **Policy:**

Not Applicable.

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

Should Council choose not to adopt the draft *Strategic Community Plan 2012–2022* and draft *Corporate Business Plan 2012–2017* at this time, there is a risk that further delays to the review of major informing plans will occur.

The City aims to have all relevant plans reviewed and endorsed in time for the Department of Local Government's 30 June 2013 deadline.

**Financial/Budget Implications:**

The development of the draft *Strategic Community Plan 2012–2022* has involved two phases of engagement and consultation, including advertising, printing, catering, facilitation costs and prize purchases (to encourage participation by the community).

The estimated cost of delivering both phases of the *Shaping our Future* initiative was approximately \$16,000.

**Regional Significance:**

Many of the projects in the draft *Strategic Community Plan 2012–2022* have regional significance. The document also highlights the importance of regional planning and cooperation in managing and responding to future challenges within the north-west region.

**Sustainability Implications:**

The draft *Strategic Community Plan 2012–2022* sets a strategic and sustainable direction for the City over the next ten years. It is underpinned by an ambition to establish the City as a leader in sustainable planning and development.

**Consultation:**

This report outlines the results of the phase two *Shaping our Future* initiative. Full details on the outcomes of the consultation process are provided at Attachment 1.

**COMMENT**

The draft *Strategic Community Plan 2012–2022* has been developed in partnership with the community and key stakeholders. The draft plan positions Joondalup to address the major challenges and opportunities over the next ten years and to therefore, achieve its aspirational direction.

The draft *Corporate Business Plan 2012–2017* reflects the strategic direction set by the draft *Strategic Community Plan 2012–2022* and outlines the five-year detailed delivery program for the City.

The City is confident that the documents presented to Council for adoption have been developed with significant and reliable input from the community and stakeholders and demonstrates a commitment to best practice in strategic and corporate business planning.

It should also be noted that both plans will be subject to further branding and an official launch will be conducted to raise awareness of their adoption. Efforts to contact participants to thank them for their input will also be undertaken and comments received during the consultation process that requested assistance from the City on specific personal matters will be raised as action requests for response by City officers.

**VOTING REQUIREMENTS**

Absolute Majority.

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

- 1** NOTES the results of the phase two *Shaping our Future* consultation process on the draft *Strategic Community Plan 2012–2022*, as presented in Attachment 1 of Report CJ210-10/12;
- 2** BY AN ABSOLUTE MAJORITY, ADOPTS the draft:
  - 2.1** *Strategic Community Plan 2012–2022*, as presented in Attachment 2 of Report CJ210-10/12; and
  - 2.2** *Corporate Business Plan 2012–2017*, as presented in Attachment 3 of Report CJ210-10/12.

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 12 refers*

*To access this attachment on electronic document, click here:* [Attach12agn231012.pdf](#)

## **CJ211-10/12 LIST OF PAYMENTS MADE DURING THE MONTH OF JULY 2012**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	09882, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of July 2012 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of July 2012 Attachment 3 Municipal and Trust Fund Vouchers for the month of July 2012

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### **PURPOSE**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of July 2012.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of July 2012 totalling \$12,796,091.27.

*It is recommended that Council NOTES the Chief Executive Officer's list of accounts for July 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 CJ211-10/12, totalling \$12,796,091.27.*

### **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 July 2012. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques 93241 – 93488 & EF025716 – EF026265 Net of cancelled payments	\$ 8,717,588.19
	Vouchers 1007A-1012A & 1014A	\$ 3,666,753.34
Trust Account	Trust Cheques 205055-205115 Net of cancelled payments	\$ 411,749.74
<b>Total</b>		<b>\$ 12,796,091.27</b>

#### Issues and options considered:

The list of payments report was recently amended to include contract numbers where payments were made under approved contracts. Following the June end of year roll over, the contract numbers have not been able to be included. Until this is rectified, the earlier version is being produced instead.

#### 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 2012/13 Annual Budget as adopted and revised by Council at its meeting of 10 July 2012 or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Ritchie, SECONDED Cr Gobbert that Council NOTES the Chief Executive Officer's list of accounts for July 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 CJ211-10/12, totalling \$12,796,091.27.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of CJ214-10/12 Page, 104 refers.**

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

*Appendix 13 refers*

To access this attachment on electronic document, click here: [Attach13brf091012.pdf](#)

## **CJ212-10/12 LIST OF PAYMENTS MADE DURING THE MONTH OF AUGUST 2012**

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<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 August 2012 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of August 2012 Attachment 3 Municipal and Trust Fund Vouchers for the month of August 2012

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### **PURPOSE**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of August 2012.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of August 2012 totalling \$9,176,045.40.

*It is recommended that Council NOTES the Chief Executive Officer's list of accounts for August 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 CJ212-10/12, totalling \$9,176,045.40.*

### **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 August 2012. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.



FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques 93489 -93749 & EF026266 – EF026749 Net of cancelled payments	\$5,329,833.01
	Vouchers 1016A -1022A & 1024A	\$3,814,240.59
Trust Account	Trust Cheques 205118 - 205176 Net of cancelled payments	\$31,971.80
<b>Total</b>		<b>\$9,176,045.40</b>

#### Issues and options considered:

The list of payments report was recently amended to include contract numbers where payments were made under approved contracts. Following the June end of year roll over, the contract numbers have not been able to be included. Until this is rectified, the earlier version is being produced instead.

#### 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 CEO is prepared each month showing each account paid since the last list was prepared.

#### Strategic Plan

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

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

#### Policy:

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

#### Risk Management Considerations:

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

#### Financial/Budget Implications:

All expenditure from the Municipal Fund was included in the 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 2012/13 Annual Budget as adopted and revised by Council at its meeting of 10 July 2012 or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Ritchie, SECONDED Cr Gobbert that Council NOTES the Chief Executive Officer's list of accounts for August 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 CJ212-10/12, totalling \$9,176,045.40.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of C214-10/12 Page, 104 refers.**

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

*Appendix 14 refers*

*To access this attachment on electronic document, click here: [Attach14brf091012.pdf](#)*

## **CJ213-10/12 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 AUGUST 2012**

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<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 August 2012

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### **PURPOSE**

For Council to note the Financial Activity Statement for the period ended 31 August 2012.

### **EXECUTIVE SUMMARY**

At its Special meeting held on 10 July 2012 (JSC04-07/10 refers), Council adopted the Annual Budget for the 2012/13 Financial Year. The figures in this report are compared to the Adopted Budget figures.

The August 2012 Financial Activity Statement Report shows an overall favourable variance from operations and capital of \$3,060,978 for the period when compared to the 2012/13 Adopted Budget.

This variance can be summarised as follows:

The Operating surplus is \$1,224,204 above budget, made up of higher revenue of \$135,367 and lower operating expenditure of \$1,088,837.

Higher Operating revenues have been driven by higher Fees and Charges \$284,103, Investment Earnings \$244,333 and Contributions, Reimbursements and Donations \$105,981. Revenue is below budget on Grants and Subsidies \$475,481 and Rates \$52,367. The additional revenue arose from the Sale of Recyclables, Sports and Recreation Fees and from Investment income.

Operating expenditure is below budget on Materials and Contracts \$1,151,065, Utilities \$103,526 and Insurance \$34,200. Expenditure is over budget on Employee Costs \$116,367 and Depreciation \$78,308.

The Materials and Contracts favourable variance is spread across a number of areas including External Services Expenses of \$404,096; Material Purchases of \$196,859; Contributions and Donations of \$120,497 and Professional Fees of \$106,240. These are partially offset by an unfavourable variance for Waste Management Services of \$52,933.

The Capital Revenue and Expenditure deficit is \$1,787,822 below budget due to lower expenditure on Capital Projects of \$499,745, Capital Works of \$1,114,925 and Vehicle and Plant Replacements of \$571,151.

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 August 2012 forming Attachment 1 to Report CJ213-10/12.*

## **BACKGROUND**

The *Local Government (Financial Management) Regulations 1996* requires a monthly Financial Activity Statement. At its meeting held on 11 October 2005, Council approved 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 August 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 2012/13 Adopted Budget or have been authorised in advance by Council where applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Ritchie, SECONDED Cr Gobbert that Council NOTES the Financial Activity Statement for the period ended 31 August 2012 forming Attachment 1 to Report CJ213-10/12.**

**The Motion was Put and CARRIED (12/0) by En Bloc Resolution prior to consideration of CJ214-10/12 Page, 104 refers.**

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

*Appendix 15 refers*

To access this attachment on electronic document, click here: [Attach15brf091012.pdf](#)

## **CJ202-10/12 JOONDALUP MEN'S SHED - FACILITY DEVELOPMENT**

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<b>WARD:</b>	North-Central
<b>RESPONSIBLE DIRECTOR:</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER:</b>	77613, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Location Plan - Reserve 34330 Sail Terrace, Heathridge

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### **PURPOSE**

For Council to note the status of the proposal to develop a freestanding Joondalup Men's Shed facility next to the Heathridge Leisure Centre and to endorse investigation of other alternatives for the future provision of a Joondalup Men's Shed facility.

### **EXECUTIVE SUMMARY**

At its meeting held on 22 November 2011 (CJ215-11/11 refers), Council endorsed a portion of Reserve 34330, Lot 9541 (16) Sail Terrace, Heathridge as the preferred site for the construction of a free-standing building for the Joondalup Men's Shed facility.

The original proposal that was put to the City by the Joondalup Men's Shed Incorporated (JMS) in November 2010 indicated that if the City was able to provide the land, the JMS was confident that it could raise the funds required for the construction of the facility. At that stage, the costs to construct the facility were estimated to be in the vicinity of \$2 million and this was to accommodate a free-standing two-storey facility, next to the Heathridge Leisure Centre.

In the past year, since the Council agreed to provide the land for the facility, the JMS has pursued funding options, predominantly with Lotterywest. Unfortunately, indications are that securing funding of \$2 million for the facility is unlikely to be achievable in the short to medium term.

In December 2011, the JMS secured a three year lease, with two one-year options, with the Department of Education to continue to operate a Men's Shed at the former Padbury Senior High School site.

Given the challenges that the JMS is encountering with raising sufficient funding for the original proposal of a two-storey facility, and the fact that the JMS has a minimum of a three year lease for their current facility, it is recommended that extra time is taken to thoroughly investigate appropriate and viable alternatives for the future provision of a Joondalup Men's Shed facility.

## BACKGROUND

**Suburb/Location:** Reserve 34330, Lot 9541 (16) Sail Terrace, Heathridge.  
**Owner:** Crown land with a City of Joondalup Management Order for “Public Recreation/Child Health Centre”.  
**Zoning: DPS:** Parks and Recreation.  
**Site Area:** 3,159m<sup>2</sup> (not including oval).

