

agenda

Briefing Session

A BRIEFING SESSION WILL BE HELD IN

CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP

ON

TUESDAY 10 JUNE 2014

COMMENCING AT

6.30pm

PUBLIC QUESTION TIME

Members of the public are requested to lodge questions in writing by close of business on **Monday 9 June 2014**

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

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

BRIEFING SESSIONS

The following procedures for the conduct of Briefing Sessions were adopted at the Council meeting held on 19 November 2013:

INTRODUCTION

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

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

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

and ensures that the elected body is fully informed to make the best possible decisions for the City of Joondalup community.

PURPOSE OF BRIEFING SESSIONS

Briefing Sessions will involve Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate) and will be open to the public.

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

PROCEDURES FOR BRIEFING SESSIONS

The following procedures will apply to Briefing Sessions that are conducted by the City:

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

- 4 The Mayor is to be the Presiding Member at Briefing Sessions. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Briefing Session. If the Deputy Mayor is unable or unwilling, those Elected Members present may select one from amongst themselves to preside at the Briefing Session.
- 5 There is to be no debate among Elected Members on any matters raised during the Briefing Session.
- 6 Relevant employees of the City will be available to make a presentation or respond to questions on matters listed on the agenda for the Briefing Session.
- 7 All Elected Members will be given a fair and equal opportunity to participate in the Briefing Session.
- 8 The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
- 9 Elected Members, employees and relevant consultants shall disclose their interests on any matters listed for the Briefing Session. When disclosing an interest the following is suggested:
 - (a) Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the City's *Code of Conduct*.
 - (b) Elected Members disclosing a financial interest will not participate in that part of the session relating to the matter to which their interest applies and shall depart the room.
 - (c) Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- 10 A record shall be kept of all Briefing Sessions. As no decisions are made at a Briefing Session, the record need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the record is to be forwarded to all Elected Members.
- 11 Elected Members have the opportunity to request the Chief Executive Officer to prepare a report on a matter they feel is appropriate to be raised and which is to be presented at a future Briefing Session.

PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time at Briefing Sessions were adopted at the Council meeting held on 19 November 2013:

Questions asked verbally

- 1 Members of the public are invited to ask questions at Briefing Sessions.
- 2 Questions asked at a Briefing Session must relate to a matter contained on the agenda.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per member of the public.
- 5 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be allocated a minimum of 15 minutes. Public question time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 35 minutes in total.
- 8 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
 - accept or reject any question and his/her decision is final
 - nominate an Elected Member and/or City employee to respond to the question
or
 - take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Briefing Session.
- 9 Where an Elected Member is of the opinion that a member of the public is:
 - asking a question at a Briefing Session that is not relevant to a matter listed on the agenda
or
 - making a statement during public question time,they may bring it to the attention of the Presiding Member who will make a ruling.

- 10 Questions and any responses will be summarised and included in the agenda of the next Briefing Session.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

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

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions must relate to a matter contained on the agenda.
- 3 The City will accept a maximum of five written questions per City of Joondalup resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by the close of business on the working day immediately prior to the scheduled Briefing Session will be responded to, where possible, at the Briefing Session. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Briefing Session will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Briefing Session.
- 8 A person who submits written questions may also ask questions at a Briefing Session and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the agenda of the next Briefing Session.

- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

The following procedures for the conduct of Public Statement Time at Briefing Sessions were adopted at the Council meeting held on 19 November 2013:

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

PROCEDURES FOR DEPUTATIONS

- 1 Prior to the agenda of a Briefing Session being discussed by Elected Members, members of the public will be provided an opportunity to make a deputation at the Briefing Session.
- 2 Members of the public wishing to make a deputation at a Briefing Session may make a written request to the Chief Executive Officer by 4.00pm on the working day immediately prior to the scheduled Briefing Session.
- 3 Deputation requests are to be approved by the Presiding Member and must relate to matters listed on the agenda of the Briefing Session.
- 4 Other requirements for deputations are to be in accordance with clause 5.10 of the *City of Joondalup Meeting Procedures Local Law 2013* in respect of deputations to a committee.

RECORDING OF THE PROCEEDINGS OF THE BRIEFING SESSION

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

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LATE ITEMS / ADDITIONAL INFORMATION

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

[Additional Information100614.pdf](#)

CITY OF JOONDALUP – BRIEFING SESSION

To be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 10 June 2014** commencing at **6.30 pm**.

ORDER OF BUSINESS

1 OPEN AND WELCOME

2 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

3 DEPUTATIONS

4 PUBLIC QUESTION TIME

5 PUBLIC STATEMENT TIME

The following statement was made at the Briefing Session held on 13 May 2014:

Mr S Joy, Kallaroo:

Re: Item 10 - Community Sporting and Recreation Facilities Fund (CSRFF) – Outcome of 2013-14 Annual/Forward Planning Grant Applications.

Mr Joy spoke in support of the Whitford Hockey Club proposal regarding the development of a hockey turf and clubroom facility at Warwick open Space.

6 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence Previously Approved:

Cr Christine Hamilton-Prime	1 June to 20 June 2014 inclusive;
Cr Russ Fishwick, JP	4 August to 23 September 2014 inclusive;
Cr Philippa Taylor	20 August to 12 September 2014 inclusive.

7 REPORTS

ITEM 1 DEVELOPMENT, CODE VARIATION AND SUBDIVISION APPLICATIONS - APRIL 2014

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	07032, 101515
ATTACHMENTS	Attachment 1 Monthly Development Applications Determined – April 2014 Attachment 2 Monthly Subdivision Applications Processed – April 2014 Attachment 3 Monthly Building R-Code Applications Decision – April 2014
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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* (R-Code) 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 April 2014 (Attachments 1, 2 and 3 refer):

- 1 Planning applications (applications for planning approval (development applications) and R-Code applications).
- 2 Subdivision applications.
- 3 Building R-Code applications.

BACKGROUND

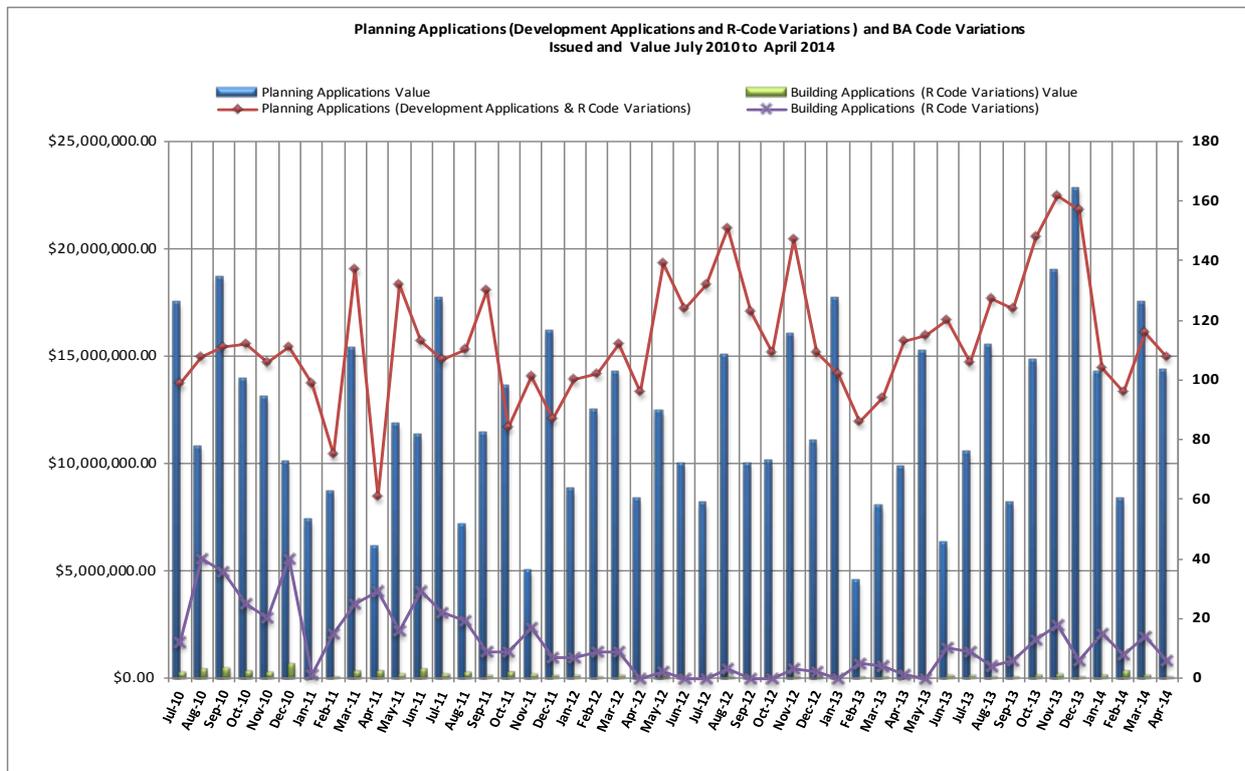
DPS2 requires that delegations be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 25 June 2013 (CJ094-06/13 refers), Council considered and adopted the most recent Town Planning Delegations via its review of the Register of Delegation of Authority.

DETAILS

The number of applications determined under delegated authority during April 2014, is shown in the table below:

Applications determined under delegated authority – April 2014		
Type of Application	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	108	\$ 14,310,567
Building applications (R-Codes applications)	6	\$41,909
TOTAL	114	\$ 14,352,476

The total number and value of planning and building R-Code applications determined between July 2010 and April 2014 is illustrated in the graph below:



The number of development applications received during April was 134. (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 April was 273. Of these, 46 were pending additional information from applicants, and 76 were being advertised for public comment.

In addition to the above, 298 building permits were issued during the month of April with an estimated construction value of \$43,250,553.

The number of subdivision and strata subdivision referrals processed under delegated authority during April 2014 is shown in the table below:

Subdivision referrals processed under delegated authority for April 2014		
Type of referral	Number	Potential additional new lots
Subdivision applications	4	4
Strata subdivision applications	1	2

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

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

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Buildings and landscaping is suitable for the immediate environment and reflect community values.

Policy Not applicable. All decisions made under delegated authority have due regard to any of the City's policies that apply to the particular development.

Clause 8.6 of DPS2 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.

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 114 applications were determined for the month of April with a total amount of \$56,714 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 R-Codes, any relevant policy and/or DPS2.

Of the 108 development applications determined during April 2014 consultation was undertaken for 54 of those applications. R-Codes applications for assessment against the applicable Design Principles (previously known as Performance Criteria), which are made as part of building applications, are required to include comments from adjoining landowners. Where these comments are not provided, the application will remain the subject of an R-Codes application, but be dealt with by Planning Approvals. The five subdivision applications processed during April 2014 were not advertised for public comment.

COMMENT

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

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the determinations and recommendations made under delegated authority in relation to the:

- 1 Applications for planning approval and R-Codes applications described in Attachment 1 to this Report during April 2014;**
- 2 Subdivision applications described in Attachment 2 to this Report during April 2014;**
- 3 Building Residential Design Code applications described in Attachment 3 to this Report during April 2014.**

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf100614.pdf](#)

ITEM 2 AMENDMENT NO. 72 TO DISTRICT PLANNING SCHEME NO. 2 - LOT 929 (1244) MARMION AVENUE, CURRAMBINE – CONSIDERATION FOLLOWING PUBLIC CONSULTATION

WARD	North
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	103440, 101515
ATTACHMENTS	Attachment 1 Location plan Attachment 2 Zoning plan (existing and proposed) Attachment 3 Scheme amendment process flowchart Attachment 4 Consultation map Attachment 5 Schedule of submissions
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider the adoption of proposed Amendment No. 72 to *District Planning Scheme No. 2*, following public consultation.

EXECUTIVE SUMMARY

The subject site is the Currambine Central shopping centre, located within the Currambine District Centre Structure Plan (CDCSP) area, which includes a variety of retail and entertainment activities.

The site has a split zoning with a 'Business' zoned portion to the north and a 'Commercial' zoned portion to the south. The portion of land the subject to the amendment is 280m² in area and is located within the 'Commercial' zone behind the existing cinemas, to the south of the car park adjoining the Currambine Community Centre.

The applicant sought to amend *District Planning Scheme No. 2* (DPS2) to rezone the portion of land from 'Commercial' to 'Business'. However, Council at its meeting held on 19 November 2013 (CJ203-11/13 refers), resolved to proceed with Amendment No. 72 to DPS2 on the basis of the existing 'Commercial' zone being retained, and the additional use 'Vehicle Repairs' being a discretionary ("D") land use within this portion of land.

The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 7 May 2014. One late submission was received, being an objection. The concern raised relates to the location of a vehicle repairs or similar use operating from the site having a negative impact on the area that is becoming a dining and cultural precinct.

The portion of land, being at the rear of the existing Currambine shopping centre and cinema, off the main street, is considered appropriate for the location of a vehicle repairs given that it is fronting a proposed future car park and it is not an area highly visible to the main street of the Currambine District Centre. The restriction of the land use only being able to occupy this portion of the 'Commercial' zone ensures that there is no impact on the main street and the preferred location of more active land uses, such as restaurants.

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

BACKGROUND

Suburb/Location	Part of Lot 929 (1244) Marmion Avenue, Currambine.
Applicant	Dynamic Planning.
Owner	Davidson Pty Ltd and Roman Catholic Archbishop.
Zoning	DPS Commercial.
	MRS Urban.
Site area	75,000m ² (280m ² the subject of the amendment).
Structure plan	<i>Currambine District Centre Structure Plan No. 6.</i>

Lot 929 is bound by Shenton Avenue to the south and Marmion Avenue to the west. To the east and north it is bound by properties that are also contained within the Currambine District Centre Structure Plan (CDCSP). This includes a number of 'Business' zoned properties as well as a 'Civic and Cultural' zoned property, which is the site of the new Currambine Community Centre (Attachment 1 refers).

Lot 929 has a split zoning with the southern portion zoned 'Commercial' and the northern portion zoned 'Business'.

The portion of land the subject of the amendment is adjacent to an existing cinema complex and would front a yet to be constructed car park.

A development application that includes an extension to the cinema complex was approved by the Metro North-West Joint Development Assessment Panel on 26 February 2014. These additions to the cinema complex will abut the area proposed to be rezoned.

Previously, a development application for 'vehicle repairs' (Automasters), fronting the main street of the Currambine District Centre, was refused by Council due to the inappropriate location of this use fronting the main street. The applicant subsequently requested a review of the decision by the State Administrative Tribunal. The review was unsuccessful and Council's decision was upheld.