On 16 November 2010, the JMS submitted a proposal to the City that identified seven possible sites for the development of a Joondalup Men’s Shed in the City of Joondalup.

The nominated sites were investigated by the City but were deemed unsuitable for the purposes of a Men’s Shed by Council at its meeting held on 15 March 2011 (CJ036-03/11 refers).

However, as Council acknowledged the need for a Men’s Shed in the City, it requested the identification of suitable City-owned and other sites that have the potential to be leased to the JMS. Three options were initially identified and the option considered most suitable was Reserve 34330, Lot 9541 (16) Sail Terrace, Heathridge (adjacent to the existing City of Joondalup Leisure Centre).

Consequently, at its meeting held on 22 November 2011 (CJ215-11/11 refers), Council resolved to:

- “1 *ENDORSE a portion of Reserve 34330 Lot 9541 (16) Sail Terrace, Heathridge as the preferred site for the construction of a building for the Joondalup Men’s Shed (JMS) facility;*
- 2 *REQUEST that the Chief Executive Officer develops an “Agreement to Lease” with the Joondalup Men’s Shed Incorporated for the use of a portion of Reserve 34330 Lot 9541 (16) Sail Terrace, Heathridge to enable the JMS to construct a Men’s Shed;*
- 3 *REQUEST that the Chief Executive Officer include in the “Agreement to Lease” a provision that allows the City to project manage the design, tender and construction of the Men’s Shed;*
- 4 *REQUEST that in the 2012/13 budget considerations, the provision of \$250,000 be listed to enable the City to project manage the design, tender and construction of the Men’s Shed;*
- 5 *REQUEST that the Chief Executive prepare a Lease Agreement between the City of Joondalup and the Joondalup Men’s Shed Incorporated for approval by Council, once construction of the facility is nearing completion; and*
- 6 *NOTE the City will inform the residents within 500 metres of the proposed site of the potential development of a Men’s Shed.”*

In the November 2011 report to Council, it was noted that the JMS was confident that it could raise the funds required to construct the facility. The costs were estimated at \$2 million to accommodate a free-standing, two-storey facility on a portion of Reserve 34330, next to the Heathridge Leisure Centre.

On 14 June 2012, JMS and City representatives met with Lotterywest for a preliminary discussion on potential funding options for the construction of a Joondalup Men’s Shed facility.

## DETAILS

Through the discussions with Lotterywest it became clear that, while Lotterywest had provided funding for other Men's Shed developments, including a regional facility in the City of Stirling and a multi-purpose facility incorporating a Men's Shed in the Town of Mosman Park, the amount of funding being sought for the Joondalup Men's Shed was unlikely to be provided solely by Lotterywest.

Subsequent discussions with JMS revealed that Lotterywest was the main funding source that had been identified by the JMS and that other options that had been considered were unlikely to provide the level of funding required to enable the construction of a \$2 million facility.

The representatives from Lotterywest were, however, interested in the current lease arrangements that JMS have with the Department of Education and queried whether JMS would be interested in applying for a small grant to assess the needs of the JMS and the feasibility of the Men's Shed remaining at the former Padbury Senior High School site.

While staying at the Padbury High School is an option that should be considered by the JMS, there could be alternative options for the development of the Men's Shed including, but not limited to, a scaled down facility that is more integrated with the Heathridge Leisure Centre.

The City is eager to assist JMS to find a permanent home for the Joondalup Men's Shed. If a \$2 million two-storey facility is not an option at this stage due to funding constraints, alternative options should be explored and the support of the Council is sought to do this.

### Issues and options considered:

The options that have been identified to date in relation to the provision of a Joondalup Men's Shed facility are:

**Option 1** is to provide further time for the JMS to source funding of approximately \$2 million to construct a free-standing two-storey facility on a portion of Reserve 34330 in Sail Terrace, Heathridge.

In the November 2011 report to Council, it was recommended that the City develops an Agreement to Lease with JMS that includes a condition that requires the JMS to be in a position to build a Men's Shed within three years of signing the Agreement.

The Agreement to Lease is yet to be signed by either the City or JMS. If the City were to sign the Agreement now, the JMS would still have three years to source the required funding to enable construction to begin. However, following discussions with Lotterywest and JMS, it appears unlikely that JMS will be in a position to secure \$2 million funding even within a three year timeframe. Council could, however, agree to extend this timeframe.

**Option 2** is to scale back the proposed Men's Shed facility development on the site already agreed by Council. Preliminary indications are that this could possibly be done by constructing a one-storey workshop facility on a portion of Reserve 34330, next to the Heathridge Leisure Centre as well as refurbishing two rooms within the existing Heathridge Leisure Centre and extending the current "kiln room" to the existing building line of the Leisure Centre to accommodate the remaining facilities such as kitchenette, lounge area, office and meeting room.



This option requires further research and investigation to determine the suitability and feasibility of a single storey workshop facility on this site. Issues that will need to be considered will include potential public safety and security issues created by having the workshop roof at the existing ground level, linkages and accessibility between the proposed workshop and the facilities located within the Heathridge Leisure Centre, assessment of impacts on existing users of the Heathridge Leisure Centre, suitability of having a “split” facility, access to the facility particularly for people with disabilities, costing and potential for funding.

**Option 3** is to consider an alternative site for the development of the Joondalup Men’s Shed.

**Option 4** is to work with JMS and the Department of Education to secure a longer term lease to enable the Joondalup Men’s Shed to continue operating from the former Padbury Senior High School site on a more permanent basis. Whilst the school site is not a purpose built facility that accommodates all of the JMS requirements, it does have the capacity to accommodate the majority of operations of a Men’s Shed and currently the JMS has use of the facility at no cost.

**Option 5** is to withdraw the offer of land to the JMS and encourage them to stay at their present location under their current lease arrangements. The disadvantage of this is that the Joondalup Men’s Shed may no longer have access to a suitable facility in the medium to long term and consequently may cease to provide a service to the community.

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

**Legislation:** Relevant building and environmental health permits. If a lease for City-managed land is approved, “power to lease” will need to be obtained from the Department of Regional Development and Lands.

### **Strategic Plan**

**Key Focus Area:** Community Wellbeing.

**Objective:** To ensure the City’s facilities and services are of a high quality and accessible to everyone and to facilitate healthy lifestyles within the community.

### **Policy:**

Council Policy – Community Development;  
Council Policy – Community Consultation and Engagement;  
City Policy – Community Facilities Built;  
City Policy – Sustainability;  
Positive Ageing Plan 2009-2012;  
Access and Inclusion Plan 2012-2014; and  
Master Planning Process.

### **Risk Management Considerations:**

The JMS’ capacity to raise funds for the construction of a new Men’s Shed facility is a significant financial risk to the project progressing. Further research of some of the options listed above is required to establish alternatives for the provision of a Men’s Shed facility that are within the financial capacity of the JMS.

There are likely risks as well as advantages and disadvantages associated with any of the options that have been outlined in this report. These risks, advantages and disadvantages will be more thoroughly explored as part of further research of the options, should Council endorse the recommendations of this report.

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

There is currently \$150,000 allocated in the City's 2012/13 Budget towards the design, tender and construction of a Men's Shed facility in Joondalup.

The proposal from the JMS includes a proposal for funding of the construction costs of a new Men's Shed by the JMS. The City does not have any funds allocated in the five year Capital Works Program for construction and/or refurbishment costs associated with the Joondalup Men's Shed.

The cost of a two-storey Men's Shed on a portion of Reserve 34330 Lot 9541 (16) Sail Terrace, Heathridge is estimated at \$2 million, based on a 750m<sup>2</sup> facility. Due to the need for retaining walls and a suspended concrete slab at the proposed site, development costs have been estimated at \$2,500 per square metre.

The financial implications of the alternate options highlighted above have not been costed. Further research will be needed to estimate the costs associated with these options.

A facility on City-owned or managed land will become a City asset and depending on the lease conditions, there could be financial implications for the City in relation to maintenance and outgoings. Notwithstanding this, any potential lease rental paid to the City will not cover the overall asset management costs for the life of the building. Expected annual recurrent costs for maintenance and utilities will be approximately \$58,000.

### **Regional Significance:**

The JMS has attracted members outside the City boundaries due to a limited number of Men's Sheds in the region.

### **Sustainability Implications:**

#### Environmental

Facility design, development and management practices will minimise environmental impacts. The JMS projects foster environmentally friendly community practices (for example restoring and recycling furniture).

#### Social

Men's Sheds build community capacity linking community group and agency members or clients to Sheds. The JMS currently has linkages to over 15 organisations within the community.

#### Economic

The development of a new Men's Shed in the City is dependent on the JMS being able to secure funding and therefore being in a financial position to construct such a facility.

New facilities require designated funds within the City's budget for the ongoing maintenance and upkeep to ensure best practice asset management processes are implemented.

**Consultation:**

The City will inform the residents within 500 metres of Reserve 34330 (16) Sail Terrace, Heathridge should the project to construct a Men's Shed on this site proceed.

The Mayor and City staff members have met on a number of occasions with JMS representatives to discuss the current status of the project and to consider some possible alternatives for the provision of a Men's Shed facility.

**COMMENT**

The likelihood of the JMS being in a financial position to construct a free-standing two-storey Men's Shed facility at a cost of approximately \$2 million on a portion of Reserve 34330 (16) Sail Terrace, Heathridge in the short to medium term is very limited at this point in time.

As this proposal was the basis upon which the recommendations of the November 2011 Council meeting (CJ215-11/11 refers) were adopted, it is considered appropriate to report the current status of the Joondalup Men's Shed project. Further, to outline to Council that if the location of a Men's Shed in Joondalup is still a desirable outcome for the City, then alternative options for facility provision should be explored.

The options outlined above require further research and investigation to enable an informed decision to be made on how best to proceed with the provision of a Men's Shed facility within the City. This research will consider aspects such as site selection, facility provision, user needs, accessibility, risk management, impacts on existing users, leasing arrangements, costs, funding options and sustainability.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Thomas, SECONDED Cr Taylor that Council:**

- 1 NOTES the current status of the proposed Joondalup Men's Shed facility and the issues with the financial capacity of the Joondalup Men's Shed Incorporated to fund the construction of the facility; and**
- 2 REQUESTS the Chief Executive Officer to undertake further research on Options 1 to 4 outlined in Report CJ202-10/12 and provide a further report to Council on the preferred option for the provision of a Men's Shed facility within the City of Joondalup.**

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

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

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf091012.pdf](#)*

**C73-10/12     COUNCIL DECISION – EN BLOC RESOLUTION - [02154] [08122]**

**MOVED** Cr Ritchie, **SECONDED** Cr Gobbert that Council that pursuant to the *Standing Orders Local Law 2005 – Clause 48 – Adoption of Recommendations En Bloc*, Council **ADOPTS** the following items:

**CJ198-10/12, CJ203-10/12, CJ204-10/12, CJ205-10/12, CJ207-10/12, CJ209-10/12, CJ211-10/12, CJ212-10/12 and CJ213-10/12.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**REPORTS - CAPITAL WORKS COMMITTEE****Disclosure of Financial Interest/Proximity Interest**

<b>Name/Position</b>	<b>Cr Teresa Ritchie.</b>
<b>Item No/Subject</b>	CJ214 -10/12 - 2013/14 Facility Refurbishment Projects.
<b>Nature of interest</b>	Proximity Interest.
<b>Extent of Interest</b>	Cr Ritchie resides close to Timberlane Park Clubrooms.

*Cr Ritchie left the Chamber at 8.13pm.*

**CJ214-10/12 2013/14 FACILITY REFURBISHMENT PROJECTS**

**WARD:** All

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

**FILE NUMBER:** 77575, 101515; 07100; 11809

**ATTACHMENTS:**

Attachment 1	City's endorsed Master Planning Process
Attachment 2	Aerial Map of Sorrento Soccer and Tennis Clubrooms
Attachment 3	Aerial Map of Heathridge Park Clubroom
Attachment 4	Aerial Map of Timberlane Park Clubrooms
Attachment 5	Aerial Map of Admiral Park Toilets/Changerooms

**PURPOSE**

For Council to consider the proposed buildings listed for refurbishment within the 2013/14 Capital Works Program.

**EXECUTIVE SUMMARY**

Each year the City undertakes one or two refurbishments (mini-makeovers) of community and sporting facilities. Within 2013/14 of the Five Year Capital Works Program there is currently \$180,143 proposed for the refurbishment of Sorrento Football (Soccer) Clubrooms and \$180,143 for the Sorrento Tennis Clubrooms. As these two buildings are located within Percy Doyle Reserve, it is recommended not to refurbish these buildings until the future of the site is determined through the Master Planning Project. In line with the Community Facility Review undertaken in 2011, the replacement buildings recommended for refurbishment in 2013/14 are Heathridge Park Clubroom and Timberlane Park Clubrooms.

*It is recommended that Council:*

- 1 **BY AN ABSOLUTE MAJORITY APPROVES** a change to the listed refurbishment projects to be undertaken in 2013/14 from Sorrento Football (Soccer) Clubrooms and Sorrento Tennis Clubrooms to Timberlane Park Clubrooms and one other site to be determined in November 2012; and

- 2 *REQUESTS a further report be submitted to the Capital Works Committee in November 2012 on the opportunity for upgrade of the Admiral Park facility to address requirements of sporting clubs utilising this facility.*

## **BACKGROUND**

Each year the City undertakes one or two refurbishments (mini-makeovers) of community and sporting facilities. The scope of the projects are confined to refurbishing particular aspects of the facility such as the following:

- Painting;
- Replacing fixtures and fittings;
- Upgrading external environments such as pathways, landscapes, playgrounds signage;
- Kitchen facilities;
- Floor coverings;
- Toilets and Changerooms (including refurbishment or new extensions to the facility);
- Storage facilities (extensions to the facility);
- Heating/cooling system; and
- Window treatments.

The construction of new buildings or major facility extension works/redesign of a facility is a redevelopment project and is considered outside the scope of a facility refurbishment project. These projects are normally addressed as a separate redevelopment project within the Capital Works Program.

Refurbishment projects are undertaken in line with the City's endorsed Master Planning Process (Attachment 1 refers). The first phase is the Consultation and Scope of Works stages - this phase involves consultation with the regular user groups of the facility to determine functionality and aesthetic issues that can be addressed through the facility refurbishment. Also taken into consideration as part of the refurbishment are community safety, environmental health and access and inclusion issues regarding the particular facility. This information is then developed into a Scope of Works document and concept plans. These documents are then used for the second phase of the project – Estimated Costs and Construction.

The priority order for the refurbishment of facilities is based on the facility condition audit undertaken by the City and the recent Community Facility Review. The purpose of the Community Facility Review project was to review the City's community facilities and make priority recommendations for refurbishment and redevelopment works for the future based on utilisation levels and user group feedback.

A report was submitted to the September 2012 Capital Works Committee meeting for consideration. The outcome of the meeting was that *the Report relating to the 2013/14 Refurbishment Project be REFERRED BACK to the administration to allow further consideration of potential alternative projects to replace the Sorrento Football Clubrooms and Sorrento Tennis Clubrooms projects in the 2013/14 year of the City's Five Year Capital Works Program.*

## DETAILS

Within 2013/14 of the Five Year Capital Works Program there is currently \$180,143 proposed for the refurbishment of Sorrento Football (Soccer) Clubrooms and \$180,143 for the Sorrento Tennis Clubrooms (Attachment 2 refers). As these two buildings are located within Percy Doyle Reserve, it was recommended as part of the Community Facility Review not to undertake facility refurbishment works on these buildings until the future of the site is determined through the Master Planning Project. Council considered the Percy Doyle Master Plan at the July 2012 meeting and endorsed the project to proceed to Stage 3 – Concept Design (CJ136-07/12 refers).

In line with the Community Facility Review undertaken in 2011, the replacement buildings recommended for refurbishment in 2013/14 are Heathridge Park Clubroom (Attachment 3 refers) and Timberlane Park Clubrooms (Attachment 4 refers).

The Heathridge Park Clubroom consists of a function room and kitchen/bar/storage area. The building was refurbished in 2009/10 with a funding contribution from the Federal Government as part of the Regional and Local Community Infrastructure Program (RLCIP). Works included a new kitchen/bar and storage area, painting, security screens and the external walls rendered/painted. However, as the budget for the project was pre-determined a number of issues with the facility could not be addressed at that time. One issue is the lack of toilet facilities within the clubroom - groups hiring the facility use the changerooms at the back of the Heathridge Leisure Centre. The other main issue at the facility is the lack of storage - no dedicated storage areas has resulted in the furniture and user group belongings being kept in the hall area therefore reducing the available space and affecting the aesthetics of the room. Both of these items have recently been identified as access issues as part of a recent facility Access Audit and they also impact on the usage of the facility with no regular annual hire groups currently located at the facility.

Therefore it is proposed that within this refurbishment, the construction of a toilet and storeroom extension is undertaken. Also the Ocean Ridge Amateur Football Club and Ocean Ridge Junior Football Club have made requests to the City over a number of years to cover the recently extended spectator area to provide a covered area for viewing the oval.

Timberlane Park Clubrooms consist of a function room, kitchen, storage, disabled toilet and the Kingsley Tennis Club has a function room, office, storage and kitchen area. The building was refurbished in 2007/08 with new kitchens, disabled toilet, floor coverings, painting and small extension to provide additional user group storage. Again, as the budget for the project was pre-determined a number of issues with the facility could not be addressed at that time.

One issue is the lack of changerooms within the facility - sporting groups using the oval do not have access to any at the park. Currently there is no senior sporting club located at the park due to the lack of changerooms. A changerooms extension is recommended as it is anticipated that senior sporting clubs can be located at the park once these facilities are provided.

The other main issue is the facility currently only has public toilets accessible from outside the facility that were constructed and fit-out as standard 'park toilets'. This facility is often used for functions and by large community groups with the main feedback received regarding the issue with the lack of available toilets inside the facility. As there is only one internally accessible toilet for hall users (disabled toilet), it is recommended that separate male and female public toilets that are accessible from inside the function room be constructed to improve the facility's functionality.

Another alternative for the refurbishment funds is to undertake works at Admiral Park (Attachment 5 refers). Admiral Park, Heathridge is currently utilised by the Ocean Ridge Junior Cricket Club and Whitford and Districts Senior Cricket Club in the summer and Joondalup and Districts Rugby League Club (Juniors and Seniors) in the winter. There is a small toilet/changeroom facility at the park that was built in 1989. Recently, the Joondalup and Districts Rugby League Club undertook an extension of the toilet/changerooms to create a covered, enclosed spectator area where they also have some storage facilities.

### **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.

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

#### **Policy:**

Not Applicable.

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

If the City does not amend the facilities for refurbishment in 2013/14 and continues with those buildings currently listed (Sorrento Soccer Clubrooms and Sorrento Tennis Clubrooms), there is a risk of expending capital funds on buildings that may be consolidated as part of the Percy Doyle Master Plan project.

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

Currently within 2013/14 year of the Five Year Capital Works Program there is \$180,143 proposed for the refurbishment of Sorrento Football (Soccer) Clubrooms and \$180,143 for the Sorrento Tennis Clubrooms. It is proposed to reallocate these funds in part to Timberlane Park Clubrooms and a second facility to be identified and considered by the Capital Works Committee in November 2012.

All figures quoted in this report are exclusive of GST.

#### **Regional Significance:**

Not Applicable.



**Sustainability Implications:****Environmental**

All facility refurbishment projects are planned to reduce the impact of the carbon footprint and consider environmental sustainability design features where possible.

**Social**

The project will include consultation with existing sporting clubs and community groups of the facility to ensure that feedback received represents the needs of the user groups. All facility refurbishment projects 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, which facility refurbishment projects align with, is the development of 'shared' and 'multipurpose' facilities to avoid duplication of facilities and reduce the ongoing maintenance and future capital expenditure requirements.

**Consultation:**

Once a decision is made on the facilities to undergo refurbishment in 2013/14 planning for the projects will commence with consultation with the regular hire groups to be undertaken in late 2012. The feedback received will be used to develop a Scope of Works document and concept plans. Following this, cost estimates are determined, budget allocations reviewed, works are tendered (if necessary) and the works are scheduled.

**COMMENT**

Given the status of the Percy Doyle Master Plan and future potential redevelopment works at the site, it is recommended not to refurbish the Sorrento Soccer and Tennis Clubrooms in 2013/14. The replacement buildings recommended for refurbishment in 2013/14 Timberlane Park Clubrooms and a second facility be identified and submitted to the Capital Works Committee in November 2012, following assessment of the requirements of the groups utilising Admiral Park, Heathridge.

**VOTING REQUIREMENTS**

Absolute Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Capital Works Committee at its meeting held on 2 October 2012.

The Committee recommendation is the same as recommended by City officers.