At its meeting held on 19 November 2013 (CJ203-11/13 refers), Council resolved as follows:

"That Council, pursuant to Part 5 of the Planning and Development Act 2005 and regulations 13 and 25 of the Town Planning Regulations 1967, PROCEEDS with Amendment No. 72 to the City of Joondalup District Planning Scheme No. 2 to:

- 1 *Include portion of Lot 929 (1244) Marmion Avenue, Currambine, in Schedule 2 – Section 1 - Additional Uses as follows:*

NO	STREET/LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE
1-24	1244 Marmion Avenue, Currambine	Portion of Lot 929	Vehicle Repairs ("D")

- 2 *Amend the Scheme Map to depict 'Additional Use: 1-24' over portion of Lot 929 (1244) Marmion Avenue, Currambine, as depicted in the attached, for the purpose of public advertising for a period of 42 days."*

The proposed amendment was referred to the Environmental Protection Authority (EPA) for its comment. The EPA decided that a formal environmental review of the amendment was not required and subsequently Amendment No. 72 was advertised for public comment commencing on 26 March 2014.

The process flow chart for amendments to DPS2 is provided as Attachment 3.

DETAILS

The proposed amendment to DPS2 seeks to include 'Vehicle Repairs' as a discretionary ("D") land use within a 280m² portion of land adjacent to the existing cinema complex (Attachment 2 refers).

Issues and options considered

The issue to be considered by Council is the suitability of the proposed additional use 'Vehicle Repairs' as a discretionary ("D") use.

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

- adopt the proposed amendment
- adopt the proposed amendment, with modification
- or
- refuse to adopt the proposed amendment.

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

Legislation / Strategic Community Plan / policy implications

Legislation

*Planning and Development Act 2005.
Town Planning Regulations 1967.
District Planning Scheme No. 2.
Currambine District Centre Structure Plan No. 6.*

Strategic Community Plan

Key theme

Economic Prosperity, Vibrancy and Growth.

Objective

Activity Centre development.

Strategic initiative

Support the development of fresh and exciting de-centralised areas of activity.

Policy Not applicable.

Planning and Development Act 2005 and Town Planning Regulations 1967

Part 5 of the *Planning and Development Act 2005* along with the *Town Planning Regulations 1967* enable local government to amend a Local Planning Scheme and sets out the process to be followed. Council supported the initiation of the proposed amendment and adopted it for the purposes of public advertising at its meeting held on 19 November 2013 (CJ121-11/13 refers). The proposed amendment was then referred to the EPA for its comment. The EPA decided that a formal environmental review of the amendment was not required.

Upon closure of the advertising period, Council is required to consider all submissions received during the advertising period and to either adopt the amendment, with or without modifications, or refuse the amendment. The decision is then forwarded to the WAPC which makes a recommendation to the Minister for Planning. The Minister can either grant final approval to the amendment, with or without modifications, or refuse the amendment.

District Planning Scheme No. 2 (DPS2)

The subject portion of land is zoned 'Commercial'. The following clause of DPS2 sets out the intent and objectives of the 'Commercial' zone:

3.7.1 The Commercial Zone is intended to accommodate existing or proposed shopping and business centres where it is impractical to provide an Agreed Structure Plan in accordance with Part 9 of the Scheme.

The objectives of the Commercial Zone are to:

- (a) make provision for existing or proposed retail and commercial areas that are not covered by an Agreed Structure Plan;*
- (b) provide for a wide range of uses within existing commercial areas, including retailing, entertainment, professional offices, business services and residential.*

Additional uses are able to be considered where listed in Schedule 2 – Section 1 of DPS2 as set out under Clause 3.15:

3.15 Additional Uses (Schedule 2 – Section 1)

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

Currabine District Centre Structure Plan No. 6

All subdivision and development within the Currabine District Centre is guided by the *Currabine District Centre Structure Plan No. 6*. The objectives of the 'Commercial' zone, which are in addition to the DPS2 objectives, are listed below:

The Commercial zone is intended to accommodate a wider range of uses including retailing, entertainment, professional offices, business services and residential. The land uses listed in the Scheme for the Commercial zone are the land uses that can be considered in the Commercial zone.

8.1.1 Objectives

The general objectives of the Commercial zone are:

- i. *The create an active focus for the community with a diversity of retail and commercial uses that generates day and evening activity;*
- ii. *To allow appropriate businesses to locate and develop in close proximity to residential areas for the convenience of the community;*
- iii. *Encourage high standards of 'Main Street' built form and an active edge to create and attractive facade to vehicle and pedestrian routes providing visual amenity and interaction;*
- iv. *Provide efficient vehicle access and circulation with pedestrian priority; and*
- v. *Encourage a high level of passive surveillance of public and private spaces.*

Risk management considerations

Not applicable.

Financial / budget implications

The applicant has paid fees of \$5,447 (excluding GST) for the processing of the scheme amendment.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The proposed scheme amendment was advertised for public comment for a period of 42 days closing on 7 May 2014, by way of:

- letters to adjoining land owners as indicated in Attachment 4
- a notice placed in the Joondalup Community newspaper and *The West Australian* newspaper
- a sign on the subject site
- a notice on the City's website.

One late submission was received, being an objection. The concern relates to the location of a vehicle repairs or similar use operating from the site having a negative impact on the area that is becoming a dining and cultural precinct.

A schedule of submissions is provided in Attachment 5.

COMMENT

The portion of land being at the rear of the existing Currambine Shopping Centre and Cinema, off the main street and fronting a proposed future car park is considered appropriate for the location of a vehicle repairs given that it not an area highly visible from the main street of the Currambine District Centre.

In response to the submission received, it is considered that the restriction of the land use to this portion of 'Commercial' zone ensures that there is no impact on the main street and the preferred location of more active land uses, such as restaurants.

Considering the above, it is recommended that the proposed amendment be adopted and the documents be endorsed and submitted to the WAPC for the Minister for Planning's determination.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

1 pursuant to Regulation 17(2) of the *Town Planning Regulations 1967*, **ADOPTS Amendment No. 72** to the *City of Joondalup District Planning Scheme No. 2* to:

1.1 Include portion of Lot 929 (1244) Marmion Avenue, Currambine, in Schedule 2 – Section 1 - Additional Uses as follows:

NO	STREET/LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE
1-24	1244 Marmion Avenue, Currambine	Portion of Lot 929	Vehicle Repairs ("D")

1.2 Amend the Scheme Map to depict 'Additional Use: 1-24' over portion of Lot 929 (1244) Marmion Avenue, Currambine, as depicted in Attachment 2 to this Report;

2 **AUTHORISES** the affixation of the Common Seal and signing of the documents relevant to Amendment No. 72 to *City of Joondalup District Planning Scheme No. 2*;

3 pursuant to Regulation 18 of the *Town Planning Regulations 1967*, **FORWARDS Amendment No. 72** and Council's decision to the Western Australian Planning Commission for consideration;

4 **NOTES** the submission received and advises the submitter of Council's decision.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf100614.pdf](#)

ITEM 3 RETROSPECTIVE CAR PARK ADDITION TO EDITH COWAN UNIVERSITY, LOT 504 (270) JOONDALUP DRIVE, JOONDALUP

WARD	North
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	05802, 101515
ATTACHMENTS	Attachment 1 Location plan Attachment 2 Development plans
AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

PURPOSE

For Council to determine a retrospective application for a car park addition to Edith Cowan University at Lot 504 (207) Joondalup Drive, Joondalup.

EXECUTIVE SUMMARY

A retrospective application for development approval has been received for a 186 bay car park addition to the north western corner of the Edith Cowan University site, adjacent to the intersection of Joondalup Drive and Grand Boulevard.

The City's *District Planning Scheme No. 2 (DPS2)* requires a three metre wide landscape strip to be designed, developed and maintained to the satisfaction of the City where a car parking area abuts a street. The applicant seeks approval for a landscape strip that varies in width from nil to 28 metres to the Grand Boulevard frontage. This requirement is satisfied along the Joondalup Drive frontage with a landscape strip of between five metres and 28 metres provided. As the width of some portions of the landscape strip along Grand Boulevard does not meet the requirements outlined within DPS2 by more than 10%, the application is required to be determined by Council.

Additionally, DPS2 requires shade trees to be placed and maintained in car parking areas at the rate of one tree for every four car bays to the satisfaction of the City. There are currently only six existing shade trees on site, at a rate of one for every 31 bays. The existing car park can only accommodate an additional 20 shade trees allowing for the provision of shade trees at a rate of one per 9.3 car bays within the subject car park.

The reduced width of the landscaping strip and reduction of shade trees to a rate of one per 9.3 bays is considered to be minor in nature and does not have a detrimental impact on the existing streetscape or the locality.

It is therefore recommended that the application be approved subject to conditions, including that shade trees shall be provided at a rate of one per 9.3 bays.

BACKGROUND

Suburb/Location	Lot 504 (270) Joondalup Drive, Joondalup.
Applicant	Dennis Nguyen.
Owner	Edith Cowan University.
Zoning	DPS Urban.
	MRS Central City Area.
Site Area	9.2918 Hectares.
Structure plans	<i>Joondalup City Centre Development Plan and Manual.</i> <i>Draft Joondalup City Centre Structure Plan.</i>

Edith Cowan University is located within the southern portion of the Joondalup Centre City area. The subject site is bound by Kendrew Crescent to the north, Joondalup Drive to the south-west, Grand Boulevard to the north-west and Lakeside Drive to the east. The car park that is subject to this application is located in the north-western corner of the university campus, adjacent to the intersection of Hodges Drive/Grand Boulevard and Joondalup Drive (Attachment 1 refers).

Numerous development approvals have been issued by the City for various developments on the site. More recently this has included:

- new computing, technology and engineering building approved in December 2009
- forward works including the loss of car bays approved in December 2009
- new recreation centre and soccer club, approved in September 2010
- car parking removal and additions approved in April 2012
- five storey student services building (Building 34) approved in April 2012
- six storey student accommodation building approved January 2013
- new engineering pavilion approved in May 2013.

The property is zoned 'Centre' under DPS2 and is subject to the provisions of the *Joondalup City Centre Development Plan and Manual* (JCCDPM). Under the JCCDPM the site is located within the Campus District. In addition, the draft *Joondalup City Centre Structure Plan* (JCCSP), which was adopted by Council at its meeting in December 2012 and is currently awaiting endorsement from the Western Australian Planning Commission (WAPC), is considered a seriously entertained planning document, and has been given due regard in the assessment of the application. Under the draft JCCSP the site is located within the City Fringe District.

A previous application included forward works and loss of car bays to accommodate the development of Building 34. As a result of this development a total of 108 car bays were permanently lost. The total car bays provided on site excluding the bays lost exceeds the minimum requirements of DPS2.

The purpose of the car park that is subject of this application is to replace the car bays lost as a result of the development of Building 34 and to cater for the demands of the university.

DETAILS

Retrospective approval is sought for a car park containing 186 car bays. In addition to the existing approved 2,742 bays, this provides a total of 2,928 bays across the university campus. Access to and from the car park is via existing internal roads located within the university campus.

The development generally meets the requirements of DPS2 with the exception of the landscape strip width which varies from nil to 28 metres along the Grand Boulevard frontage and shade trees being provided at a rate equivalent to one per 31 car bays within the subject car park. An additional 20 shade trees can be accommodated within the car park, which would bring the rate to one per 9.3 car bays. The applicant has agreed to providing these additional 20 shade trees.

The development plans are provided as Attachment 2.

Issues and options considered

Council must consider whether the landscaping strip provided, being between nil and 28 metres adjacent to the Grand Boulevard frontage and the provision of shade trees at a rate of one per 9.3 car bays will be adequate to achieve the intent of the provisions under DPS2 and screen the car park from the street.

Council has the discretion to:

- approve the application without conditions
- approve the application with conditions
or
- refuse the application.

Legislation / Strategic Community Plan / policy implications

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

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Building and landscape is suitable for the immediate environment and reflect community values.

Policy Not applicable.

City of Joondalup District Planning Scheme No. 2

Clause 4.5 of DPS2 allows standards or requirements to be varied by Council.

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.*

Clause 4.12 of DPS2 sets out the landscaping requirements for non residential buildings.

4.12 *Landscaping Requirements for Non Residential Buildings*

- 4.12.1 *A minimum of 8% of the area of a development site shall be designed, developed and maintained as landscaping to a standard satisfactory to the Council. In addition the road verge adjacent to the lot shall be landscaped and maintained in a clean and tidy condition to the satisfaction of the Council.*
- 4.12.2 *When a proposed development includes a car parking area abutting a street, an area no less than 3 metres wide within the lot along all street boundaries shall be designed, developed and maintained as landscaping to a standard satisfactory to the Council. This landscaped area of the total development site referred to in the previous subclause.*
- 4.12.3 *Landscaping shall be carried out on all those areas of a development site which are not approved for buildings accessways, storage purposes or a car parking with the exception that shade street shall be planted and maintained by the owners in car parking areas at the rate of one tree for every four (4) car parking bays, to the Council satisfaction.*

Clause 6.8 of DPS2 sets out the matters to be considered by Council when determining an application for planning approval.

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;*
- (k) *any other matter which in the opinion of the Council is relevant.*

Risk management considerations

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

Financial / budget implications

The applicant has paid fees of \$2,250 for the assessment of the application.

The above figure excludes GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Clause 6.7.2 of DPS2 enables public consultation to be undertaken prior to the consideration of an application for planning approval where this is considered necessary and/or appropriate. In this instance, it is considered that the proposal is consistent with the objectives of DPS2 and will not adversely impact on the surrounding streetscape. As such, public comment has not been sought.

COMMENT

The application seeks retrospective approval for a 186 bay car park located in the north-western corner of the university site, adjacent to the intersection of Hodges Drive/Grand Boulevard and Joondalup Drive.

The proposal satisfies all of the requirements of DPS2, the JCCDPM and the draft JCCSP with the exception of the width of the landscape strip adjacent to Grand Boulevard and the number of shade trees provided for the car park.

The landscape strip to the Grand Boulevard frontage ranges from nil to 28 metres in width. The Joondalup Drive frontage landscape strip has a width of between five metres and 28 metres satisfying DPS2 requirements. The car park is significantly screened from view by existing dense vegetation within the Joondalup Drive and Grand Boulevard road reserve. As a result the reduction to the required three metre landscaping along the Grand Boulevard frontage is considered to have minimal impact on the existing streetscape.

DPS2 requires that shade trees are planted and maintained in car parking areas at the rate of one tree for every four car parking bays. Currently the car park has been constructed with no additional trees planted for the purposes of satisfying the requirements of DPS2. Existing vegetation located on the verge and around the boundary of the car park provides for sufficient shade to the outside car bays rows, however no shade trees have been provided to the middle rows.

A condition of approval is recommended requiring the land owner to provide shade trees at a rate of one per four car bays to the middle car park row. Additional landscaping is also required in the landscape strips abutting the Joondalup Drive and Grand Boulevard frontages. This will assist in providing further shade and to screen the car park from the streetscape. The applicant has agreed to this additional landscaping. In addition the applicant has designed the car park to ensure some of the existing mature trees were retained where possible. Of these trees that were retained six of these were considered to be adequate as shade trees and have been counted as such for the purpose of this assessment. If the requirements of this condition were to be satisfied and the existing mature trees retained, shade trees would be provided at a rate equivalent to one per 9.3 bays. If the condition of approval for additional shade trees was not imposed, shade trees would be provided at a rate of one per 31 bays, based on the six mature trees that were retained.

The reduction to the required three metre landscape strip along Grand Boulevard frontages and the reduced number of shade trees across the car park is considered to have minimal impact on both the overall development and on the existing streetscape.

The application is therefore recommended for approval subject to conditions.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 EXERCISES discretion under clause 4.5.1 of the *City of Joondalup District Planning Scheme No. 2* and determines that:**
 - 1.1 The landscape strip of between nil and 28 metres adjacent to the Grand Boulevard frontage in lieu of three metres adjacent to a car park;**
 - 1.2 One shade tree per 9.3 car bays in the car parking area in lieu of one shade tree per four car bays,**

are appropriate in this instance;
- 2 APPROVES the application for planning approval submitted by Dennis Nguyen on behalf of the owners, Edith Cowan University for a retrospective car park addition at Lot 504 (270) Joondalup Drive, Joondalup, subject to the following conditions:**
 - 2.1 All stormwater shall be collected on-site and disposed of in a manner acceptable to the City;**
 - 2.2 The lodging of detailed landscape plans for approval to the satisfaction of the City for car parking areas the subject of this application, specifically:**
 - 2.2.1 The landscape strip areas inside the property boundary abutting Joondalup Drive and Grand Boulevard;**
 - 2.2.2 One shade tree per four car bays for the two middle car park rows;**
 - 2.3 The landscape plan shall be submitted within 30 days of the date of this approval. For the purpose of this condition, the landscaping plan(s) shall:**
 - 2.3.1 Be drawn to a scale of 1:100;**
 - 2.3.2 Provide all detail relating to paving, treatment of verges and the tree planting in the car park;**
 - 2.3.3 Be based on water sensitive urban design principles to the satisfaction of the City;**
 - 2.3.4 Be based on Designing out Crime principles to the satisfaction of the City;**
 - 2.3.5 Show all irrigation details;**

- 2.4 Landscaping and reticulation shall be established in accordance with the approved landscape plans and thereafter maintained to the satisfaction of the City;**
- 2.5 An arborticulturist report shall be submitted to the City within 30 days of the date of the approval. The report shall survey the retained trees within the subject car park boundary and indicate compliance with Australian Standards 4970-2009 (plus amendments) to ensure the structural root area of those trees has not been impacted.**

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf100614.pdf](#)

ITEM 4 JOONDALUP DESIGN REFERENCE PANEL – CHANGES TO TERMS OF REFERENCE

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	34172, 101515
ATTACHMENTS	Attachment 1 Joondalup Design Reference Panel – Terms of Reference
AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

PURPOSE

For Council to consider changes to the Terms of Reference for the Joondalup Design Reference Panel (JDRP).

EXECUTIVE SUMMARY

At its meeting held on 30 September 2008 (CJ213-09/08 refers), Council endorsed the establishment of a Joondalup Design Advisory Panel. Panel members were subsequently appointed for a two year term at the Council meeting held on 16 June 2009 (CJ142-06/09 refers).

At its meeting held on 19 October 2010 (CJ167-10/10 refers), Council considered and endorsed amendments to the Terms of Reference, including a change of title to the Joondalup Design Reference Panel (JDRP). This was done in order to avoid confusion between the acronyms for the City's Design Advisory Panel and the State's Development Assessment Panels (DAPs), which came into effect on 1 July 2011.

At its meeting held on 22 November 2011 (CJ214-11/11 refers), Council endorsed further amendments to the Terms of Reference, to remove consideration of DAP applications from the scope of the JDRP.

The State's DAPs have now been in operation for some time, and the City has undertaken a review of the operation and ability of DAPs to assess and deliver design based outcomes. As the DAP is a statutory decision maker, it is clear there is little scope for the DAP to undertake a design review of applications as it is required as a decision maker to limit itself to the statutory compliance of the application. As a result, there is a clear role for the JDRP to play in providing design related recommendations on DAP applications at the early stages of the assessment process in order to inform both the City in its assessment and the DAP when considering determination of the application. It is therefore recommended that the Terms of Reference for the JDRP be changed to include a preliminary review of applications that are required to be determined by the DAP.

BACKGROUND

At its meeting held on 30 September 2008 (CJ213-09/08 refers), Council established the Design Advisory Panel seeking nominations of members from relevant professional institutions representing:

- Architecture
- Urban Design
- Planning
- Landscape Architecture.

Nominations were sought from relevant professional associations and institutes and, at its meeting held on 16 June 2009 (CJ142-06/09 refers), Council appointed the following panel members for a period of two years:

	Member	Deputy Member
Australian Institute of Architects	Mr Rod Mollet	Ms Nerida Moredoundt
Planning Institute of Australia	Mr Mathew Selby	Ms Jane Bennett
Australian Institute of Landscape Architects	Mr Andy Sharp	Ms Regan Douglas

A single development application (57 Shenton Avenue) was presented to the panel between June 2009 and October 2010.

At its meeting held on 19 October 2010 (CJ167-10/10 refers), Council considered a development application for 35 Davidson Terrace, Joondalup, which proposed a five storey commercial development. Council deferred consideration of the application pending the submission of additional information, and also requested that the proposal be referred to the Design Advisory Panel. Council also resolved to request a report be presented to Council that:

“Investigates the possibility of amending the Terms of Reference for the Design Advisory Panel, to enable all development applications for new buildings in the City Centre to be referred to the Design Advisory Panel, irrespective of the expected value of the development.”

A report proposing amendments to the Terms of Reference was presented to and approved by Council in November 2010 (CJ191-11/10 refers). At its meeting held on 22 November 2011 (CJ214-11/11 refers), Council resolved to make further modifications to the Terms of Reference and appoint panel members for a further two years. These modifications removed the need for applications that would ultimately be determined by the DAP to also be considered by the JDRP.

The JDRP members were appointed to a further two year term at the Special Council Meeting held on 5 November 2013 (JSC06-11/13 refers).

In total the JDRP has considered 27 applications since it commenced.

The JDRP has been instrumental in providing design advice to applicants, support to City officers in their assessment of applications, support to staff in their negotiation with applicants to make changes to proposals and providing information to Council to assist in determining development proposals.

DAPs commenced operation throughout Western Australia on 1 July 2011. DAPs are responsible for determining development applications where the likely cost of the development exceeds a specified dollar value. For the City of Joondalup, any proposal over \$7 million in value is determined by the DAP. An applicant may also elect for a development with a value of between \$3 million and \$7 million to be determined by the DAP. The membership of the DAP includes three independent and specialist members as well as two of the City's Elected Members.

Since the DAPs commenced operation in July 2011, the Metro North-West Joint Development Assessment Panel, which is the DAP responsible for determining City of Joondalup items, has met 22 times regarding proposals within the City of Joondalup. At those 22 meetings, the DAP has determined 16 separate development applications and three amended DAP applications, reconsidered one application which was originally refused and subsequently approved following mediation through the Tribunal, and has deferred consideration of two applications, one of which was subsequently approved at a later meeting.

DETAILS

The State's DAPs have now been in operation for some time, and the City has undertaken a review of the operation and ability of DAPs to assess and deliver design based outcomes. As the DAP is a statutory decision maker, it is clear there is little scope for the DAP to undertake a design review of applications. This is because the DAP, as a decision maker, is required to limit itself to the statutory compliance of the application. In addition, the DAP only has the opportunity to consider applications when they are determined, rather than at the initial stages of the application process, when there is still time to negotiate design outcomes and make changes to the application. This limits the DAPs ability to provide recommendations for design based improvements.

The City's review has found that there is a clear role for the JDRP to play in providing design related recommendations on DAP applications at the early stages of the assessment process in order to inform both the City in its assessment and the DAP in its consideration of the application.

The current Terms of Reference for the JDRP are provided in Attachment 1. It is recommended that the Terms of Reference be amended (as highlighted in Attachment 1) to include applications which are required to be considered by the DAP, noting that these applications will be presented to the JDRP prior to a comprehensive planning assessment being undertaken. This is discussed further as Option C below.

Additional wording has also been added to better clarify what types of development applications will be reviewed by the JDRP. For example, the suggested wording confirms that the JDRP does not need to review applications for new single houses in the City Centre area. The types of development excluded are consistent with those excluded from consideration by the DAP irrespective of their estimated cost of construction. These exclusions are also consistent with the current Town Planning Delegations.

Issues and options considered

There are four potential options available to Council in relation to the operation of the JDRP, and whether or not it considers applications that will ultimately be determined by the DAP or not. These four options, along with the advantages and disadvantages of each are set out in the table below.

As this report is intended to deal primarily with the issue of the JDRP reviewing applications that will ultimately be determined by the DAP, a fifth option, being the JDRP not continuing in any capacity has not been included.

It should also be noted that if Council does decide to extend the JDRP to cover DAP applications, the applicant cannot be compelled to make any modifications to their proposal as a result of the feedback provided by the JDRP. However, the City, Council, or the DAP will be provided with the recommendations of the JDRP when determining applications and in some instances could recommend or impose conditions requiring certain outcomes to be achieved, if appropriate.

OPTION	POSITIVES	NEGATIVES
<p>OPTION A:</p> <p>JDRP does not review DAP applications (status quo).</p>	<p>Would not impact the City's ability to meet DAP deadlines.</p>	<p>The DAP does not receive any advice or recommendations from the JDRP when determining proposals which could inform their statutory determination of the application.</p>
	<p>Consistent with the current and proposed JDRP budget.</p>	<p>The applicant is not provided with any advice or recommendations from the JDRP in order to improve the design outcome of the proposal.</p>
<p>OPTION B:</p> <p>JDRP review application prior to the application being formally lodged with the City.</p>	<p>Would not impact on the City's ability to meet DAP deadlines as would be prior to formal submission of the application.</p>	<p>Time and resources needed to assess development and prepare for JDRP, despite no formal application or application fee being provided.</p>
	<p>The JDRP's design based feedback is provided to applicants early in the process, allowing more scope/time for the applicant to make changes if they accept the advice and recommendations.</p>	<p>The City may go through the process several times with various design iterations prior to formal lodgement.</p> <p>The assessing officer will need to prepare two (or more) full reports which increases the amount of time and resources spent on the application considerably.</p>
	<p>The DAP receive advice and recommendations from the JDRP when determining proposals which could inform their statutory determination of the application.</p>	<p>The cost of holding the JDRP meeting (\$750 per sitting) is an additional cost. In this situation the City would not have yet received an application fee.</p>

OPTION	POSITIVES	NEGATIVES
		The applicant cannot be compelled to pre-lodge their application for this purpose and as a result a number of applications would not be reviewed by the JDRP.
<p>OPTION C:</p> <p>JDRP review application during assessment process (application sent to JDRP members upon receipt, prior to a formal assessment being undertaken. Brief overview of areas of non-compliance provided verbally at panel meeting 3-4 weeks after receipt).</p> <p>Preferred Option.</p>	Would have only a minor impact on the City's ability to meet DAP deadlines as would be early in the assessment process (less impact than Option D).	A full statutory planning assessment of the application would not be able to be completed prior to the plans being circulated to the JDRP.
	The JDRP's design based feedback is provided to applicants early in the process, allowing more scope/time for the applicant to make changes if they accept the advice and recommendations (more time than in Option D).	Panel feedback to applicant may be delayed until the City's technical feedback is received.
	The DAP receives advice and recommendations from the JDRP when determining proposals which could inform their statutory determination of the application.	The cost of holding the JDRP meeting (\$750 per sitting) is an additional cost.
<p>OPTION D:</p> <p>JDRP review application during assessment process (following full assessment a report and plans are circulated to panel members and a meeting is held within a week of these plans and report being circulated (6-7 weeks after receipt of application)).</p>	Full statutory planning assessment of the application can be completed prior to the plans being circulated to the JDRP – less likely to impact on other applications/applicants.	The officer will need to prepare two full reports which increases the amount of time and resources spent on the application considerably.
	The JDRP's design based feedback is provided to applicants at the same time as the City's technical feedback is provided, allowing one set of changes.	If the City delays its feedback until the JDRP has met, DAP timeframes would not be met (would need to consistently request deferral). The DAP may not agree to deferral/extra time simply because the City has asked the applicant to make changes late.

OPTION	POSITIVES	NEGATIVES
	The DAP receives advice and recommendations from the JDRP when determining proposals which could inform their statutory determination of the application.	Leaves very little time for the applicant to go away and make changes recommended by the JDRP if the original DAP report deadline is to be met. The applicant may resist making changes due to time constraints – feeling that the DAP process gives certainty surrounding timeframes.
		The cost of holding the JDRP meeting (\$750 per sitting) is an additional cost.

Legislation / Strategic Community Plan / policy implications

Legislation

Planning and Development Act 2005.
Planning and Development Regulations 2009.
Planning and Development (Development Assessment Panels) Regulations 2011.
City of Joondalup District Planning Scheme No. 2.

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Quality built outcomes.

Strategic initiative

- Environmentally sensitive building designs are showcased, promoted and encouraged.
- Buildings and landscaping is suitable for the immediate environment and reflect community values.

Policy

Not applicable.

It is noted that neither the *Planning and Development Act 2005* or *DPS2* require a panel to be established to review the design of proposed developments.

Risk management considerations

Should Council determine that option A as set out above is the preferred option, and not change the Terms of Reference, the risk is that the built form outcomes achieved for some developments will not benefit from the feedback of the JDRP. Without the expert feedback of the JDRP, alternative design solutions may not be noted, and changes that would result in better interfaces with streets, adjoining properties, and the public realm may not be made.

Should Council determine that option B as set out above is the preferred option, and change the Terms of Reference of the JDRP, there is a risk that the City will not meet deadlines in relation to other applications. This could occur as a result of the time taken to assess a proposal that has not yet been formally submitted as an application. There is also a risk that the City may need to convene JDRP meetings several times for developments on a particular site if significant redesigns are undertaken as a result of feedback received. This would result in the City incurring expenses associated with holding the JDRP meetings and utilising officer time and resources assessing proposals and reporting to the JDRP.

Should Council determine that either option C, or D as set out above is the preferred option, and change the Terms of Reference for the JDRP, it is possible that DAP applications will not be assessed and reported by the City in accordance with the timeframes set out under the *Planning and Development (Development Assessment Panels) Regulations 2011*. It is likely that in some instances, the City would need to request an extension of time within which to provide its report, and that this approval may not be granted, particularly if the applicant does not agree to the extension. There would be a lesser risk of this occurring with option C as compared to option D.

As set out under financial implications below, the City is responsible for covering the cost of JDRP meetings.