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

- 1 BY AN ABSOLUTE MAJORITY APPROVES a change to the listed refurbishment projects to be undertaken in 2013/14 from Sorrento Football (Soccer) Clubrooms and Sorrento Tennis Clubrooms to Timberlane Park Clubrooms and one other site to be determined in November 2012; and**
- 2 REQUESTS a further report be submitted to the Capital Works Committee in November 2012 on the opportunity for upgrade of the Admiral Park facility to address requirements of sporting clubs utilising this facility.**

**The Motion was Put and**

**CARRIED (11/0)**

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

*Cr Ritchie entered the Chamber at 8.15pm.*

*Appendix 16 refers*

*To access this attachment on electronic document, click here: [Attach16brf091012.pdf](#)*

## **CJ215-10/12      ENTRY STATEMENTS**

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<b>WARD:</b>	All
<b>RESPONSIBLE A/DIRECTOR:</b>	Mr Charlie Reynolds Infrastructure Services
<b>FILE NUMBER:</b>	102315, 55541, 102623, 101515
<b>ATTACHMENTS:</b>	Nil.

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### **PURPOSE**

For Council to consider the progress of the installation of entry statements for the northern and southern entrances to the City.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 31 March 2012, through state wide public notice, for the provision of City entry statements and associated landscaping works. The tender period was for two weeks and tenders closed on 18 April 2012 with quotes ranging from \$572,691 to \$885,987.

The tenders were evaluated and declined as all were over the allocated budget and the evaluation panel concluded that none of the tenders submitted provided value to the City, taking into account the budget for the project.

Following evaluation of the tenders the scope of works were revised and reduced to fit the budget. This included the City undertaking the paving and landscaping works and a change to the construction materials. A Quantity Surveyor was engaged by the City to provide an Opinion of Probable Cost of the revised scope of works which was \$477,000 and excluded the following:

- Excavation in rock or other poor ground conditions;
- Diversion of existing services;
- Escalation beyond September 2012;
- Professional fees;
- Contingency Allowances; and
- Landscaping and irrigation.

While the costs of some of these exclusions are unknown, a contingency allowance of \$24,000 and an estimated cost of landscaping and irrigation of \$25,000 increases the probable cost total to \$526,000; exceeding the remaining budget amount by \$196,000.

This represents a cost of \$263,000 per entry statement and is not considered value for money.

It is suggested that Council does not proceed with the project for the installation of entry statements at the northern and southern entrances to the City and reviews the concept design and project scope.

*It is therefore recommended that Council REQUESTS the Chief Executive Officer to review the concept design and project scope for two entry statements for the City of Joondalup on Marmion Avenue at the following locations:*

- 1 *North of Beach Road;*
- 2 *Adjacent to the northern boundary of Cranston Park,*

*and provide a further report for Council's consideration.*

## **BACKGROUND**

Entry statements have been considered by the City over many years and in 2007 the City appointed a Landscape Architect, UDLA, to design the entry statements. UDLA attended a number of Strategy Sessions and conducted workshops with Elected Members to assist with the development of the preferred design. Following the final session with Elected Members on 19 August 2008, UDLA prepared a report which provided detailed design drawings and documentation. Subsequently, at its meeting held on 17 February 2009, Council resolved to (CJ028-02/09 refers):

- “1 *ENDORSE the concept design for the Entry Statements for the City of Joondalup; and*
- 2 *LIST for consideration in the Draft budget 2009/2010 an amount of \$375,750 for Entry Statements.”*

An amount of \$375,750 was included in the City's 2009/10 Capital Works Program for the construction of three entry statements. A revised cost estimate was provided from UDLA and it was determined that insufficient funds were available for the construction of three entry statements as originally proposed. However, sufficient funds were available to construct two entry statements, with the total cost of construction estimated to be \$293,894.

At its meeting held on 16 February 2010, it was resolved (CJ026-02/10 refers):

*“That Council APPROVES the construction of two entry statements on Marmion Avenue at the following locations:*

- 1 *North of Beach Road; and*
- 2 *Adjacent to the northern boundary of Cranston Park.”*

The southern location is to the north of the intersection with Beach Road and Marmion Avenue, Duncraig and the northern location is approximately 250 metres north of the intersection with Kinross Drive and Burns Beach Road, Kinross.

The southern entry statement falls under Main Roads WA (MRWA) jurisdiction and therefore the City sought approval from MRWA for the construction. Unfortunately, approval was not granted based on the following criteria:

- Nothing to be installed within the median;
- No reflective signage on posts to be installed; and

- Minimum clear zone of six metres from the edge of the road. This essentially eliminated the possibility of any structure being placed anywhere in the road reserve.

Options for amending the design were discussed with UDLA and the design was revised to include wire rope crash barriers.

Following a risk assessment of the southern entry statement and extensive discussions with MRWA, approval was finally granted to construct the southern entry statement provided that it was protected by wire rope barrier with a two metre offset and a 1.5 metre deflection for the length of the barrier. UDLA revised the designs accordingly. The revised cost estimate for both entry statements was \$370,000.

## DETAILS

Delays in receiving MRWA approval for the southern entry statement led to the project being carried forward from 2011/12 to the 2012/13 Capital Works Program. The budget amount is \$340,000.

Tenders were advertised on 31 March 2012, through state wide public notice, for the provision of City entry statements and associated landscaping works. The tender period was for two weeks and tenders closed on 18 April 2012 with prices ranging from \$572,691 to \$885,987.

The tenders were evaluated and declined as all were over the allocated budget and the evaluation panel concluded that none of the tenders submitted provided value to the City, taking into account the budget for the project.

UDLA were requested to revise and reduce the scope of works to fit the budget to allow another tender to be recalled. The main changes to the scope included:

- Reconstituted limestone walls rather than natural limestone blocks;
- Aluminium Interpretive poles rather than mild steel; and
- Paving and soft landscaping removed (to be undertaken by the City).

A Quantity Surveyor provided an Opinion of Probable Cost (dated 14 September 2012) showing an estimated construction cost of \$477,000. This cost does not include:

- Excavation in rock or other poor ground conditions;
- Diversion of existing services;
- Escalation beyond September 2012;
- Professional fees;
- Contingency Allowances; and
- Landscaping and irrigation.

While the costs of some of these exclusions are unknown a contingency allowance of \$24,000 and an estimated cost of landscaping and irrigation of \$25,000 using contracted rates increases the probable cost total to \$526,000 exceeding the remaining budget amount by \$196,000.

This represents a cost of \$263,000 per entry statement and is not considered value for money.

**Issues and options considered:**

The following options are opened to the City:

- 1 The City can recall the tender with the reduced scope of works and re-consider the Entry Statement Project once the tenders are evaluated. It is however likely that following previous tender results and the costings received from the Quantity Surveyor that the tender results would be within 5% of the \$526,000 estimate which would exceed the budget.
- 2 Council can decide not to proceed with the Entry Statement Project.
- 3 Council can request that the Chief Executive Officer review the concept design and project scope for two entry statements for the City of Joondalup on Marmion Avenue at the following locations:
  - North of Beach Road;
  - Adjacent to the northern boundary of Cranston Park,
 and provide a further report for Council's consideration.

Option 3 is the preferred option as it allows the City to re-evaluate the project scope and propose a concept design considered to offer value for money.

**Legislation/Strategic Plan/Policy Implications**

**Legislation** Not Applicable.

**Strategic Plan**

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

**Objective:** 4.2 To progress a range of innovative and high quality urban development projects within the City.

**Policy**

Not Applicable.

**Risk Management Considerations:**

The entry statements have been designed in accordance with Australian Standards to minimise any risks associated with vehicle and pedestrian movement through the proposed entry statement.

**Financial/Budget Implications:**

<b>Account No:</b>	SSE2019
<b>Budget Item:</b>	Entry Statements
<b>Budget Amount (2012/13):</b>	\$ 340,000.00
<b>Amount Spent to Date (2012/13):</b>	\$ 808.32
<b>Amount Committed to Date (2012/13):</b>	\$ 9,210.00
<b>Balance:</b>	\$ 329,981.68

Additional expenditure from commencement of the project in June 2011 to 30 June 2012 is \$25,857.60 for consultancy works and ground service surveys. All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Elected Members have previously had extensive opportunity to provide input into the entry statements design through a number of workshops with the designer. The most recent being a Strategy Session held in June 2011.

**COMMENT**

The installation of entry statements at the northern and southern entrances to the City would provide visitors and residents with a clear, unique and distinctive entry sign that is reflective of the City's aspirations. Such entry statements serve to inform people of where they are entering and provide a memorable gateway into the City of Joondalup.

**VOTING REQUIREMENTS**

Simple Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Capital Works Committee at its meeting held on 2 October 2012.

The Committee recommendation is the same as recommended by City officers.

**MOVED Cr McLean, SECONDED Cr Gobbert that Council REQUESTS the Chief Executive Officer to review the concept design and project scope for two Entry Statements for the City Of Joondalup on Marmion Avenue at the following locations:**

- 1 North of Beach Road;**
- 2 Adjacent to the northern boundary of Cranston Park,**

**and provide a further report for Council's consideration.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**REPORTS – AUDIT COMMITTEE****CJ216-10/12      2011/12 ANNUAL FINANCIAL REPORT**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER:</b>	102503, 101515
<b>ATTACHMENTS:</b>	Attachment 1      City of Joondalup Annual Financial Report 2011/12

---

**PURPOSE**

For Council to consider the 2011/12 Annual Financial Statements and the auditor's report.

**EXECUTIVE SUMMARY**

In accordance with Section 6.4 of the *Local Government Act 1995*, the 2011/12 Annual Financial Report has been prepared and, together with the City's accounts, has been submitted to the City's auditors to conduct their annual audit.

The City's auditors have completed their audit, in accordance with the terms of their engagement and the requirements of Part 7 Division 3 of the *Local Government Act 1995*, and have submitted their audit report. A concise Financial Report (Financial Statements without supporting notes) will form part of the 2011/12 Annual Report.

The auditors' report and the Annual Financial Report for the 2011/12 financial year are presented to the Council for its consideration.

*It is recommended that Council BY AN ABSOLUTE MAJORITY ACCEPTS the Annual Financial Report of the City of Joondalup and the accompanying audit report for the financial year 2011/12 forming Attachment 1 to Report CJ216-10/12.*

**BACKGROUND**

Section 6.4 of the *Local Government Act 1995* requires local governments to prepare an annual financial report and to submit both the report and its accounts to its auditor by 30 September each year. The City has met those requirements and the City's auditors have completed their audit of the accounts and the Annual Financial Report for the financial year 2011/12.

As has been past practice, a Concise Financial Report has also been prepared for inclusion in the City's Annual Report. The Annual Financial Report for the financial year 2011/12 is included as Attachment 1 to this report.



## DETAILS

### Issues and options considered:

The preparation of an Annual Financial Report and the submission of the report and the City's accounts to the auditors for audit are statutory requirements of the *Local Government Act 1995*.