Financial / budget implications

Each panel member is paid \$250 for each sitting of the JDRP, which is a fixed fee and includes the time taken by the panel member to review the proposal(s) before the JDRP meets.

Based on the number of DAP applications determined to date, and in particular the number determined during the 2013-14 financial year up to 31 March 2014, it is estimated that an additional 10-12 applications would be presented to the JDRP at a extra cost of between \$7,500 and \$9,000 per financial year. This additional amount has not been included in the 2014-15 Budget.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Sustainability impacts of individual developments are addressed in reports to both the JDRP and the DAP or Council.

Consultation

No consultation has taken place in regard to this Report.

COMMENT

Under the *Planning and Development (Development Assessment Panels) Regulations 2011*, planning applications for development proposals with a construction value of over \$7 million can no longer be determined by the City of Joondalup. Instead, these applications need to be determined by a DAP. Additionally, applicants may elect to have the DAP determine their application where the value of the proposed development is between \$3 million and \$7 million.

The City's obligations in relation to receiving and assessing an application remain unchanged as a result of the introduction of DAPs. However, the City is required to provide the DAP application to the DAP secretariat, and to prepare a report on the application for consideration by the DAP. The report must be provided to the DAP secretariat within 50 days of receipt of the application where public consultation is not required, and 80 days where consultation is necessary.

The strict deadlines for the provision of a report to the DAP secretariat make it difficult to undertake a full assessment and provide a report to the JDRP. However, it would be possible, and valuable, to present the items received for DAP determination for preliminary feedback from the JDRP prior to a full planning assessment being undertaken.

Although the DAP consists of persons with similar qualifications to the members of the JDRP, it is noted that the application has already been fully assessed and negotiations undertaken in respect to both design and technical issues by the time the proposal is presented to the DAP. In practice, the DAP generally does not add conditions in relation to particular design elements, or defer items for reasons purely relating to design, as they are obligated to limit themselves to statutory compliance. As such, these issues are better addressed up-front by the JDRP.

Therefore, it is considered desirable that changes to the Terms of Reference for the JDRP are made to include applications that will be determined by the DAP, noting that these will be presented prior to the applications being fully assessed, and that a comprehensive report on the proposal will not be provided (Option C).

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council AMENDS the Joondalup Design Reference Panel Terms of Reference, Points 3 and 5 to read:

“3 OBJECTIVES

To provide advice to the City on:

- 3.1 All new building development within the City Centre with the exception of all single houses and developments of less than 10 grouped or multiple dwellings;***
- 3.2 Major extensions to existing buildings in the City Centre that impact on the streetscape; and***
- 3.3 Major buildings development outside of the City Centre (excluding single houses and developments of less than ten grouped dwellings, and extensions to commercial or mixed-use buildings that do not significantly affect the streetscape);***

Assessment and advice will have a particular focus on the impact of the building on the streetscape and the environmentally sustainable design features of the building.

Note: Applications that are required to be determined by the State Government's Development Assessment Panel (DAP) will be presented to the Panel for consideration prior to a comprehensive assessment being undertaken in order to ensure DAP timeframes are satisfied so far as is possible.

5 MEETINGS

5.1 Meetings of the Panel shall be convened as required but if required, within sufficient time for the City to meet report deadlines for Council or DAP meetings.

5.2 Advice

Notes of all meetings shall be made including the Panel's advice to the Council or DAP. That advice will be incorporated in the officer's report on the matter to the Council or DAP.

Any advice to the Council or DAP must have regard to the statutory obligations of the Council or DAP".

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf100614.pdf](#)

ITEM 5 MIRROR PARK SKATE PARK – REVIEW OF FACILITY MANAGEMENT PLAN AND PROPOSAL FOR INSTALLATION OF LIGHTING

WARD	North-Central
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	22103, 101515
ATTACHMENTS	Nil.
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to receive a report on the implementation and review of the City's *Skate Park Facility Management Plan* as it relates to the Mirror Park skate park, and to consider the installation of lighting and change of hours of operation at the skate park.

EXECUTIVE SUMMARY

Mirror Park skate park opened in December 2012 after three years of community consultation and planning. Following 17 months of operation, the skate park is heralded as a successful multi-use community facility that is used by people of all ages and abilities for wheeled-sports activities. It is a facility that encourages physical activity, is a place for social gatherings and an ideal location for community events such as skate, BMX and scooter competitions.

At its meeting held on 19 February 2013 (CJ005-02/13 refers), Council requested that a review of the implementation of the *Skate Park Facility Management Plan* as it relates to Mirror Park skate park be undertaken one year after commencement of operation of the skate park. The outcome of this review forms part of this report.

At its meeting held on 22 June 2013 (CJ093-06/13 refers), Council considered a report that proposed the installation of lighting at the skate park. At that meeting, Council resolved to defer consideration of the lighting proposal and requested the Chief Executive Officer to provide a further report on the proposal in 12 months. A proposal to install lighting at Mirror Park skate park forms part of this Report.

It is therefore recommended that Council:

- 1 *NOTES the review undertaken of the Skate Park Facility Management Plan as it relates to Mirror Park skate park;*
- 2 *ENDORSES the installation of lighting to Mirror Park skate park;*
- 3 *LISTS for consideration in the 2015-16 Capital Works Program an amount of \$40,000 to cover the cost of the installation of lighting and new signage at the Mirror Park skate park;*
- 4 *Following the installation of the lighting APPROVES the operating times of Mirror Park skate park as being: Monday to Saturday 7.00am to 9.00pm and Sunday and public holidays 9.00am to 9.00pm.*

BACKGROUND

Suburb/Location	Reserve 42041 Lot 11665 (14) Mirror Place, Ocean Reef.
Owner	Land Owned by the Crown – Managed by the City.
Zoning	DPS Parks and Recreation.
	MRS Urban.
Site area	47,755m ² .
Structure plan	Not applicable.

At its meeting held on 19 February 2013 (CJ005-02/13 refers), Council requested that a review of the implementation of the *Skate Park Facility Management Plan* as it relates to Mirror Park skate park be undertaken one year after commencement of operation of the skate park. This review has been undertaken and the outcomes are presented for noting.

At its meeting held on 22 June 2013 (CJ093-06/13 refers), Council resolved to:

- 1 *NOTE the update provided on the operation of the Mirror Park skate park since its opening in December 2012;*
- 2 *DEFER consideration of the proposal to install lighting to the skate park at this time;*
- 3 *REQUEST that the Chief Executive Officer provide a further report on the proposal to install lighting at the Mirror Park skate park in 12 months;*
- 4 *REQUEST the Chief Executive Officer to investigate and report back to Council a recommended course of action for:*
 - 4.1 *A mechanism to deter the use of car headlights to illuminate the Mirror Park skate park after dark, whilst still maintaining casual surveillance of the park from Ocean Reef Road;*
 - 4.2 *The design and installation of bollards adjoining Mirror Park skate park to prevent illegal parking between the existing formal parking area adjoining Ocean Reef Road and the skate park whilst ensuring the provision of adequate overflow parking.*

In accordance with Council's resolution, this Report proposes the installation of lighting at the Mirror Park Skate Park and includes information on measures taken in relation to dot point four in the recommendation from June 2013.

DETAILS

Mirror Park has been a popular community facility since it opened in December 2012. The skate park is heavily used most days of the week by people of all ages. The City has run a number of events at the skate park including two Summer Sessions youth events; two skate, BMX and scooter competitions; and one Bike Doctor event.

The City has also contracted Skate Board Australia WA to run four workshops at the skate park to educate younger users on skate park etiquette as well as improve their general skill and confidence levels. In addition to these events, Youth Services have also been in attendance with two Mobile Youth Service shifts per week and regular visits from the Youth Outreach staff.

1 Facility Management Plan Review

At its meeting held on 19 February 2013 (CJ005-02/13 refers), Council requested that a review of the implementation of the *Skate Park Facility Management Plan* as it relates to Mirror Park skate park be undertaken one year after commencement of operation of the skate park.

The review has now been completed and details are provided below.

Since the opening of the skate park at Mirror Park in December 2012, the City has consistently implemented the following strategies in line with the Skate Park Facility Management Plan:

- Use of facility not being permitted between the hours of 7.00pm and 7.00am Monday to Saturday, and 7.00pm and 9.00am Sunday and public holidays.
- Providing visible signage advising of opening and closing times.
- Having presence by the Youth Outreach, Mobile Youth Service, Rangers and City Watch to reinforce the message that the skate park is not to be utilised during not-permitted hours.
- Monitoring of CCTV footage and providing reports to Police as appropriate.
- Rapid removal of reported graffiti.
- Provision of additional bins and the implementation of daily litter patrols at the park.

A review of the individual strategies has been undertaken and the resulting achievement and/or suggested changes are articulated below:

Issue/objective	Strategy	Achievements/Comments
Control of litter on site including broken glass, leaves and other potential hazards.	<ul style="list-style-type: none"> • Adequate number of bins. • Daily rubbish collection as part of daily maintenance sheet. 	Three bins on site at Mirror Park. Locations have changed due to feedback from users. Bins emptied Monday to Friday.
Deter graffiti and other damage to lessen negative public perception of the facility and its users.	<ul style="list-style-type: none"> • Installation of CCTV. • Youth education and diversionary programs offered to young people. • Maintain facility and surrounding areas at a high standard to encourage use and 'ownership'. 	<p>CCTV installed and fully operational from December 2012.</p> <p>Two x Summer Sessions youth events, two BMX and skate competitions. Regular activities run on the Mobile Youth bus.</p> <p>Youth staff in regular attendance. Four skate clinics run by Skate Board Australia.</p> <p>On the whole facility has been kept to a high standard.</p>
Graffiti Removal.	<ul style="list-style-type: none"> • Sacrificial coating to be re-applied to skate park every six months (Mirror Park). • Graffiti removal as required at all parks. 	<p>Having only 12 instances of graffiti has meant the need to re-apply sacrificial coating every six months has been reviewed. Coating re-applied to specific areas as needed with a recommendation that site inspections conducted every 12 months from now onwards.</p> <p>Graffiti removed as per the City's graffiti removal plan, that is, within 48 hours of the Report.</p>
Maintenance of facility and early identification of potential hazards.	<ul style="list-style-type: none"> • Daily inspection of facility using facility inspection sheet. • Monthly inspection of all sites and infrastructure using monthly inspection sheet. 	<p>Creation of a mobile device application to assist in daily checks successful. All records of checks are now stored directly to City records. Hazards identified and acted upon in a timely manner.</p> <p>Quarterly checks considered sufficient.</p> <p>Remote viewing of CCTV to report damage and graffiti.</p>

Issue/objective	Strategy	Achievements/Comments
Continual consultation and engagement with facility users.	<ul style="list-style-type: none"> • Youth working group formed at the facility. • Youth Mobile to visit facilities on a regular basis. 	<p>No working group formed although young people regularly consulted by Youth staff. This informal method will continue as it is working well.</p> <p>Mobile Youth bus in attendance twice weekly with good relationships built with young people and parents.</p>
Noise mitigation.	<p>Where possible:</p> <ul style="list-style-type: none"> • Heavy gauge steel used for pipe work. • Rails capped and hot dip galvanised with all coping ends capped to minimise noise. • Construction joints are flush finished with minimal size saw cuts to minimise noise. • Noise complaints will be managed in accord with the City's processes. 	<p>These strategies attended to during construction phase.</p> <p>City Watch attend the skate park and ask users to leave if out of operating hours.</p>
Infrastructure Failure.	<p>When infrastructure fails at a skate park the designated officer must be contacted to rectify.</p> <ul style="list-style-type: none"> • Lighting including timing of when lights turn on and off. • CCTV. • Fencing, bins and shade. 	<p>To date, repairs have been made to seating and bollards.</p>

Graffiti Removal and Sacrificial vs Anti-Graffiti Coating

When the Mirror Park Skate Park was handed over to the City, the skate park builders advised that the sacrificial coating applied to the park would need replacing every six months. After 12 months of low occurrence of graffiti, it has been determined that this frequency is not necessary. It has also been determined that a full sacrificial coating is not necessary and that regular anti-graffiti coating as used on other City facilities is more than adequate at the skate park.

As there have been a low number (12) of instances of graffiti at Mirror Park Skate Park, it is felt that replacing the coating as needed is a better approach.

It is also recognised that closing the entire facility for 24-48 hours to allow a total re-coat is difficult to achieve without significant investment in fencing and security.

In addition to the changes on the anti-graffiti sacrificial coating, the recommended changes to the Plan also include modifying the frequency of the infrastructure checks from monthly to quarterly. It is felt that a quarterly check of infrastructure, combined with the daily inspections will ensure the ongoing usability of the skate park.

Further to this, whole-of-facility audits will be carried out every 12 (not six) months by a team that includes staff as well as external people (if needed) with the appropriate technical expertise.

Effectiveness of Management Plan

Overall the *Skate Park Facility Management Plan* has been an effective tool in assisting the City to manage its skate parks, including Mirror Park. Some operational issues have remained, particularly around budget and the co-ordination of responsibilities for the skate park. The proposed changes to the plan should address these issues resulting in better understanding of responsibilities, co-ordination and implementation.

It is important to note that there is demand from young people and the community for skate park facilities. Kinross Skate Park is over 12 years old and Mirror Park Skate Park is heavily used putting huge pressure on the City's skate parks and infrastructure. It will be essential that appropriate funds are budgeted in the future to keep these facilities to a high standard.

2 Lighting of Mirror Park Skate Park

Mirror Park Skate Park has become a community facility that continues to attract large scale usage. This has been highlighted at the BMX, skate and scooter competitions (300 in attendance) and Summer Session events (100 participants) held at the park in 2014. Families and young people of all ages have been using the skate park in the mornings, after school and at weekends.

The skate park has been extremely popular with small children who are learning to skateboard, scooter or BMX. One effect of this is that older, more experienced users have to be very mindful of the younger users who are often not aware of skate park etiquette and have not developed spatial awareness of other users.

Older users of the skate park have expressed serious concern for the younger users and the potential for a collision. Older users have also worked hard at preventing collisions with children, often trying to educate them to prevent them from being hit. However, there have been some misunderstandings between older users, young children and their parents.

A solution proposed by users of the park is to install lighting to allow the park to be used after 7.00pm. This would increase time available to older users to use the park into the evening after younger users have left.

Another impact of the high usage of the skate park has been the pressure on parking. While the introduction of bollards has eased issues around parking on verges and car lights being directed at the skate park at night time, users and parents of users continue to park their vehicles on the verge next to the skate park. The introduction of lighting to increase the available hours of the facility could potentially spread the usage of the park and ease parking issues further.