The Annual Financial Report needs to be accepted by Council in order to enable the holding of the Annual General Meeting of Electors, at which the City's Annual Report containing the Concise Financial Report will be considered. The Annual Financial Report is also required to be submitted to the Director General of the Department of Local Government.

### Outcome of the Audit

The audit has been completed with no issues of significance raised and the audit report is unqualified (Attachment 1 refers).

In terms of form and presentation, there are no changes to the Annual Financial Report of any consequence from the previous year. There have also been no significant changes to requirements under the Accounting Standards in terms of presentation or disclosure.

### End of Financial Year Position

The City has finished the Financial Year with a Rate Setting Statement surplus greater than estimated. An estimated 30 June 2012 end of year surplus of \$2,650,015 was used as the opening balance in the 2012/13 Budget. The final end of year Rate Setting Statement surplus for 2011/12 is \$3,648,445; \$998,429 greater than estimated.

The final surplus is \$745,996 less than the \$4,394,441 reported to Council at its September 2012 meeting in the Financial Activity Statement to 30 June 2012 (CJ189-09/12 refers) which was prepared prior to the completion of the audit. The difference has resulted from transferring the mid-year budget review estimated surplus to the Waste Management Reserve as resolved by Council (CJ019-02/12 refers); reversing an amount of \$210,166 transferred to the Ocean Reef Marina Reserve by error, which has been identified at a later stage of the annual audit and the associated adjustments to the Reserves' interest.

In summary terms the \$998,429 additional surplus is made up of:

<b>Description</b>	<b>Sub Total</b>	<b>Total</b>
Additional Operating Surplus	\$1,894,620	
Reduced Capital Revenue	(\$988,639)	
Reduced Capital Expenditure	\$2,973,420	\$3,879,403
Less Reduced Net Funding Requirements		(\$2,880,972)
<b>Net Variance</b>		<b>\$ 998,429</b>

There are a number of offsets between revenue, expenditure and funding requirements:

- Increased revenue and reduced expenditure for parking is offset by a larger net transfer to the Parking Facility Reserve of \$95,850 more than anticipated;
- Increased expenditure for refuse collection offset by reduced actual contribution to the Materials Recovery Facility is offset by a reduced transfer from the Waste Management Reserve of \$522,702;
- Decreased capital expenditure for works and plant the bulk of which represents carry forwards and is therefore offset by a larger than expected transfer to the Capital Works Carried Forward Reserve and Vehicle Plant and Equipment Reserves of \$2,024,924; and
- The unspent balance of the Specified Area Rates for Woodvale Waters of \$34,211 is offset by its transfer to the Specified Area Rating – Woodvale Reserve.

After allowing for these offsets the adjusted surplus is made up of:

Description	Sub Total	Total
Additional Operating Surplus	\$1,241,857	
Reduced Capital Revenue	(\$988,639)	
Reduced Capital Expenditure	\$948,496	\$1,201,714
Less Increased Funding Requirements		(\$ 203,285)
<b>Net Variance</b>		<b>\$ 998,429</b>

As can be seen with reduced capital revenue and reduced capital expenditure offsetting each other the main underlying reason for the net additional surplus of \$998,429 is largely related to operating revenue and expenditure. Additional revenues from Fees and Charges and Investment Earnings and under expenditure on Employee Costs are the principal contributors.

### Legislation/Strategic Plan/Policy Implications

**Legislation**                      *Local Government (Financial Management) Regulation 51(2) states:*

*“A copy of the annual financial report of a local government is to be submitted to the Departmental CEO within 30 days of the receipt by the local government’s CEO of the auditor’s report on that financial report.”*

Section 5.53 of the *Local Government Act 1995* states:

#### **5.53 Annual Reports**

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain:*
  - (f) *the financial report for the financial year;*

Section 5.54 of the *Local Government Act 1995* states:

**5.54. Acceptance of annual reports**

(1) *Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.*

*\* Absolute majority required.*

(2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

Section 6.4 of the *Local Government Act 1995* states:

**6.4 Financial report**

(1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*

(2) *The financial report is to —*

(a) *be prepared and presented in the manner and form prescribed; and*

(b) *contain the prescribed information.*

(3) *By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —*

(a) *the accounts of the local government, balanced up to the last day of the preceding financial year; and*

(b) *the annual financial report of the local government for the preceding financial year.*

**Strategic Plan**

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

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

**Policy:**

Not Applicable.

**Risk Management Considerations:**

Not Applicable.

**Financial/Budget Implications:**

<b>Account No:</b>	Opening Balance
<b>Budget Item:</b>	
<b>Budget Amount:</b>	\$ 2,650,015
<b>Actual</b>	\$ 3,648,444
<b>Proposed Cost:</b>	\$ 0
<b>Balance:</b>	\$ 998,429

All figures quoted in this report are exclusive of GST.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

There is no legislative requirement to consult on the preparation of the Annual Financial Report, but the *Local Government Act 1995* requires an Annual General Meeting of Electors to be held and the City's Annual Report, incorporating the concise Financial Report, to be made available publicly. The full Annual Financial Report will also be publicly available.

**COMMENT**

The Annual Financial Report will be made available on the City's public website. A minimal number of printed, bound colour copies will be available for viewing at libraries, leisure centres and customer service centres.

In order for the City to meet its legislative requirements, it is recommended that the Council accepts the Annual Financial Report for the financial year 2011/12.

**VOTING REQUIREMENTS**

Absolute Majority.

**COMMITTEE RECOMMENDATION**

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Audit Committee at its meeting held on 3 October 2012.

The Committee recommendation is the same as recommended by City officers:

**MOVED Cr McLean, SECONDED Cr Gobbert that Council BY AN ABSOLUTE MAJORITY ACCEPTS the Annual Financial Report of the City Of Joondalup and the accompanying audit Report for the financial year 2011/12, forming Attachment 1 to Report CJ216-10/12.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*Appendix 17 refers*

*To access this attachment on electronic document, click here: [Attach17brf091012.pdf](#)*

**REPORTS – OFFICE DEVELOPMENT COMMITTEE****CJ217-10/12 JOONDALUP CITY CENTRE COMMERCIAL OFFICE DEVELOPMENT**

<b>WARD:</b>	North
<b>RESPONSIBLE DIRECTOR:</b>	Mr Garry Hunt Office of the Chief Executive Officer
<b>FILE NUMBER:</b>	70512, 101515
<b>ATTACHMENTS:</b>	Attachment 1 Amended draft Request for Expression of Interest – Commercial/Office Development of City Owned Property Attachment 2 Amended draft Memorandum of Understanding – Commercial/Office Development of City Owned Property Attachment 3 Draft Process Model Attachment 4 Site Plan – Preferred Sites Attachment 5 Site Plan – Site Options

**PURPOSE**

For Council to endorse the amended draft Expression of Interest and draft Memorandum of Understanding documentation for the Joondalup City Centre Commercial Office Development and request the Chief Executive Officer to initiate the Expression of Interest process.

**EXECUTIVE SUMMARY**

At its meeting held on 18 September 2012, the Office Development Committee resolved that it:

- "1 NOTES the Joondalup City Centre Commercial Office Development Report including the draft Expression of Interest and Memorandum of Understanding documents;*
- 2 REQUESTS a further report be submitted to the Office Development Committee outlining the alterations to the Expression of Interest and Memorandum of Understanding documents detailed as Attachments 2 and 3 to this Report in alignment with discussions undertaken at the committee meeting held on 18 September 2012; and*
- 3 CONVENES the next Office Development Committee meeting to be held Monday, 8 October 2012 at 7.30am, in Conference Room 1."*

Pursuant to the above decisions the City, in collaboration with legal advisors Jackson McDonald, has reviewed and amended the Expression of Interest and Memorandum of Understanding documents in alignment with discussions undertaken at the Office Development Committee meeting held on 18 September 2012.

The amended documents are presented as Attachments 1 and 2 to this Report. The documents are presented in 'mark up' form to enable identification of the key amendments. It should be noted, however, that minor amendments and corrections to grammar are not 'marked up' in the attachments.

### **Additional potential site options**

A significant amendment to the Request for Expressions of Interest (REOI) documentation is the addition of Lot 507 (90) Boas Avenue, Joondalup as one of the preferred sites for a multi-storey, commercial/office development. This amendment enables respondents to consider developing Lot 496 (70) Davidson Terrace, Lot 507 (90) Boas Avenue or a combination of both sites (Attachment 4 refers).

In addition to the above, the option exists to include other City owned City Centre land parcels; specifically, Lot 505 (33) Collier Pass, Joondalup and Lot 6 Lawley Court, Joondalup in the Expression of Interest process to provide potential respondents with a variety of alternative locations (Attachment 5 refers).

*It is therefore recommended that Council:*

- 1 *CONFIRMS the inclusion of Lot 507 (90) Boas Avenue, Joondalup, in addition to Lot 496 (70) Davidson Terrace, Joondalup (or a combination of both), as the preferred sites for the Joondalup City Centre Commercial Office Development;*
- 2 *ENDORSES the amended Expression of Interest and Memorandum of Understanding documents forming Attachments 1 and 2 of this Report as amended; and*
- 3 *REQUESTS the Chief Executive Officer to initiate the Expression of Interest process outlined in the Report.*

### **BACKGROUND**

At the meeting held on 26 June 2012 Council resolved (CJ122-06/12 refers) *inter alia* that it:

- “1 *NOTES the unconfirmed minutes of the Strategic Financial Management Committee meeting held 14 May 2012;*
- 2 *In relation to the Report on Joondalup City Centre Commercial Office Development:*
  - 2.1 *NOTES the advice provided by Jackson McDonald on the five potential development structuring (delivery) models available to the City for progressing the Joondalup City Centre Commercial Office Development, including the advantages, disadvantages and implications for the City of each option;*
  - 2.2 *CONFIRMS that the preferred site for the Joondalup City Centre Commercial Office Development is Lot 496 (70) Davidson Terrace, Joondalup; and*
  - 2.3 *REQUESTS that the Chief Executive Officer initiate the preparation of documentation for an Expression of Interest inviting submissions for the development of Lot 496 (70) Davidson Terrace, Joondalup;*

3 *In relation to the Report on the Establishment of Joondalup City Centre Commercial Office Development Committee, BY AN ABSOLUTE MAJORITY:*

3.1 *ESTABLISHED an Office Development Committee.”*

At the Office Development Committee meeting held on 18 September 2012 the draft REOI and draft Memorandum of Understanding (MOU) documents were presented to the Office Development Committee for comment and consideration. The documents outlined the process by which the City proposed to develop Lot 496 (70) Davidson Terrace and included the preferred development structuring (delivery) model.

## **DETAILS**

At the meeting held on 18 September 2012, the Office Development Committee determined that certain amendments were required to the REOI and MOU documents prior to consideration by Council.

The City, in collaboration with legal advisors Jackson McDonald, reviewed and amended the REOI and MOU documents in alignment with the discussions of the Office Development Committee meeting held on 18 September 2012 (Attachments 1 and 2 refer). The following additions/changes have been made:

### **Request for Expression of Interest**

- The site options are now Lot 496 (70) Davidson Terrace, Lot 507 (90) Boas Avenue, Joondalup or a combination of both. The title of the document has been amended to reflect this change.
- The overall development is referred to as a ‘multi-storey, commercial/office development’.
- The developed site is now referred to as the ‘Property’ which is defined as ‘the Site together with the alterations, additions and improvements on the Site’.
- The project details now include a statement of the City’s vision for a ‘state of the art building, iconic in appearance .....’.
- Reference to Green Star or NABERS rating is in terms of ‘aspirational 5 Star’. Advice received from the Building Management and Works division (Department of Finance) indicates that, at present, there is no specific ‘rating’ requirement for State Government office accommodation within the Government Office Accommodation Master Plan (released August 2012). The expectation for State Government office accommodation is the achievement of highest possible Green Star and NABERS rating.
- The criteria for the design of the building have been amended in alignment with the Committee’s discussions.
- The criteria used to assess respondent’s proposals and the indicative timetable has been amended to provide greater clarity.



- The project specifications have been modified to better reflect the City's aspirations for the building design.
- Amendments have been made to the Preferred Project Model to provide respondents' with a clearer understanding of the proposed model.
- Amendments have also been made to provide a greater consistency of language within the REOI document itself and between the REOI and the MOU.

### **Memorandum of Understanding**

- The title of the document has been amended to reflect the changes to the potential site options.
- The Defined Terms have been amended to provide greater clarity and consistency of terms both within the MOU itself and between the MOU and REOI.
- Additional detail has been provided in the following sections:
  - Section 6 Heads of Agreement;
  - Section 7 Business Plan Process;
  - Section 8 Contract Documents;
  - Section 13.6 Entire Agreement;
  - Section 13.8 No assignment or change of Control;
  - Section 13.11 Costs; and
  - Section 13.12 Liability

The amended documents are presented as Attachments 1 and 2 to this Report and are in 'mark up' form to enable identification of the significant changes. It should be noted that minor amendments and corrections to grammar are not 'marked up'.

### **Process Model**

The process model, previously presented to the Office Development Committee at the meeting held on 18 September 2012, outlines the process contemplated under the REOI and MOU documents (Attachment 3 refers). In summary, the model is:

- Initiate Expression of Interest process;
- Complete due diligence on respondents' proposals;
- Execute Memorandum of Understanding with proposed respondent;
- Source potential anchor tenant for the office accommodation component of the development;
- Develop and agree to final Heads of Agreement outlining the key commercial terms. The Heads of Agreement is to be executed following completion of the Business Plan process;
- Negotiate, agree and execute the final form of the Contract Documents.

### **Additional potential site options**

In addition to Lot 507 (90) Boas Avenue, Joondalup and Lot 496 (70) Davidson Terrace, Joondalup, the City owns other land parcels within the City Centre that could potentially accommodate a multi-storey commercial/office development. These sites were previously assessed against the criteria required for the State Government Expression of Interest for

the Provision of Leased Office Accommodation in Metropolitan Activity Centres (CJ162-09/10 refers).

The potential sites were reassessed against the project objectives pertinent to the REOI process and the following was determined:

- |   |                                  |               |
|---|----------------------------------|---------------|
| • | <b>Lot 505 (33) Collier Pass</b> | <b>OPTION</b> |
| • | <b>Lot 6 Lawley Court</b>        | <b>OPTION</b> |
| • | Lot 496 (104) McLarty Avenue     | NOT SUITABLE  |
| • | Lot 535 (93) Boas Avenue         | NOT SUITABLE  |
| • | Lot 522 (9) Davidson Terrace     | NOT SUITABLE  |

The option exists to include Lot 505 (33) Collier Pass and Lot 6 Lawley Court in the Expression of Interest process to provide potential respondents with a variety of alternative locations (Attachment 5 refers). Through the assessment process undertaken by Syme Marmion in 2010 (in response to the State Government Expression of Interest for the Provision of Leased Office Accommodation in Metropolitan Activity Centres), these sites ranked favourably in terms of development potential.

The City's preferred location(s) for the multi-storey, commercial/office development is either Lot 496 (70) Davidson Terrace, Joondalup or Lot 507 (90) Boas Avenue, Joondalup or a combination of both. However, the addition of the above as possible sites enables the City to critically consider proposals that may not necessarily have been submitted if the REOI was limited to the preferred sites.

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

The Expression of Interest process allows the City to determine the interest of the market in developing a multi-storey commercial office development on Lot 496 (70) Davidson Terrace, Joondalup or Lot 507 (90) Boas Avenue, Joondalup or a combination of both.

The process, including the establishment of a Memorandum of Understanding, assumes that a potential proponent will be identified and that the process will be completed. However, should the process not be successful, alternative strategies for progressing the development will need to be identified.

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

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

#### **Strategic Plan**

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

**Objective:**                      3.1      To encourage the development of the Joondalup CBD.  
     3.2      To increase employment opportunities within the City.

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

**Objective:**                      4.2      To progress a range of innovative and high quality urban development projects within the City.  
     4.2.3    Facilitate the development of landmark buildings within the City Centre.

**Policy**

The City Centre Commercial Office Development will be delivered in accordance with the City's policies and procedures.

**Risk Management Considerations:**

A detailed Risk Management Assessment report outlining the risks apparent to the project will be prepared and updated as the project progresses.

**Financial/Budget Implications:**

The 2012/13 approved Budget includes an amount of \$141,187 for the undertaking of the Expression of Interest process and other tasks associated with progression of the project.

**Regional Significance:**

A Joondalup City Centre Commercial Office Development will be a symbol of Joondalup as a City in its own right. It will enhance the vitality and vibrancy of the City Centre by increasing the number of people attracted to it for work, retail and commercial purposes. The development would also provide the impetus for the City to grow and become the preferred location for investment in high order public and employment generating infrastructure – key performance indicators identified by the State Government for the classification of a 'Primary Centre'.

**Sustainability Implications:**

It is proposed that any City Centre Commercial Office Development will adopt the current trends that focus on the development of 'high performance buildings' that have a longer life span, lower maintenance requirements and are energy and resource efficient.

**Consultation:**

Legal firm Jackson McDonald was engaged to assist with the preparation of the REOI and MOU documents and was consulted on the amendments to the documents as discussed by the Office Development Committee.

**COMMENT**

The amendments made to the REOI and MOU documents are consistent with the Office Development Committee's discussions at the meeting held on 18 September 2012. In considering the inclusion of any additions or changes to the documents, the implications to the consistency and legality of the documents were taken into account.

**VOTING REQUIREMENTS**

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to the Council for this report (as detailed below) was resolved by the Office Development Committee at its meeting held on 8 October 2012.

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

*That:*

- 1 *The Office Development Committee:*

  - 1.1 *NOTES the Joondalup City Centre Commercial Office Development report including the amended draft Expression of Interest and Memorandum of Understanding documents;*
  - 1.2 *NOTES that the amendments made to the draft Expression of Interest and Memorandum of Understanding documents are in line with Committee discussions undertaken at the meeting held on 18 September 2012;*

- 2 *Council:*

  - 2.1 *CONFIRMS the inclusion of Lot 507 (90) Boas Avenue, Joondalup, in addition to Lot 496 (70) Davidson Terrace, Joondalup (or a combination of both), as the preferred sites for the Joondalup City Centre Commercial Office Development;*
  - 2.2 *ENDORSES the amended Expression of Interest and Memorandum of Understanding documents forming Attachments 1 and 2 of this Report; and*
  - 2.3 *REQUESTS the Chief Executive Officer to initiate the Expression of Interest process outlined in the Report.*

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

*That Council:*

- 1 *CONFIRMS the inclusion of Lot 507 (90) Boas Avenue, Joondalup, in addition to Lot 496 (70) Davidson Terrace, Joondalup (or a combination of both), as the preferred sites for the Joondalup City Centre Commercial Office Development;*
- 2 *ENDORSES the amended Expression of Interest and Memorandum of Understanding documents forming Attachments 1 and 2 of this Report as amended; and*
- 3 *REQUESTS the Chief Executive Officer to initiate the Expression of Interest process outlined in the Report.*

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

- 1 CONFIRMS the inclusion of Lot 507 (90) Boas Avenue, Joondalup, in addition to Lot 496 (70) Davidson Terrace, Joondalup (or a combination of both), as the preferred sites for the Joondalup City Centre Commercial Office Development;**
- 2 ENDORSES the amended Expression of Interest and Memorandum of Understanding documents forming Attachments 1 and 2 of Report CJ217-10/12 as amended; and**
- 3 REQUESTS the Chief Executive Officer to initiate the Expression of Interest process outlined in the Report.**

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

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

*Appendix 20 refers*

*To access this attachment on electronic document, click here: [Attach20min231012.pdf](#)*

**REPORTS – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE****Disclosure of Financial Interest**

<b>Name/Position</b>	<b>Mr Garry Hunt - Chief Executive Officer.</b>
<b>Item No/Subject</b>	CJ218-10/12 – Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of interest</b>	Financial.
<b>Extent of Interest</b>	Mr Hunt holds the position of CEO.  Mr Hunt was not in attendance at this meeting.

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Mike Tidy - Director Corporate Services.</b>
<b>Item No/Subject</b>	CJ218-10/12 – Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of his employment relationship with the CEO.

**CJ218-10/12      CONFIDENTIAL - CHIEF EXECUTIVE OFFICER  
CONCLUDED ANNUAL PERFORMANCE REVIEW****WARD:** All**RESPONSIBLE  
DIRECTOR:** Mr Mike Tidy  
Corporate Services**FILE NUMBER:** 74574, 101515**ATTACHMENTS:** Attachment 1      Chief Executive Officer Confidential Concluded  
Annual Performance Review Report*(Please Note:      The Report and Attachment is confidential and will  
appear in the official Minute Book only)*


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This Item was dealt with later in the meeting following Item C220-10/12 Opportunity for Upgrade of Community Facilities - Whitford Activity Centre: Project Philosophy and Parameters – Page 143 refers.

**Disclosure of Financial Interest**

<b>Name/Position</b>	<b>Mr Garry Hunt - Chief Executive Officer.</b>
<b>Item No/Subject</b>	CJ219-10/12 – Confidential - Annual Salary Review - Chief Executive Officer.
<b>Nature of interest</b>	Financial.
<b>Extent of Interest</b>	Mr Hunt holds the position of CEO.  Mr Hunt was not in attendance at this meeting.