Petitions about lighting at Mirror Park Skate Park

In June 2013, two petitions about lighting at Mirror Park were tabled. The first contained 70 signatures requesting that *no lights are placed over or near the Mirror Park skate park, Ocean Reef, no parking be enforced along Ocean Reef Road and Venturi Road, and that Council enforce adherence to the times of use of the skate park.*

In the second petition, containing 18 signatures, the same three points as the first petition were raised with the addition that *Council take notice when making its decision of the increase in home invasions.*

As the lighting and changing the hours of operation was the subject of a report at the same Council meeting (CJ093-06/13 refers), separate reports were not prepared to respond to the issues raised in the petitions and the lead petitioners were notified accordingly. Since these petitions, however, the City has taken action to address parking issues and adherence with opening times.

Installation of bollards to prevent illegal parking

In November 2013, bollards were installed along the Ocean Reef Road perimeter of the skate park facility. Since this installation, incidents of cars parking illegally and complaints to the City about car headlights shining into nearby houses have significantly diminished. It is now considered this strategy has successfully addressed the issues raised in June 2013.

Complaints about Mirror Park skate park to the City

The main concerns of residents since the construction of Mirror Park skate park have been noise, illegal parking, rubbish and antisocial behaviour. While the City has received feedback about the skate park during the past twelve months, the number of complaints has dramatically reduced. As previously reported in June 2013, there were 118 calls to City Watch during the five months from December 2012 (when the facility opened) and May 2013 (a period of five months).

More recently, between June 2013 and April 2014 (a period of 11 months) there have been 51 calls made to City Watch in relation to Mirror Park. Details are as follows:

Nature of the call	Number of calls
Noise	29
Call outs/alarms	11
Anti-social behaviour	6
Vandalism	2
Suspicious persons	2
Trespassing	1
Total	51

The majority of complaints calls to City Watch in relation to Mirror Park have come from two sources. At times where those using the park after hours were asked by City Watch officers to leave, there were little or no issues faced.

On the small number of occasions where the complaints have related to young people drinking, City Watch officers have found little or no evidence of such behaviour.

Issues and options considered

The following options for lighting Mirror Park skate park have been identified:

- 1 Keep the existing opening times and not install lighting. This option will save on proposed installation costs however does not take into account the documented high use of the facility or feedback about safety concerns for younger users.
- 2 Keep the existing opening times and install lighting. This will go a long way to addressing safety concerns but does not allow extended opening times for older users.
- 3 Install lighting and increase usage time to 9.00pm on Friday and Saturday nights. Lighting and extended times will provide a response to community feedback particularly during higher usage periods.
- 4 Install lighting and increase usage time to 9.00pm every day.

Due to the high community usage of Mirror Park skate park and the request for lighting from users, option four is considered the most appropriate. By lighting the skate park it is anticipated that usage can be spread over a longer period of time easing the pressure on the skate park and adjacent car parks at peak periods.

The inclusion of lighting will also have the benefit of increasing natural surveillance of the skate park as a result of the facility being open and used for longer periods of time.

The Kinross skate park at MacNaughton Park is lit until 10.00pm every day and the lights operate on an automatic timer system. In its 12 year history, there have been very few complaints about the opening times of the Kinross facility. If lighting is approved for Mirror Park skate park, this will operate on an automatic timer system.

It is recognised however that there is likely to be opposition from surrounding residents and issues with the installation of lighting and increased usage will need to be managed under the *Skate Park Facility Management Plan*.

Legislation / Strategic Community Plan / policy implications

Legislation *Environmental Protection (Noise) Regulations 1997.*

Strategic Community Plan

- | | |
|------------------|--|
| Key theme | <ul style="list-style-type: none"> • Quality Urban Environment. • Community Wellbeing. |
| Objective | <ul style="list-style-type: none"> • Quality open spaces. • Quality facilities. • Community spirit. |

Strategic initiative

- Employ quality and enduring infrastructure designs that encourage high utilisation and increased outdoor activity.
- Understand the demographic context of local communities to support effective facility planning.
- Deliver a program of community-based events and education that encourage social interaction within local neighbourhoods.

Policy

Leisure Policy.

Risk management considerations

It is recognised that there are a number of risk management considerations in the provision of skate park facilities. These include the potential for personal injury, anti-social behaviour, noise, graffiti, vandalism and infrastructure failure.

To date no reports of major personal injuries or failure of infrastructure have been received by the City. There have however been reports received in relation to minor anti-social behaviour and noise as previously stated.

A comparison of graffiti reports from Mirror Park skate park and Kinross skate park show that there have been two and a half times less the number of graffiti reports for Mirror Park.

The installation of lighting at Mirror Park skate park has the potential to increase anti-social behaviour and noise impacts; on the other hand however, this can be mitigated by increased natural surveillance over longer periods of time. The City's *Skate Park Facility Management Plan* will also be utilised to manage any issues of this nature.

Based on complaints registered with City Watch, there is no evidence to suggest that lighting Mirror Park skate park will see an increase in anti-social behaviour at this site.

Financial / budget implications

Underground infrastructure and poles that can incorporate the lights as part of the CCTV component have already been installed. Lights would be installed to the top of the CCTV poles on customised pole brackets to match the existing infrastructure. Signage that states the new opening times would also need to be installed in line with the original design.

Item	Cost
Visible lighting fully installed and commissioned	\$28,000
New Signage to denote opening times (in line with original design)	\$12,000
Total Cost	\$40,000

Funding of \$40,000 will need to be included for consideration as part of the 2015-16 Capital Works Program if Council wishes to proceed with the installation of the lighting and extended opening hours of the skate park at Mirror Park. The ongoing electricity costs for the lighting will need to be included in the corresponding operational budget.

All amounts quoted in this Report are exclusive of GST.

Regional significance

The Mirror Park skate park was planned as a local-level rather than regional facility.

Sustainability implications

Social

Social sustainability is enhanced through the development of resilience and empowerment in young people, their families and members of the community.

By increasing the opening times of Mirror Park skate park more people of all ages will be able to use the park and express themselves in a positive, healthy and active way.

Consultation

Since Mirror Park skate park opened in December 2012, there has been ongoing internal consultation in accordance with the City's *Skate Park Facility Management Plan*. Regular consultation has also occurred with local Police.

Feedback from community members has on the whole been positive with a very small minority expressing concern about anti-social behaviour occurring outside of opening times.

COMMENT

Mirror Park skate park has been open to the public for 17 months. The skate park has proven to be extremely popular and its modern, well thought-out design has been well received by young people, families and the local community.

Recent research by the University of WA on skate parks (reported in the University News in April 2014) has indicated that skate parks are more likely to promote good behaviour among the young people who use them, as opposed to the widely held belief that they promote anti-social behaviour. The research also demonstrates that participation by young people in sports associated with skate parks is now close to exceeding those engaged in organised sports.

The City's other permanent skate park at MacNaughton Park Kinross is lit until 10.00pm every day. Similar facilities operated by other local governments are also lit to allow for after-hours usage.

It is acknowledged that there are a small number of residents who indicate they have been adversely impacted by the development of a skate park at Mirror Park. The inclusion of lighting and extended usage hours may cause further concern with the potential for increased noise after 7.00pm. Taking this into account it is recommended that the skate park be lit until 9.00pm from Monday to Sunday which provides for an additional two hours per day usage. This will be one hour per day less than the lighting times at the Kinross skate park. As occurs at the Kinross skate park, the lighting hours could be regularly reviewed with the switch off time changed if deemed necessary.

If installed, attention will be given to span of light spillage into the houses of nearby residents. The City's updated *Skate Park Facility Management Plan* will continue to be utilised to manage any concerns raised in relation to the Mirror Park skate park. As the full budget for Mirror Park skate park has been expended, funding of \$40,000 will be required in the Capital Works Program to install the lighting and new signage in 2015-16.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION**That Council:**

- 1** **NOTES** the review undertaken of the *Skate Park Facility Management Plan* as it relates to Mirror Park skate park;
- 2** **ENDORSES** the installation of lighting to Mirror Park skate park;
- 3** **LISTS** for consideration in the 2015-16 Capital Works Budget an amount of \$40,000 to cover the cost of the installation of lighting and new signage at the Mirror Park skate park;
- 4** **Following** the installation of the lighting **APPROVES** the operating times of Mirror Park skate park as being: Monday to Saturday 7.00am to 9.00pm and Sunday and public holidays 9.00am to 9.00pm.

ITEM 6 REQUEST FOR LETTER OF SUPPORT - THE "ORIGINS" PROJECT

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	59011, 101515
ATTACHMENTS	Nil.
AUTHORITY / DISCRETION	Advocacy - Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

PURPOSE

For Council to consider a request from the Joondalup Health Campus and the University of WA's School of Paediatrics and Child Health for a letter of support for the *ORIGINS Project: Joondalup Wanneroo Community Study into Early Interventions for a Healthy Start to Life*.

EXECUTIVE SUMMARY

The Joondalup Health Campus, in conjunction with the University of WA's School of Paediatrics and Child Health is seeking approval through the University Ethics Committee to embark on the ORIGINS Project.

The ORIGINS Project is a new birth cohort study designed to collect detailed information about how the early environment influences the risk of a broad range of early and later onset diseases including asthma, allergies, diabetes, obesity and its many complications.

The project has been sponsored by the Telethon KIDS Institute and it is intended that the cohort for the study will be drawn from the Joondalup and Wanneroo communities via the Joondalup Health Campus.

Indications are that there is a prevalence of non-communicable diseases within the existing population of the City and a project such as this will have medium to long term benefits for the community.

Prior to presentation of the project to the University of WA's Ethics Committee, a letter of support is being sought from the City of Joondalup.

It is therefore recommended that Council AGREES to provide a letter of support for the ORIGINS Project: Joondalup Wanneroo Community Study into Early Interventions for a Healthy Start to Life.

BACKGROUND

The following information has been provided by the Joondalup Health Campus and University of WA's School of Paediatrics and Child Health as background to the ORIGINS project.

Overview

The development of many common and serious diseases occurs as early as in the womb. What happens in pregnancy can increase the risk of developing chronic health issues such as obesity, heart disease, allergies and poor mental health later in life. These diseases are commonly known as non-communicable diseases (NCD) and pose the greatest threat to human health globally. This project aims at uncovering when and why NCD's develop through the study of early environments, maternal physical health and genetics. The goal of the project is to reduce the rising epidemic of NCD's through a "healthy start to life".

What is the ORIGINS Project?

This is a new birth cohort study, designed to collect detailed information about how the early environment influences the risk of a broad range of early and later onset diseases including asthma, allergies, diabetes, obesity and its many complications. The study will recruit women early in pregnancy and collect data on their health, diet, physical activity patterns and a range of factors in their environment. The study will then assess how these early life exposures influence their child's growth, development, and health (including neurodevelopment, evidence of allergies, infections, and other medical history).

Summary of the Study

There are currently approximately 3,000 deliveries per year at the Joondalup Health Campus, and over a five year period, the study aims to:

- Collect core data from >10,000 mothers and infants collected during standard clinical care (with "opt out" consent to access only routine data which will be de-identified), and to use data linkage to assess health outcomes. Women who consent to this process will have no contact with researchers as data will only be accessed through data linkage (unless the women have "opted out").
- Invite as many of these women as possible to consent to a more active follow-up process (aiming for >2,000 participants over the five year period). This will entail additional lifestyle and environmental data (questionnaires, sampling and infant follow-up) that would not be part of standard care.

The ORIGINS Project is sponsored by Telethon KIDS Institute and has major support from the Joondalup Health Campus who are all keen to be involved in seeking new interventions and strategies to improve the health of their community.

The establishment of a new University of WA academic unit at the Joondalup Health Campus brings an ideal environment to build a new cohort. There is a well-integrated multi-disciplinary team with strong links to the community and multiple academic institutions. There is considerable collaboration and commitment to establishing a strong research program in this new setting. Collaborations with other educational institutions will occur in the future, for instance, with Edith Cowan University and local schools.

DETAILS

The most recent health profile for Joondalup produced by the Department of Health includes an extract of the Health and Wellbeing Surveillance System (HWSS) 2002-2011. According to the HWSS, the following numbers of people within the City of Joondalup have the categories of non-communicable diseases that will be the focus of the ORIGINS Project:

Risk Factors – Adults 16 Years and Over	Estimated Population
Overweight	50,136
Obese	25,784
High or very high psychological distress	8,240
Prevalence of National Health Priority Area Health Conditions	
Diabetes	5,521
Heart Disease	5,357
Cancer (2007 -2011)	5,535
Asthma	10,624
Current mental health problem (in past 12 months)	15,843

Issues and options considered

The two options that have been identified are:

- provide a letter of support for the ORIGINS Project as requested
or
- not provide a letter of support for the ORIGINS Project.

Given the prevalence of non-communicable diseases experienced by the City's residents it is considered appropriate to provide a letter of support for a project that aims to reduce the rising epidemic of NCD's through a "healthy start to life".

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Not applicable.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

There is a risk that the ORIGINS Project will not progress if the City does not provide a letter of support.

There are broader risks to the City's residents if the prevalence of non-communicable diseases is not reduced.

Financial / budget implications

There is no request for a financial contribution by the City to the ORIGINS Project.

Regional significance

It is intended that the ORIGINS Project will be a study undertaken across both the Cities of Joondalup and Wanneroo. A letter of support is also being sought from the City of Wanneroo.

Sustainability implications

The prevalence of non-communicable diseases has an adverse affect on economic, social and environmental sustainability, both in terms of the City and its residents.

The aim of conducting the study on a cohort over a five year period is anticipated to provide quality data over a longer period of time as well as establish a new birth cohort in WA. The ORIGINS Project will be a large collaboration of clinical disciplines, all focused on taking a more integrated approach from the outset to ensure optimal capacity and inbuilt interventions. It is envisaged these elements will lead to a sustainable outcome for the City's community.

Consultation

Meetings have been held with representatives of the Joondalup Health Campus and the University of WA's School of Paediatrics and Child Health to discuss the project.

COMMENT

The goal of the *ORIGINS Project: Joondalup Wanneroo Community Study into Early Interventions for a Healthy Start to Life* is to reduce the rising epidemic of non-communicable diseases through a "healthy start to life".

Given the prevalence of non-communicable diseases in the City such as diabetes, heart disease, cancer, asthma and mental health problems, there is demonstrated need to address the factors that contribute to these diseases and the impact these diseases have on the health and wellbeing of the community.

The request by the Joondalup Health Campus and University of WA's School of Paediatrics and Child Health for a letter of support for the ORIGINS Project is therefore supported.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council AGREES to provide a letter of support for the *ORIGINS Project: Joondalup Wanneroo Community Study into Early Interventions for a Healthy Start to Life.*

ITEM 7 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2014 ANNUAL GENERAL MEETING

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	00033, 101515
ATTACHMENTS	Nil.
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to give consideration to nominating its voting delegates for the 2014 Annual General Meeting of the Western Australian Local Government Association (WALGA) to be held on Wednesday 6 August 2014.

EXECUTIVE SUMMARY

The Annual General Meeting of the WALGA is traditionally held during the WA Local Government Convention. The majority of local governments in the State have representatives attending.