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Mike Tidy - Director Corporate Services.</b>
<b>Item No/Subject</b>	CJ219-10/12 – Confidential - Annual Salary Review - Chief Executive Officer.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of his employment relationship with the CEO.

**CJ219-10/12      CONFIDENTIAL - ANNUAL SALARY REVIEW - CHIEF EXECUTIVE OFFICER**

**WARD:** All

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

**FILE NUMBER:** 74574, 101515

**ATTACHMENTS:** Nil.

*(Please Note: The Report is confidential and will appear in the official Minute Book only)*

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This Item was dealt with later in the meeting prior to Item C75-10/12 - Motion to go to Open Doors – Page 145 refers.

**REPORT OF THE CHIEF EXECUTIVE OFFICER****CJ220-10/12 OPPORTUNITY FOR UPGRADE OF COMMUNITY FACILITIES - WHITFORD ACTIVITY CENTRE: PROJECT PHILOSOPHY AND PARAMETERS**

**WARD:** South West

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

**FILE NUMBER:** 50260, 59011, 101515

**ATTACHMENTS:** Attachment 1 Details of Council Decisions: 2002 to 2004

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**PURPOSE**

For Council to affirm the philosophies and parameters on which the Opportunity for Upgrade of Community Facilities – Whitford Activity Centre project will be based to assist in clarifying and confirming its future direction.

**EXECUTIVE SUMMARY**

In view of the intention to redevelop the Whitford City Shopping Centre, it is beneficial for the City to consider the opportunities for the upgrade of community facilities and services within the Whitford Activity Centre, including, but not limited to, the library service, senior citizens centre and customer service centre.

In the first instance and prior to the commencement of investigations, it is appropriate that Council considers and adopts the philosophy and parameters that will underpin the provision of community facilities within the Whitford Activity Centre. This includes consideration of governance, land use and built form, fiscal responsibility and commerciality, sustainability and liaison issues.

*It is recommended that Council ENDORSES the Opportunity for Upgrade of Community Facilities - Whitford Activity Centre: Project Philosophy and Parameters.*

**BACKGROUND**

**Suburb/Location:** Lot 503 (15) Banks Avenue, Hillarys  
**Owner:** City of Joondalup  
**Zoning:** **DPS:** Civic and Cultural  
**MRS:** Urban  
**Site Area:** 8001.36m<sup>2</sup>

Between 2002 and 2004, the opportunity arose for the City to consider re-location of the Whitford Library and Senior Citizens Centre into an expansion of the Whitford City Shopping Centre. A copy of the Council decisions and outcomes from a Special Electors Meeting during this period is included as Attachment 1.



Given concerns raised by the Whitford Seniors Club, the outcome at that time was that the library and senior citizens centre would remain at their current location. A new City Customer Service Centre did however commence operation within the Whitford Shopping Centre in July 2002.

In April 2002, the City wrote to the Whitford Seniors Club advising:

*“The Council was invited to consider the prospect of relocating the library and Seniors Citizens Centre at Whitfords. These discussions were in their very early stages and the issues raised by the Seniors Club and others would have needed to be addressed in full if the proposal was to have received support from the Council. A decision has since been made by the Council that the Senior Citizens Centre will not be relocated. Please note that there is also no intention to restrict the services provided at the Centre”.*

This matter has not been considered by Council in the intervening years. However, given the intention to redevelop the Whitford Shopping Centre, it is beneficial for the City to consider the opportunities for the upgrade of community facilities and services within the Whitford Activity Centre, including, but not limited to, the library service, senior citizens centre and customer service centre.

## **DETAILS**

The purpose of the philosophy and parameters is to articulate, for historical purposes, the intent of Council with respect to the objectives and outcomes of the Opportunity for Upgrade of Community Facilities – Whitford Activity Centre project.

### **1 Philosophy / Project Vision:**

The City provides a library service and a facility for the operations of a senior citizens centre at 15 Banks Avenue, Hillarys as well as its customer service centre located within the Westfield Whitford City Shopping Centre. The opportunity exists for the City to undertake a review of these activities in light of the current redevelopment project of the shopping centre.

The City considers the provision of community facilities and services as a vital component of the community fabric of Joondalup. Such facilities contribute to the sustainability of the local community through the provision of opportunities for all members of the community to participate in cultural and leisure activities. The City has a continuing role in the provision of such services and facilities for the community in the Whitford Activity Centre.

The project will identify, investigate and make recommendations regarding the opportunities for the provision and enhancement of facilities and services currently provided by the Senior Citizens Centre, Whitford Library and the Whitford Customer Service Centre.

A review of the existing facilities and services provided at 15 Banks Avenue, Hillarys enables the City to consider the continued role of the facility and to ensure that the services and facilities provided are of the highest quality and reflect the needs of the community now and into the future.

## **2 Key Parameters:**

### **Governance**

The City acknowledges that the project is to undertake a review of the opportunities available for the provision of services and activities currently provided at 15 Banks Avenue, Hillarys and the Whitford Customer Service Centre. Any key initiatives or redevelopment proposals will only be instigated following consideration of the options by Council.

Any commercial negotiation for the development or redevelopment of the City's existing facilities with the owner of Lot 501 (470) Whitfords Avenue, Hillarys will be undertaken with the highest levels of probity, in accordance with the City's governance procedures and at all times in the City's best interests.

Any development or improvement proposal should incorporate high ethical standards; probity, legal and legislative compliance and transparency are of vital importance. To ensure these objectives are achieved the City will undertake:

- The implementation of sound probity to ensure transparency of process and decision making;
- Internal audit review and monitoring;
- Comprehensive financial analyses;
- Extensive Risk Management assessment and monitoring; and
- Legal and statutory compliance.

### **Land Use and Built Form**

The City recognises that any development or improvement proposal should optimise land use and built form in order to enhance the amenity available to residents and users of the facilities. To ensure maximum usage for a wide variety of activities and services, facilities provided should be highly adaptable and incorporate the latest relevant design principles.

The location of facilities and services is a critical factor underpinning their success. Consideration of the incorporation of facilities and services into the proposed Whitford Activity Centre Structure Plan or subsequent detailed area plans and/or development applications will be an important component of the review. The project will investigate all options in terms of location criteria, access, site capability, car parking, complementary services and amenity, and aspect.

The design and provision of facilities and services will align with the City's *Positive Ageing Plan 2009 – 2012* including but not limited to:

- Recognition of the diversity of needs, interests and backgrounds; and
- The design of facilities to be universally accessible to all people including those over the age of 50 and people with disabilities.

It is also recognised that the implementation of the City's access and inclusion strategies is an important factor underpinning the design of any new development or redevelopment of existing facilities.

The facilities should enable the City to provide services, including library services, that are dynamic, innovative, efficient and resource rich. They should provide equitable access to a diverse range of information and learning opportunities that appeal to all categories of citizens.

### **Environmental Considerations**

The City is committed to the utilisation of up-to-date best practice contemporary architectural and construction techniques and innovative environmentally sustainable design principles which provide the opportunity to show leadership in sustainable developments including:

- Energy reduction, efficiency and supply;
- Design efficiency to reduce water consumption and utilising alternative sources (for example rainwater); and
- Environmental impact.

The City will ensure that any proposed development or redevelopment complies with Council's Environmentally Sustainable Design for City Buildings Policy.

### **Fiscal Responsibility and Commerciality**

As the owner of 15 Banks Avenue, Hillarys the City acknowledges its responsibility to investigate all options to maximise the value of the land both in terms of potential commercial return for sale or lease or the optimisation of existing infrastructure.

The investigation of potential options will include:

- Retention of current site and facilities;
- Exchange of land and premises within the Whitford Activity Centre Site;
- Leasing of alternative premises within the Whitford Activity Centre Site;
- Disposal of the asset and replacement of facilities elsewhere; and
- Other potential opportunities.

The City also acknowledges its responsibility for the financial cost of providing community facilities and services for its residents. Any development or redevelopment of existing facilities requires independent financial feasibility studies, cash flow projections and/or the establishment of commercial venture models.

### **Sustainability Considerations**

In considering the available opportunities for the community services and facilities of the Whitford Activity Centre, the options proposed will employ design principles that will provide for longevity, diversity, accessibility and inclusiveness.

Centres providing community facilities and services should provide a program of community-based events and activities that encourage social interaction between all members of the community. The facilities provided should encourage participation, anticipate the needs of community, be adaptable to community preferences in terms of access to services, and support local organisations and community groups in their service delivery.

### **Liaison Protocol**

Of key importance to the project is the identification of, and liaison with, community and City stakeholders. Consultation will be undertaken in accordance with Council's Community Consultation and Engagement Policy.

Any liaison regarding the development or redevelopment of the City's existing facilities with the owner of Lot 501 (470) Whitfords Avenue, Hillarys will be undertaken with the highest

levels of probity, in accordance with the City's governance procedures and at all times in the City's best interests.

Identification and consideration of the needs and opinions of key stakeholders will also be necessary to ensure the centre, and the facilities and services provided, reflect the needs of the community now and into the future.

### **3 Summary**

It is viewed appropriate and necessary that Council considers and affirms the philosophy for the provision of community facilities within the Whitford Activity Centre and endorses the key parameters for the project as outlined above, and summarised below:

#### **Philosophy / Project Vision**

- The provision of community facilities and services is a vital component of the fabric of the City of Joondalup community;
- The City recognises its continued role in the provision of facilities and services for the community in the Whitford Activity Centre;
- The investigation of and recommendations for the provision and enhancement of facilities and services currently provided by the Senior Citizens Centre, Whitford Library and the Whitford Customer Service Centre;
- The outcome of the above enables the City to consider the continued role of these community services and to ensure that the services and facilities provided are of the highest quality and reflect the needs of the community now and into the future.

#### **Key Parameters**

##### *Governance*

- Key initiatives or redevelopment proposals will only be instigated following consideration of the options by Council;
- Commercial negotiation to be in accordance with the City's governance processes;
- Incorporation of high ethical standards;
- Probity, legal and legislative compliance; and
- Consistency with existing Council strategies and plans.

##### *Land Use and Built Form*

- Optimisation of land use and built form to enhance the amenity available to residents and users;
- Maximise usage for a wide variety of activities and services;
- Highly adaptable, incorporating latest design principles;
- Aligned with the City's *Positive Ageing Plan 2009 – 2012* and *Access and Inclusion Plan 2012 - 2014*;
- Provide equitable access to all residents and users.

##### *Fiscal Responsibility and Commerciality*

- Maximise the value of the land both in terms of potential commercial return for sale or lease or the optimisation of existing infrastructure; and
- Due diligence and financial/cost benefit analysis.