Crs Amphlett and Norman were nominated as the City's voting delegates in 2013, with Cr Russ Fishwick and Mr Garry Hunt, Chief Executive Officer as their proxy delegates.

BACKGROUND

The 2014 WALGA Annual General Meeting will be held on Wednesday 6 August 2014.

DETAILS

Voting Delegates

In order to participate in the voting on matters received at the Annual General Meeting, each member Council must register its voting delegates by Thursday 10 July 2014. Pursuant to the WALGA Constitution, all member Councils are entitled to be represented by two voting delegates. Voting delegates may be either Elected Members or serving officers. Proxy voting is available where the Council's appointed representatives are unable to attend.

The current City of Joondalup members of the WALGA North Metropolitan Zone are:

Members

Cr Geoff Amphlett, JP
Cr Russ Fishwick, JP
Cr Philippa Taylor
Cr Sam Thomas

Deputies

Cr Kerry Hollywood
Cr John Chester
Cr Christine Hamilton-Prime
Cr Mike Norman

Crs Amphlett and Fishwick are the City's delegate and deputy delegate respectively, to the WALGA State Council.

Mayor Troy Pickard is the WALGA State President.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

Strategic initiative Advocate and influence political direction to achieve local and regional development.

Policy Not applicable.

Risk management considerations

If the City of Joondalup does not submit its voting members, it will not be able to vote on the matters to be debated as part of the Annual General Meeting of the WALGA.

Financial / budget implications

Not applicable.

Regional significance

Matters considered at the 2014 WALGA Annual General Meeting relate to local government as an industry.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The North Metropolitan Zone Committee of the WALGA, consisting of the Cities of Joondalup, Stirling and Wanneroo, is the main link the City has in considering matters relating to WALGA activities.

It is considered prudent to designate two voting delegates for the 2014 Annual General Meeting of the WALGA to ensure the City is represented and is able to vote on matters affecting the City and the broader local government sector.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION**That Council NOMINATES:**

- 1 Two voting delegates for the 2014 Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday 6 August 2014;**
- 2 Two proxy voting delegates for the 2014 Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday 6 August 2014 in the event that Council's appointed representatives are unable to attend.**

ITEM 8 MINUTES OF EXTERNAL COMMITTEES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	03149, 60514, 00033, 48543, 101515
ATTACHMENTS	Attachment 1 Minutes of the ordinary meeting of the Mindarie Regional Council held on 24 April 2014 Attachment 2 Minutes of the Local Emergency Management Committee held on 1 May 2014 Attachment 3 Summary Minutes of the Western Australian Local Government Association North Metropolitan Zone held on 1 May 2014 Attachment 4 Summary Minutes of the Western Australian Local Government Association State Council held on 9 May 2014
	<i>(Please Note: These minutes are only available electronically)</i>
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the minutes of various external bodies on which the City has current representation.

EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of the ordinary meeting of the Mindarie Regional Council (MRC) held on 24 April 2014.
- Minutes of the Local Emergency Management Committee meeting held on 1 May 2014.
- Summary
- Minutes of the Western Australian Local Government Association (WALGA) State North Metropolitan Zone held on 1 May 2014.
- Minutes of the Western Australian Local Government Association (WALGA) State Council held on 9 May 2014.

DETAILS

The following information details those matters that were discussed at the external meetings and may be of interest to the City of Joondalup.

Mindarie Regional Council meeting – 24 April 2014.

A meeting of the Mindarie Regional Council (MRC) was held on 24 April 2014.

Cr Russ Fishwick (Chair) and Cr Kerry Hollywood are Council's representatives on the Mindarie Regional Council. On this occasion, Cr Hollywood was an apology for this meeting. At its meeting held on 15 April 2014 (C17-04/14 refers), Council appointed Cr Christine Hamilton-Prime as a deputy member to act on behalf of Cr Kerry Hollywood to represent the City at any meetings of the Mindarie Regional Council to be held between 16 April and 4 May 2014 inclusive.

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

9.3 Audit Committee Recommendations for Consideration by Council

It was resolved by the MRC as follows:

- “1 *That the Council writes to the Minister for Local Government outlining the challenges being faced in trying to recruit an external audit committee member as a result of the limitations of the Local Government Act preventing a fee to be paid to a suitably qualified person to be the external audit committee member of the Audit Committee;*
- 2 *That the Council adopts that the revised terms of reference with the following changes:*
 - (a) *That under Point 4, the meeting frequency shall be changed from ‘as and when required’ to ‘at least once a year’;*
 - (b) *That under Point 6(p), ‘Recommend adoption...’ shall be changed to ‘Consider recommending adoption...’
(Absolute Majority)*
- 3 (a) *That the Audit Committee recommends to Council that:*
 - i. *Both Ms Gayle Rogers and Ms Lorraine Hannett be endorsed as suitable candidates for the position of external audit committee member;*
 - ii. *Ms Rogers be offered the position of external audit committee member for a two year term, ending in April 2016;*
 - iii. *In the event that Ms Rogers is unable to accept the appointment the Audit Committee by given delegated authority to appoint a suitably qualified person to the position.*
- (b) *That the candidate appointed to the role is to meet with the Director Corporate Services ahead of the next Audit Committee meeting.
(Absolute Majority)”*

9.4 Tour of Waste to Energy Facilities in the United Kingdom

It was resolved by the MRC as follows:

“That the Council:

- 1 *Approves the Chief Executive Officer’s visits to the Waste-to-Energy sites in England as presented in the details section of this report;*
- 2 *The costs of visiting the sites, estimated to be \$4,050, be funded from GL4207 – CEO Conferences.*

(Absolute Majority Required)”

9.5 Sorting Shed Proposal

It was resolved by the MRC as follows:

“That the Council:

- 1 *Endorses a special combined meeting of the Strategic Working Group and the Technical Working Group to clarify the member Councils’ commitment to this project by seeking the delivery of the bulk verge collection waste stream (excluding green waste) to the MRC, irrespective of the collection method;*
- 2 *Receive a further report, detailing the outcome of the special combined meeting with the Strategic Working Group and the Technical Working Group.”*

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

14.1 Resource Recovery Facility – Request from Biovision to Increase Plant Maintenance Costs

It was resolved by the MRC as follows:

“That the Council:

- 1 *Advise BioVision that the MRC is prepared to try and find a negotiated outcome on a “without prejudice” basis to the claim BioVision presented in correspondence dated 22 January 2014 and that the MRC will reserve its full rights to settle the claim in accordance with the Resource Recovery Facility Agreement;*
- 2 *Authorise the Chief Executive Officer (CEO) and the Director Corporate Services to:*
 - i *Review the report prepared by PricewaterhouseCoopers entitled “Development of Operations Phase Cost model for Neerabup BioVision ARRT” with the aim of determining the reasonability of the report findings and any costs included in the report that would be considered to be normal maintenance;*
 - ii *Commence the negotiations with BioVision as anticipated in (1) above;*
 - iii *Present a position paper to the Project Advisory Group based on the outcome of the negotiations;*
- 3 *Receive a further report detailing the recommendations from the Project Advisory Group and the CEO.”*

14.2 Tender for Recycling of Scrap Steel/Metal

It was resolved by the MRC as follows:

“That the Council:

- 1 *Award Tender Number 13/121 - Recycling of Scrap Metal/Steel to Sims Group Australia for a period of three years with two one year options subject to MRC at its sole discretion terminating the agreement where the contract price decreases by more than 10% in any quarter;*
- 2 *Inform Hills Scrap Metal:*
 - (a) *that its tender was non-conforming as it did not respond to the following essential criteria:*
 - i *Part 4.2 Selection Criteria • Clause f) Risk Assessment.*
 - ii *Part 4.2.2 Qualitative Criteria • Clause A Relevant Experience; and Clause B Tenderer’s Resources.*
 - (b) *of the outcome of the tender including the name of the successful tenderer.”*

14.3 Tender for Recycling Of Mattresses

It was resolved by the MRC as follows:

“That the Council:

- 1 *Award Tender Number 13/122 - Recycling of Mattresses to Spider Waste for a period of three years as per Option 1 of the report;*
- 2 *Inform the unsuccessful tenderer Garbology:*
 - (a) *that its tender was unsuccessful;*
 - (b) *of the outcome of the tender including the name of the successful tenderer.”*

Local Emergency Management Committee – 1 May 2014

A meeting of the Local Emergency Management Committee was held on 1 May 2014.

Cr John Chester is Council’s representative on the Local Emergency Management Committee, with Cr Sam Thomas being the deputy.

There were no matters requiring action or decision by the City of Joondalup resolved at the Local Emergency Management Committee meeting.

Western Australian Local Government Association (WALGA) North Metropolitan Zone – 1 May 2014

An ordinary meeting of the Western Australian Local Government (WALGA) North Metropolitan Zone was held on 1 May 2014.

The Council's representatives on the WALGA North Metropolitan Zone are Crs Geoff Amphlett, Russ Fishwick, Sam Thomas and Philippa Taylor. On this occasion Cr Russ Fishwick was an apology for the meeting, being represented by Cr Christine Hamilton-Prime as deputy.

For the information of Council, the following matter of interest to the City of Joondalup was resolved at the WALGA North Metropolitan Zone meeting:

5.1 Advocacy for Legislative Change to the Building Act 2011

It was resolved by the WALGA North Metropolitan Zone as follows:

“That WALGA request the State Government to review the Building Act 2011 and associated regulations to:

- 1 Expressly exempt local government from liability from claims involving privately certified building permits, occupancy permits and building approval certificates;*
- 2 Remove the requirement for local government to provide certification services for Class 1 and 10 structures;*
- 3 Remove statutory timeframes for local government certification services;*
- 4 Deregulate fees for certification services provided by local government.”*

Western Australian Local Government Association State Council - 9 May 2014.

A meeting of the Western Australian Local Government Association (WALGA) State Council was held on 9 May 2014.

The Council's representatives on the WALGA State Council for this meeting were Mayor Pickard (President) and Cr Amphlett.

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

4.1 Road Funding Campaign

It was resolved by the WALGA State Council as follows:

“That:

- 1 On receipt of advice from the Minister for Transport that the local road funding agreement will not be reinstated, the Association implements a public campaign to voice strong opposition to the State Government decision;*
- 2 The campaign highlights that the State Government reneged on the previous agreement with the sector on road funding; and the potential consequences for community safety;*

- 3 *The campaign includes statewide public communications channels and components that are readily able to be implemented and supported by member Councils at minimal direct cost to member Councils;*
- 4 *The cost of the initial campaign budget to be up to \$350,000 with funding to be allocated from the Association Strategic Reserve.”*

5.5 Review of the Australian Citizenship Ceremonies Code (2009)

It was resolved by the WALGA State Council as follows:

- “1 *That the Association’s interim submission to the Hon Scott Morrison MP, Minister for Immigration and Border Protection’s Review on Australian Citizenship Ceremonies Code (2009) be endorsed subject to:*
- (a) *the issue of representation contained in the Australian Citizenship Ceremonies Code being reviewed;*
 - (b) *greater emphasis being placed on the increasing costs to local government of hosting citizenship ceremonies;*
- 2 *That the Association Policy on this matter be reviewed and updated.”*

5.6 WA Police and WALGA Memorandum of Understanding for the Provision of Crime Statistics

It was resolved by the WALGA State Council as follows:

“*The proposed Memorandum of Understanding between WA Police and WA Local Government Association for the provision of crime statistical information be endorsed.”*

5.7 Local Government and Provision of Facilities for Child Health Centres

It was resolved by the WALGA State Council as follows:

“*That:*

- 1 *The final AEC Report Local Government and Provision of Facilities for Child Health Centres be forwarded to the Hon Kim Hames, Minister for Health and the Hon Tony Simpson, Minister for Local Government and Communities seeking a commitment to the following outcomes:*
 - (a) *The Department of Health and the Department of Local Government and Communities working with local government to develop a strategic plan for the provision of child health services, which identifies priority locations requiring maternal and child health services based on population growth and demographic data, and provides a sustainable framework for future investment by the State Government;*
 - (b) *The Departments working with WALGA and its members to establish sustainable and equitable funding and leasing arrangements between the state and local governments for the provision of facilities from which child health services are delivered in Western Australia;*
- 2 *WALGA develop and conduct a Local Government Early Years Forum to enable local governments to discuss the key issues facing the sector.”*

5.8 Review of the State/Local Government Agreement for the provision of Public Library Services

It was resolved by the WALGA State Council as follows:

- “1 That an extension to the current State/Local Government Agreement for the Provision of Public Library Services to June 2015 is supported;
- 2 That WALGA is requested to conduct a broad review and visioning process on the future of public library services comprised of:
- (a) a background paper on trends, priorities and innovation in library services in other jurisdictions;
 - (b) a series of visioning workshops and forums with elected members, CEOs, managers, public librarians and community groups;
 - (c) an analysis of the financial contributions of the state and local governments to libraries and the regional library service, the socio-economic benefits derived from this investment and potential sources of funding;
 - (d) development of a paper outlining the vision of WA Local Governments for public library services in 2025 and the strategies to achieve this;

and provide a report to State Council on the outcomes of the process by March 2015.

5.9 Interim Submission to the Department of the Environment’s Emission Reduction Fund – Green Paper

It was resolved by the WALGA State Council as follows:

“That the Association’s interim submission to the Department of the Environment’s Emission Reduction Fund – Green Paper be endorsed.”

6 MATTERS FOR NOTING/INFORMATION

6.1 Local Government Reform and Poll Provisions

It was resolved by the WALGA State Council as follows:

“That the update on the 5 March 2014 State Council Emerging Issue relating to Local Government reform and the poll provisions be noted.”

6.2 Review of 2013 Local Government Elections – Member Feedback

It was resolved by the WALGA State Council as follows:

“That State Council note the report on the 2013 Local Government Elections.”

Legislation/Strategic Community Plan/policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

Strategic initiative Seek out City representation on key external and strategic bodies.

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.

RECOMMENDATION

That Council NOTES the minutes of the:

- 1 Mindarie Regional Council meeting held on 24 April 2014 forming Attachment 1 to this Report;**
- 2 Western Australian Local Government Association State Council held on 9 May 2014 forming Attachment 2 to this Report;**
- 3 Local Emergency Management Committee held on 1 May 2014 forming Attachment 3 to this Report.**

To access this attachment on electronic document, click here: [external minutes100614.pdf](#)

ITEM 9 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	15876, 101515
ATTACHMENTS	Attachment 1 Documents executed by affixing the Common Seal for the period 12 May 2014 to 14 May 2014.
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’).

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 12 May 2014 to 14 May 2014 (Attachment 1 refers).

EXECUTIVE SUMMARY

The City 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 Council for information on a regular basis.

It is therefore recommended that Council NOTES the Schedule of Documents covering the period 12 May 2014 to 14 May 2014 executed by means of affixing the Common Seal, as detailed in Attachment 1 to this Report.

BACKGROUND

During the period 12 May 2014 to 14 May 2014, 3 documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Lease	1
Withdrawal of Caveat	2

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial/budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Schedule of Documents covering the period 12 May 2014 to 14 May 2014, executed by means of affixing the Common Seal, as detailed in Attachment 1 to this Report.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf100614.pdf](#)

ITEM 10 STATUS OF PETITIONS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	05386, 101515
ATTACHMENTS	Attachment 1 Status of Petitions – 23 June 2013 to 20 May 2014
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’).

PURPOSE

For Council to note the status of outstanding petitions.

BACKGROUND

At its meeting held on 16 December 2008 (CJ261-12/08 refers), Council considered a report in relation to petitions.

As part of that report, it was advised that quarterly reports would be presented to Council in the future.

DETAILS

Issues and options considered

Attachment 1 provides a list of all outstanding petitions, which were received during the period 23 June 2013 to 20 May 2014, with a comment on the status of each petition.

Legislation / Strategic Community Plan / policy implications

Legislation *City of Joondalup Meeting Procedures Local Law 2013.*

Strategic Community Plan

Key Themes Governance and Leadership.

Objective Active democracy.

Strategic Initiatives

- Fully integrate community consultation practices into City activities.
- Optimise opportunities for the community to access and participate in decision-making processes.
- Adapt to community preferences for engagement formats.

Policy Implications

Each petition may impact on the individual policy position of the City.

Risk Management Considerations

Failure to give consideration to the request of the petitioners and take the appropriate actions may impact on the level of satisfaction of the community.

Financial/Budget Implications

Individual requests made by the way of petitions may have financial implications.

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

The list of petitions is presented to Council for information, detailing the actions taken to date and the actions proposed to be undertaken for those petitions that remain outstanding.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES:

- 1 the status of outstanding petitions submitted to Council during the period 23 June 2013 to 20 May 2014, forming Attachment 1 to this Report;
- 2 that in relation to the petition requesting that Council does not approve the sale of any portion of Lot 971, 52 Creaney Drive, Kingsley, a report is being prepared and will be submitted to a future Council meeting;
- 3 that a report in relation to the petition requesting the installation of a roundabout at Hepburn Avenue and Lilburne Road, Duncraig to facilitate safer traffic flow was presented to Council at its meeting held on 15 April 2014 (CJ057-04/14 refers);
- 4 that a report in relation to the petition requesting the installation of a basketball court and a tennis hit-up wall at Ellersdale Oval, Warwick, or at the alternate location of Aberdare Park, Warwick is proposed to be presented to Council at its meeting to be held on 16 September 2014;
- 5 that a report in relation to the petition requesting that Council erects shade sails over the playground area at Mawson Park, Hillarys is proposed to be presented to Council at its meeting to be held on 16 September 2014.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf100614.pdf](#)

ITEM 11 FENCING LOCAL LAW 2014 - REQUEST TO ADVERTISE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	08475, 101515
ATTACHMENTS	Attachment 1 Local law comparison matrix Attachment 2 <i>Private Property Local Law 1998</i> Attachment 3 Draft <i>Fencing Local Law 2014</i> (unofficial version with footnotes) Attachment 4 Draft <i>Fencing Local Law 2014</i> (official gazettal version)
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to make the *City of Joondalup Fencing Local Law 2014* for the purposes of public advertising.

EXECUTIVE SUMMARY

The *City of Joondalup Private Property Local Law 1998* (Attachment 2 refers) was adopted by the Joint Commissioners at its meeting held on 9 February 1999 (CJ02-02/99 refers) and has been in operation since 22 March 1999. The local law contained provisions relating to the regulation, control and management of fencing (among other things) within the district.

A local government is required to review its local laws within a period of eight years from the day the local law commenced or was last reviewed by Council. The *City of Joondalup Private Property Local Law 1998* has been amended on two occasions, first in 2000 and subsequently in 2002. The local law was last reviewed by Council at its meeting held on 26 April 2006 (CJ043-04/06 refers), where it was resolved to retain the City's local laws as presented at that point in time.

The Council again considered the eight year statutory review of its local laws at its meeting held on 19 March 2013 (CJ026-03/13 refers) where it resolved to approve the intent to, among other things, repeal the *City of Joondalup Private Property Local Law 1998* and create a new local law.

The proposed *City of Joondalup Fencing Local Law 2014* seeks to determine the minimum standard of a sufficient fence for the purposes of the *Dividing Fences Act 1961*.

It is therefore recommended that Council MAKES the City of Joondalup Fencing Local Law 2014, as detailed in Attachment 4 to this Report, for the purposes of public advertising.

BACKGROUND

At its meeting held on 9 February 1999 (CJ02-02/99 refers) the Joint Commissioners adopted the *City of Joondalup Private Property Local Law 1998* (Attachment 2 refers). The purpose of the local law was to provide for the regulation, control and management of street numbering, fencing, tennis court floodlighting, sand drift abatement and vehicle wrecking on private property within the district.

The current local law was published in the *Government Gazette* on 8 March 1999 and has been in operation since 22 March 1999 (14 days after its publication in the *Government Gazette*).

A local government is required to review its local laws within a period of eight years from the day the local law commenced or was last reviewed by Council. The *City of Joondalup Private Property Local Law 1998* has been amended on two occasions, first in 2000 and subsequently in 2002. At its meeting held on 26 April 2006 (CJ043-04/06 refers), Council considered the eight year statutory review of its local laws and resolved to retain the City's local laws as presented at that point in time.

At its meeting held on 19 March 2013 (CJ026-03/13 refers), Council again considered the eight year statutory review of its local laws, where it resolved to approve the intent to, among other things, repeal the *City of Joondalup Private Property Local Law 1998* and create a new local law.

The outcomes of that review have been progressively actioned, with the majority of the City's local laws having been revised and new local laws made. An internal working group has been developing a new Fencing Local Law for Council's consideration.

DETAILS

The current *City of Joondalup Private Property Local Law 1998* provides for the regulation, control and management of street numbering, fencing, tennis court floodlighting, sand drift abatement and vehicle wrecking on private property within the district.

Aspects of this local law relating to street numbering, floodlighting, sand drift abatement and vehicle wrecking are considered to be a replication of statutory enforcement provisions detailed in the *Local Government Act 1995* (the Act), and their inclusion in a local law does not provide the City with any additional power or mechanisms to enforce the relevant provisions. Research was therefore undertaken with a view to developing a local law focussing on the regulatory requirements relating to fencing.

The proposed *City of Joondalup Fencing Local Law 2014* establishes the minimum requirements for fencing within the district and is structured into various Parts as follows:

Part 1 - Preliminary – details the purpose and effect of the local law, its application and commencement, relationship with other laws, repeal provisions and a list of the definitions used throughout the local law.

Part 2 – Sufficient fences – defines what is a 'sufficient fence' for the purposes of the *Dividing Fences Act 1961*.

Part 3 – Fencing requiring a building permit – details the types of fences that require a building permit in accordance with the provisions of the *Building Act 2011* and the *Building Regulations 2012*.

Part 4 – Fencing materials and requirements – outlines materials that are prohibited to be used in the construction of a fence, the standard of construction for masonry fences, the requirements associated with installing a gate in a fence, and fencing materials that require the written approval of the local government prior to their use within the district.

Schedule 1 – Specifications for a sufficient fence on a residential lot – this schedule is read in conjunction with clause 2.1 and details the minimum standard of sufficient fence on a residential lot for the purposes of the *Dividing Fences Act 1961*.

Schedule 2 – Specifications for a sufficient fence on a commercial lot or an industrial lot – this schedule is read in conjunction with clause 2.1 and details the minimum standard of sufficient fence on a commercial lot or an industrial lot for the purposes of the *Dividing Fences Act 1961*.

Schedule 3 – Specifications for a sufficient fence on a rural lot – this schedule is read in conjunction with clause 2.1 and details the minimum standard of sufficient fence on a rural lot for the purposes of the *Dividing Fences Act 1961*.

The proposed local law has been drafted taking into account contemporary drafting standards, various reports and rulings of the Joint Standing Committee on Delegated Legislation (JSCDL), and operational needs as identified by various Business Units of the City.

An unofficial copy of the proposed local law that includes footnotes to aid understanding of various legislative provisions is provided at Attachment 3. The official version of the local law that will be used for gazettal is included as Attachment 4.

Comparison between the proposed local law and the provisions of the existing local law to be repealed are summarised in the comparison matrix (Attachment 1 refers). This attachment indicates whether a similar clause is provided in the existing local law, whether there is a new clause in the new local law, and those clauses that are not provided for and an appropriate explanation.

The procedure for making local laws is detailed in the Act and is a specific legislative process that must be adhered to in order for the local law to be accepted by the JSCDL and by Parliament.

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

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

In view of this, the **purpose** of the *City of Joondalup Fencing Local Law 2014* is to determine the standard of a sufficient fence and the building standards of fences throughout the district.

The **effect** of the *City of Joondalup Fencing Local Law 2014* is to establish the minimum requirements for fencing within the district.

Issues and options considered

Council can either:

- make the *City of Joondalup Fencing Local Law 2014* as presented for the purposes of public advertising
- make the *City of Joondalup Fencing Local Law 2014* as proposed with any necessary amendments
or
- not recommend the making of the *City of Joondalup Fencing Local Law 2014* and retain the existing local law.

Option 1 is the preferred option considering the outcomes of the City's eight year statutory review.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
Local Government (Functions and General) Regulations 1996.
Dividing Fences Act 1961.
Building Act 2011.
Building Regulations 2012.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Corporate capacity.

Strategic initiative

Not applicable.

Policy

Subdivision and Dwelling Development Adjoining Areas of Public Space Policy.

Subdivision 2, Division 2 of Part 3 of the Act applies to the creation, amending and repealing of local laws. It is anticipated that the local law making process will take approximately four months.

Risk management considerations

Should the City not follow the local law creation process as detailed in the Act, the local law may be disallowed by the JSCDL. The local law must also be cognisant of previous findings of the JSCDL, specifically with regard to provisions that the JSCDL has stated are outside the local law making power of local governments.

Financial / budget implications

The cost associated with the local law making process is approximately \$2,500, being public advertising costs and costs to publish the local law in the *Government Gazette*. Funds are available in the *2013-14 Budget* and have also been identified in the draft *2014-15 Budget* for statutory advertising.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The proposed local law has been developed following a thorough review by an internal working group, comprising officers from affected Business Units across the organisation. Consideration has also been given to the requirements of the various legislation, the WALGA Model Local Laws and contemporary local laws of other local governments. Previous findings of the JSCDL have also been taken into account.

Should Council decide to make the *City of Joondalup Fencing Local Law 2014* for the purposes of public advertising, statutory advertising and consultation with all members of the public will occur, as follows:

- Giving statewide public notice advertising the proposed local law and inviting submissions to be made within no less than six weeks from the date of advertising, including:
 - advertising in a newspaper circulating throughout the state
 - displaying public notices at the City of Joondalup Administration Centre, public libraries and customer service centres
 - advertising on the City's website.
- Providing a copy of the notice and a copy of the proposed local law to the Minister responsible for the Act under which the proposed local law is being made.

COMMENT

The proposed *City of Joondalup Fencing Local Law 2014* is a refinement of the current *City of Joondalup Private Property Local Law 1998*, taking into account the WALGA Model Local Law, local laws of other local governments and previous findings of the JSCDL. It has been developed following extensive review and consultation with officers from across the organisation.

Should the proposed *City of Joondalup Fencing Local Law 2014* be subsequently made by Council following the public advertising process, the existing *City of Joondalup Private Property Local Law 1998* will need to be repealed.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council MAKES the *City of Joondalup Fencing Local Law 2014*, as detailed in Attachment 4 to this Report, for the purposes of public advertising.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf100614.pdf](#)

ITEM 12 2014 ANNUAL REVIEW OF DELEGATIONS MADE UNDER THE LOCAL GOVERNMENT ACT 1995

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	07032, 101515
ATTACHMENTS	Attachment 1 Summary of Changes Attachment 2 Revised Delegations
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to undertake a formal review of its delegations made under the *Local Government Act 1995*.

EXECUTIVE SUMMARY

Sections 5.18 and 5.46 of the *Local Government Act 1995* (the Act) requires that at least once every financial year, delegations made under the Act are to be reviewed by the delegator. Council last reviewed its delegations on 25 June 2013 (CJ094-06/13 refers).

The 2014 annual review has resulted in some new delegations and a revised layout for each instrument of delegation that includes improvements to the wording and legislative referencing.

A summary of the changes to the register is submitted as Attachment 1 to this report. The revised instruments of delegation under the Act are included as Attachment 2 to this report and will be inserted in a revised Delegation of Authority Register (the register).

It is therefore recommended that Council endorses the review and agrees to the revised delegations being inserted in the City's Delegation of Authority Register.

BACKGROUND

In accordance with Sections 5.16 and 5.42 of the Act a local government can delegate certain functions to a committee of Council, or the Chief Executive Officer.

Sections 5.18 and 5.46 of the Act require that at least once every financial year, delegations made under the Act are to be reviewed by the delegator. Council last reviewed its delegations on 25 June 2013 (CJ094-06/13 refers), and therefore a formal review by Council is required.

Delegations are updated as required and inserted into a register each time that authority is delegated by Council to the Chief Executive Officer (or other officers), or where the Chief Executive Officer delegates his powers or duties to other officers. The register is a comprehensive document that consists of delegations from Council to the Chief Executive Officer (or other employees) and those delegations from the Chief Executive Officer to other officers. It also includes delegations made under other legislation.

In accordance with the Act, the delegator (being Council in this instance) is to review its delegations made under the Act annually. The purpose of this annual review is for Council to consider its delegations to the Chief Executive Officer and to determine their ongoing suitability.

DETAILS

Reviews undertaken on delegations in recent years have focussed on minor adjustments and administrative corrections to the register however the 2014 annual review has resulted in:

- a revised layout for each instrument of delegation
- improvements to the wording and referencing of individual delegations
- new and increased scope of individual delegations.

A summary of changes (Attachments 1 refers) lists those amendments. Most amendments to delegations made under the Act were minor and consistent with the general changes mentioned above.

Of significance is the change to the delegation now entitled “Appointment of Authorised Persons”. In the first part of that delegation, relating to the exercise of powers and duties of authorised persons under the *Local Government Act 1995*, two new sections of that Act have now been referenced that were not previously included. These relate to authorisation to appoint persons to perform particular functions (section 9.10) and the ability to accept payments for modified penalties (section 9.17).

A new second part has been added to this delegation in respect of the authority to appoint and authorise persons to exercise the powers and duties of an authorised person under the City’s local laws. Such persons authorised perform particular functions, issue infringements notices and undertake other general enforcement activities.