### *Sustainability Considerations*

- Proposed options to employ design principles that will provide for longevity, diversity, accessibility and inclusiveness;
- Facilities provided should encourage participation, anticipate the needs of the community, be adaptable to community preferences, and support local organisations and community groups in their service delivery.

### *Liaison Protocol*

- Identification of, and liaison with, key stakeholders;
- Liaison to be undertaken in accordance with the City's governance procedures; and Community consultation in accordance with Council's Community Consultation and Engagement Policy.

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

The philosophy and parameters are intended to provide a high-level strategic overview of the Opportunity for the Upgrade of Community Facilities – Whitford Activity Centre project.

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

**Legislation**                      *Local Government Act 1995*  
*Local Government (Functions and General) Regulations 1996*

### **Strategic Plan**

**Key Focus Area:**      Community Wellbeing.

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

**Policy:**                              Access and Inclusion Plan 2012 - 2014  
Positive Ageing Plan 2009 - 2012  
Community Consultation and Engagement Policy  
Environmentally Sustainable Design for City Buildings Policy

### **Risk Management Considerations:**

The City will undertake extensive risk management assessment and monitoring as part of the key parameters for the project.

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

In the 2012/13 budget the following allocations have been made for the Whitford Library and Whitford Senior Citizens Centre:

<b>Facility</b>	<b>Item</b>	<b>Allocation</b>
Library	Maintenance	\$54,364
Library	Replace Carpet	\$40,000
Senior Citizens Centre	Maintenance	\$51,755
Senior Citizens Centre	Replace Carpet	\$20,000

In the City's 20-Year Strategic Financial Plan there is an allocation of \$7 million in 2020/21 and \$7 million in 2021/22 for a new library building in Whitford.

It is expected that, subject to adoption of the project philosophy and parameters, the investigation work will be absorbed into current operational expenditure.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

The sustainability considerations are outlined above.

**Consultation:**

All community consultation will be in accordance with the City's Community Consultation and Engagement Policy.

**COMMENT**

The philosophy and parameters for the Opportunity for Upgrade of Community Facilities – Whitford Activity Centre project have been developed for Council's endorsement.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Norman, SECONDED Cr Hamilton-Prime that Council ENDORSES the Opportunity for Upgrade of Community Facilities – Whitford Activity Centre Philosophy and Parameters in order to articulate for the record and for historical purposes the intent and purpose of the City in progressing the project:**

**1 Philosophy / Project Vision**

- 1.1 The provision of community facilities and services is a vital component of the fabric of the City of Joondalup community;**
- 1.2 The City recognises its continued role in the provision of facilities and services for the community in the Whitford Activity Centre;**
- 1.3 The investigation of and recommendations for the provision and enhancement of facilities and services currently provided by the Senior Citizens Centre, Whitford Library and the Whitford Customer Service Centre;**
- 1.4 The outcome of the above enables the City to consider the continued role of these community services and to ensure that the services and facilities provided are of the highest quality and reflect the needs of the community now and into the future;**

**2 Key Parameters**

**2.1 Governance**

- 2.1.1 Key initiatives or redevelopment proposals will only be instigated following consideration of the options by Council;**
- 2.1.2 Commercial negotiation to be in accordance with the City's governance processes;**
- 2.1.3 Incorporation of high ethical standards;**
- 2.1.4 Probity, legal and legislative compliance;**
- 2.1.5 Consistency with existing Council strategies and plans.**

**2.2 Land Use and Built Form**

- 2.2.1 Optimisation of land use and built form to enhance the amenity available to residents;**
- 2.2.2 Maximise usage for a wide variety of activities and services;**
- 2.2.3 Highly adaptable, incorporating latest design principles;**
- 2.2.4 Aligned with the City's Positive Ageing Plan 2009 – 2012 and Access and Inclusion Plan 2012 - 2014;**
- 2.2.5 Provide equitable access to all residents.**

- 2.3 Fiscal Responsibility and Commerciality**
- 2.3.1 Maximise the value of the land both in terms of potential commercial return for sale or lease or the optimisation of existing infrastructure;**
  - 2.3.2 Due diligence and financial/cost benefit analysis.**
- 2.4 Sustainability Considerations**
- 2.4.1 Proposed options to employ design principles that will provide for longevity, diversity, accessibility and inclusiveness;**
  - 2.4.2 Facilities provided should encourage participation, anticipate the needs of the community, be adaptable to community preferences, and support local organisations and community groups in their service delivery;**
- 2.5 Liaison Protocol**
- 2.5.1 Identification of, and liaison with, key stakeholders;**
  - 2.5.2 Liaison to be undertaken in accordance with the City's governance procedures;**
  - 2.5.3 Community consultation in accordance with Council's Community Consultation and Engagement Policy.**

**The Motion was Put and**

**CARRIED (11/1)**

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

**Against the Motion:** Cr Corr.

*Appendix 18 refers*

To access this attachment on electronic document, click here: [Attach18agn231012.pdf](#)



**C74-10/12      MOTION TO GO BEHIND CLOSED DOORS – [02154, 08122]**

**MOVED** Cr Amphlett, **SECONDED** Cr Hamilton-Prime that Council:

- 1** in accordance with Sections 5.23(2)(a) 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** CJ218-10/12 – Chief Executive Officer Concluded Annual Performance Review; and
  - 1.2** CJ219-10/12 – Annual Salary Review - Chief Executive Officer.
  
- 2** **PERMITS** the following employees to remain in the Chamber during discussion on Item CJ218-10/12 and CJ219-10/12 while the meeting is sitting behind closed doors as detailed in part 1 above:
  - **Director Corporate Services, Mr Mike Tidy;**
  - **Director Governance and Strategy, Mr Jamie Parry;**
  - **Director Planning and Community Development, Ms Dale Page;**
  - **Acting Director Infrastructure Services, Mr Charlie Reynolds;**
  - **Manager Governance and Marketing, Mr Brad Sillence;**
  - **Governance Coordinator, Mr John Byrne;**
  - **Governance Officer, Mrs Lesley Taylor; and**
  - **Governance Officer, Mrs Rose Garlick.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*Members of the staff (with the exception of the Director Corporate Services, Director Governance and Strategy, Director Planning and Community Development, Acting Director Infrastructure Services, Manager Governance and Marketing, Governance Coordinator and two Governance Officers) and members of the public and press left the Chambers at this point; the time being 8.32pm.*

**Disclosure of Financial Interest**

<b>Name/Position</b>	<b>Mr Garry Hunt - Chief Executive Officer.</b>
<b>Item No/Subject</b>	CJ218-10/12 – Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of interest</b>	Financial.
<b>Extent of Interest</b>	Mr Hunt holds the position of CEO.  Mr Hunt was not in attendance at this meeting.

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Mike Tidy - Director Corporate Services.</b>
<b>Item No/Subject</b>	CJ218-10/12 – Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of his employment relationship with the CEO.

## CJ218-10/12      CONFIDENTIAL - CHIEF EXECUTIVE OFFICER CONCLUDED ANNUAL PERFORMANCE REVIEW

<b>WARD:</b>	All	
<b>RESPONSIBLE DIRECTOR:</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER:</b>	74574, 101515	
<b>ATTACHMENTS:</b>	Attachment 1	Chief Executive Officer Confidential Concluded Annual Performance Review Report
	<i>(Please Note:</i>	<i>The Report and Attachment is confidential and will appear in the official Minute Book only)</i>

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This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

*a matter affecting an employee.*

A full report is provided to Elected Members under separate cover. The report is not for publication.

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

- 1 ADOPTS the Chief Executive Officer - Performance Review Committee's Confidential Concluded Annual Performance Review Report as amended and as detailed in Attachment 1 to Report CJ218-10/12 and endorses the overall rating of highly satisfactory;**
- 2 REFERS adoption of the Key Performance Indicators and Measures against each of the Key Result Areas for the next review period 2012/13, to a future meeting of the Chief Executive Officer - Performance Review Committee pending formal consideration of Joondalup 2022 by Council; and**
- 3 REQUESTS the Chief Executive Officer to consider the key themes and objectives of Joondalup 2022 in terms of his Key Performance Indicators and Measures for the next review period 2012/13.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**Disclosure of Financial Interest**

<b>Name/Position</b>	<b>Mr Garry Hunt - Chief Executive Officer.</b>
<b>Item No/Subject</b>	CJ219-10/12 – Confidential - Annual Salary Review - Chief Executive Officer.
<b>Nature of interest</b>	Financial.
<b>Extent of Interest</b>	Mr Hunt holds the position of CEO.  Mr Hunt was not in attendance at this meeting.

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Mike Tidy - Director Corporate Services.</b>
<b>Item No/Subject</b>	CJ219-10/12 – Confidential - Annual Salary Review - Chief Executive Officer.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of his employment relationship with the CEO.

## CJ219-10/12      CONFIDENTIAL - ANNUAL SALARY REVIEW - CHIEF EXECUTIVE OFFICER

**WARD:** All

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

**FILE NUMBER:** 74574, 101515

**ATTACHMENTS:** Nil.

*(Please Note: The Report is confidential and will appear in the official Minute Book only)*

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

*a matter affecting an employee.*

A full report is provided to Elected Members under separate cover. The report is not for publication.

**MOVED Mayor Pickard, SECONDED Cr Hamilton-Prime that Council ADOPTS the Chief Executive Officer's total reward package for the 2012 Annual Salary Review with a 4.5% Increase To \$341,751.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**C75-10/12    MOTION TO GO TO OPEN DOORS – [02154, 08122]**

**MOVED** Cr Amphlett, **SECONDED** Cr Hollywood that Council, in accordance with Clause 67 of the City's *Standing Orders Local Law 2005*, **RESOLVES** the meeting be now held with Open Doors.

**The Motion was Put and**

**CARRIED (12/0)**

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

*Doors opened at 8.36pm.*

*No members of the public or press were present.*

In accordance with the City's *Standing Orders Local Law 2005*, Mayor Pickard read aloud the motions in relation to:

- 1        CJ218-10/12 – Chief Executive Officer Concluded Annual Performance Review; and
- 2        CJ219-10/12 – Annual Salary Review - Chief Executive Officer.

**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 8.39pm the following Elected Members being present at that time:

MAYOR TROY PICKARD  
CR KERRY HOLLYWOOD  
CR TOM McLEAN, JP  
CR PHILIPPA TAYLOR  
CR SAM THOMAS  
CR LIAM GOBBERT  
CR GEOFF AMPHLETT, JP  
CR CHRISTINE HAMILTON-PRIME  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR BRIAN CORR  
CR TERESA RITCHIE