Two new delegations are suggested for Council’s consideration in relation to performing activities on land that is not local government property (section 3.27) and opening fences (section 3.36). Section 3.27 of the Act allows the local government to perform functions listed in Schedule 3.2 of the Act, for instance carrying out works for the drainage of land, do earthworks on land to reduce flooding, make safe trees that present a serious and present danger and placing signs on land to indicate the names of public thoroughfares. Section 3.27 (in respect of opening fences apply to some activities listing in Schedule 3.2 of the Act. The Chief Executive Officer would be considered appropriate in having these functions to perform, or ability to delegate to other employees.

In respect of committee delegations under section 5.16 of the Act, Council has delegated authority to two committees of Council, namely the Art Collection and Advisory Committee and the Office Development Committee. Changes have been made to reflect the decisions of Council when establishing these committees and delegating authority to them.

Issues and options considered

Council can either:

- accept the proposed amendments to the delegations made under the *Local Government Act 1995*
- vary the proposed amendments to the delegations made under the *Local Government Act 1995*
or
- reject the proposed amendments.

Legislation / Strategic Community Plan / policy implications

Legislation Sections 5.16 – 5.18 and 5.42 – 5.46 of the *Local Government Act 1995* regulate the ability of a local government to delegate the exercise of its powers or the discharge of its duties under that Act.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Continuously strive to improve performance and service delivery across all corporate functions.

Policy Not applicable.

Risk management considerations

The Council is required to review its delegations under the Act at least once every financial year. Failure to complete the review would result in non-compliance with its statutory responsibilities under the *Local Government Act 1995*.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership with the organisation focussing on the day-to-day operations of the City. The use of delegated authority means the large volume of routine work of a local government can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

The *Local Government Act 1995* requires each delegator to review its delegations under that Act at least once every financial year. Following the formal review of its delegations by the Council, the Chief Executive Officer will complete review of delegations made by the Chief Executive Officer, taking into account any amendments and/or conditions determined by Council.

The register that contains the listing of all delegations made under various legislation has been revised and is now divided into various parts to assist in identifying the nature of the delegation and the legislation in which the delegation relates. The parts are as follows:

- Introduction.
- Part 1 – Delegations under the *Local Government Act 1995*.
- Part 2 – Delegations to Committees.
- Part 3 – Delegations under other legislation.

Within each part, the delegations have been listed alphabetically.

As the annual review is only required for delegations made under the *Local Government Act 1995*, it is proposed that delegations made under other legislation will be reviewed in the upcoming months and reported to Council for consideration.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION**That Council:**

- 1** ENDORSES the review of its delegations made under the *Local Government Act 1995* in accordance with sections 5.18 and 5.46 of the *Local Government Act 1995*;
- 2** BY AN ABSOLUTE MAJORITY and in accordance with sections 5.16 and 5.42 of the *Local Government Act 1995* DELEGATES the local government functions under that Act as listed in the amended instruments of delegation forming Attachment 2 to this Report;
- 3** NOTES the instruments of delegation in part 2 above will be included in the revised Delegation of Authority Register;
- 4** NOTES review of delegations made under other legislation is being undertaken and will be subsequently reported to Council for consideration.

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf100614.pdf](#)

ITEM 13 LIST OF PAYMENTS MADE DURING THE MONTH OF APRIL 2014

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENTS	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of April 2014 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of April 2014 Attachment 3 Municipal and Trust Fund Vouchers for the month of April 2014
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of April 2014.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of April 2014 totalling \$13,621,936.77.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for April 2014 paid under delegated authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 in Attachments 1, 2 and 3 to this Report, totalling \$13,621,936.77.

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 April 2014. 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 & EFT Payments - 98066 - 98269 & EF38646 -EF039294 Net of cancelled payments	\$7,573,378.17
	Vouchers 1266A, 1268A -1269A 1271A - 1272A 1274A - 1275A & 1278A - 1280A	\$6,030,684.90
Trust Account	Trust Cheques 206268 - 206305 Net of cancelled payments	\$17,873.70
Total		\$13,621,936.77

Issues and options considered

There are two options in relation to the list of payments.

Option 1

That Council declines to note the list of payments paid under delegated authority. The list is required to be reported to Council in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, and the payments listed have already been paid under the delegated authority. This option is not recommended.

Option 2

That Council notes the list of payments paid under delegated authority. This option is recommended.

Legislation / Strategic Community 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 Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

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

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 2013-14 Annual Budget as adopted by Council at its meeting held on 25 June 2013 (CJ117-06/13 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Chief Executive Officer's list of accounts for April 2014 paid under Delegated Authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* forming Attachments 1, 2 and 3 to this Report, totalling \$13,621,936.77.

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf100614.pdf](#)

ITEM 14 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 APRIL 2014

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	07882, 101515
ATTACHMENTS	Attachment 1 Financial Activity Statement for the period ended 30 April 2014
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the Financial Activity Statement for the period ended 30 April 2014.

EXECUTIVE SUMMARY

At its meeting held on 17 February 2014 (CJ032-02/14 refers), Council adopted the Mid Year Budget Review for the 2013-14 Financial Year. The figures in this report are compared to the Revised Budget figures.

The April 2014 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$11,221,623 for the period when compared to the 2013-14 Revised Budget.

The variance can be summarised as follows:

The operating surplus is \$4,432,922 higher than budget, made up of higher operating revenue of \$1,023,875 and lower operating expenditure of \$3,409,046.

Operating revenue is below budget on Grants and Subsidies \$174,614 and Rates \$19,397. This is offset by higher revenues on Fees and Charges \$201,473, Contributions, Reimbursements and Donations \$139,213, Profit on Asset Disposal \$781,672, Interest Earnings \$62,211, Other Revenue \$31,216 and Specified Area Rates \$2,100.

Operating expenditure is below budget mainly on Employee Costs \$658,161, Materials and Contracts \$3,126,687, Loss on Assets Disposal \$71,949, Utilities \$1,223 and Insurance Expenses \$844. This is partially offset by higher expenditure on Depreciation and Amortisation \$450,244.

The Capital Deficit is \$7,169,209 below budget primarily due to lower than budgeted expenditure on Capital Projects \$1,610,141, Capital Works \$5,279,803 and Motor Vehicle Replacements \$703,003 as well as higher revenue from Capital Contributions \$43,582. This is partially offset by lower revenue from Capital Grants and Subsidies \$119,341 and unbudgeted Tamala Park Development Costs \$348,312.

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

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 30 April 2014 forming Attachment 1 to this Report.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* requires a monthly Financial Activity Statement. At its meeting held on 11 October 2005 (CJ211-10/05 refers), 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 30 April 2014 is appended as Attachment 1.

Legislation / Strategic Community 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 Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

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 revised 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 revised 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 2013-14 Revised Budget or have been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Financial Activity Statement for the period ended 30 April 2014 forming Attachment 1 to this Report.

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf100614.pdf](#)

ITEM 15 TENDER 006/14 - CONSTRUCTION OF A FIVE LEVEL MULTI-STOREY CAR PARK

WARD	North
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	103976, 101515
ATTACHMENTS	Attachment 1 Summary of Tender Submissions
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to accept the tender submitted by Georgiou Group Pty Ltd for the construction of a five level multi-storey car park.

EXECUTIVE SUMMARY

Tenders were advertised on 8 March 2014 through statewide public notice for the construction of a five level multi-storey car park. Tenders closed on 8 April 2014. A submission was received from the following:

- ADCO Constructions Pty Ltd.
- BGC Construction Pty Ltd.
- Bistel Pty Ltd.
- Cockram Construction Ltd T/as Esslemont Cockram Construction.
- Doric Contractors Pty Ltd.
- Firm Construction Pty Ltd.
- Georgiou Group Pty Ltd.
- Pact Construction Pty Ltd.
- Probuild Constructions (Aust) Pty Ltd.
- PS Structures Pty Ltd.
- The Trustee for Chamois Unit Trust T/as Pindan Constructions.

The submission from Georgiou Group Pty Ltd represents best value to the City. The company demonstrated experience in the construction of buildings with multi-storey car parking facilities with similarities in construction materials and/or methodology. It also demonstrated a thorough understanding of the requirements of the project and has satisfied all technical and contractual items of clarification.

Georgiou Group Pty Ltd has the capacity to deliver the project in the required timeframe. It was also assessed as having the lowest financial risk of the three shortlisted respondents.

It is recommended that Council ACCEPTS the tender submitted by Georgiou Group Pty Ltd for the construction of a five level multi-storey car park as specified in tender 006/14 for the fixed lump sum of \$14,729,866 (GST Exclusive) for completion of the works within 52 weeks from possession of the site.

BACKGROUND

At its meeting held on 12 December 2012 (CJ283-12/12 refers), Council approved the business case for the development of a multi-storey car park and requested the Chief Executive Officer develop a project plan, detailed design and specification and a sourcing strategy for the construction of the multi-storey car park on Boas Avenue.

The City requires an appropriately experienced and resourced contractor to construct a five level multi-storey car park at Lot 535 Boas Avenue Joondalup, including the integration of Lot 537 that has been purchased from Western Power for the purposes of this development.

DETAILS

Tenders were advertised on 8 March 2014 through statewide public notice for the construction of a five level multi-storey car park. The tender period was for four weeks and tenders closed on 8 April 2014.

This contract is for a fixed lump sum with completion of the works within 52 weeks from possession of the site.

Tender Submissions

Eleven submissions were received from the following:

- ADCO Constructions Pty Ltd.
- BGC Construction Pty Ltd.
- Bistel Pty Ltd.
- Cockram Construction Ltd T/as Esslemont Cockram Construction.
- Doric Contractors Pty Ltd.
- Firm Construction Pty Ltd.
- Georgiou Group Pty Ltd.
- Pact Construction Pty Ltd.
- Probuild Constructions (Aust) Pty Ltd.
- PS Structures Pty Ltd.
- The Trustee for Chamois Unit Trust T/as Pindan Constructions.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 1.

Evaluation Panel

The evaluation panel comprised of four members:

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

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

Compliance Assessment

The following offers received were assessed as fully compliant:

- ADCO Constructions Pty Ltd.
- BGC Construction Pty Ltd.
- Cockram Construction Ltd T/as Esslemont Cockram Construction.
- Firm Construction Pty Ltd.
- PS Structures Pty Ltd.
- The Trustee for Chamois Unit Trust T/as Pindan Constructions.

The following offers were assessed as partially compliant:

- Doric Contractors Pty Ltd.
- Georgiou Group Pty Ltd.
- Pact Construction Pty Ltd.
- Probuild Constructions (Aust) Pty Ltd.

Doric Contractors Pty Ltd – The company proposed various amendments to the conditions of contract relating to recourse to retention, discrepancies, indemnity, delays or disruptions costs, payment certificates, payment claims, variations, guarantees, limitation of liability and interest on security. It was included for assessment subject to an assessment of the proposed amendments prior to final consideration.

Georgiou Group – The company wished to clarify commercial, technical and financial matters prior to award. It was included for assessment subject to the matters being requested and reviewed prior to final consideration. It also indicated it currently is under litigation where it may be liable for more than \$50,000. The details of the litigation were provided to the City, and are not considered to impact on the company's financial capability of delivering the project.

PACT Construction Pty Ltd – The offer set out a number of critical assumptions that require consideration. It was included for assessment subject to an assessment of the proposed amendments prior to final consideration.

Probuild Constructions (Aust) Pty Ltd – The company proposed various amendments to the conditions of contract relating to form of security, recourse to retention moneys, deed of guarantee, undertaking and substitution, possession of site, extension of time for practical completion, effects of certificates, default, force majeure, site access and variations. It was included for assessment subject to an assessment of the proposed amendments prior to final consideration.

The offer from Bistel Pty Ltd was assessed as non-compliant. Under the terms of the *Building Services (Registration) Act 2011*, any entity that the City engages to carry out 'builder-work' valued over \$20,000 must be a registered building service contractor and named as a builder on the building licence or permit. Bistel Pty Ltd is not currently registered with the Department of Commerce Building Commission.

Qualitative Assessment

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. Prior to assessment of individual submissions a determination was made, based on the selection criteria, of what would be an acceptable qualitative pass score that would indicate the ability of the tenderer to satisfactorily deliver the project. The predetermined minimum acceptable pass score was set at 67%.

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

Qualitative Criteria		Weighting
1	Demonstrated experience in completing similar projects	50%
2	Capacity	25%
3	Demonstrated understanding of the required tasks	20%
4	Social and economic effects on the local community	5%

Firm Construction Pty Ltd scored 49.2% and was ranked 10th in the qualitative assessment. It did not demonstrate experience in car park construction, rather projects with similar materials or construction methods. It has the capacity to deliver the project and demonstrated sufficient understanding of the project.

Doric Contractors Pty Ltd scored 51.6% and was ranked ninth in the qualitative assessment. The company demonstrated a good understanding of the requirements. It has the capacity to deliver the project, however its response did not address its number of employees, safety record and ability to provide additional resources. Doric Contractors Pty Ltd has experience in construction projects with buildings with car parking facilities plus roof deck or undercroft car parks in shopping centres. The value of the projects and personnel involved were not included.

BGC Construction Pty Ltd scored 52.6% and was ranked eighth in the qualitative assessment. It demonstrated experience in the construction of buildings with car parking facilities, however the response lacked detail on the levels of parking, construction period, start and end dates and the personnel involved, making assessment of similarities to the City's project difficult. The company is a very large organisation with the capacity to deliver the project and it demonstrated sufficient understanding of the requirements.

ADCO Constructions Pty Ltd scored 60.8% and was ranked seventh in the qualitative assessment. It has the capacity to deliver the project, however it did not address its number of employees, ability to supply additional resources or safety record. The company demonstrated a good understanding of the requirements. It has experience in the construction of car parks and buildings with car parking facilities.

PACT Construction Pty Ltd scored 62.6% and was ranked sixth in the qualitative assessment. It demonstrated a very good understanding of the requirements. The company is part of the Alcock Brown-Neaves Group and has the capacity to deliver the project. PACT Construction Pty Ltd demonstrated experience in the construction of buildings with up to two levels of car parking facilities.

PS Structures Pty Ltd scored 63.6% and was ranked fifth in the qualitative assessment. It demonstrated experience in building construction projects with one current project with basement car parking and a multi-storey car park project at Crown Burswood. Although smaller in terms of personnel than other tenderers, it has the capacity to deliver the project. It also demonstrated a thorough understanding of the project requirements.

Pindan Constructions scored 66.1% and was ranked fourth in the qualitative assessment. It demonstrated a good understanding of the requirements, however its proposed working hours did not comply with the specification. The company is large in size and has the capacity to deliver the project. Pindan Constructions demonstrated suitable experience in the construction of buildings with multiple levels of car parking facilities and recently completed the Currambine Community Centre for the City.

Georgiou Group Pty Ltd scored 67.7% and was ranked third in the qualitative assessment. The company demonstrated experience in the construction of buildings with multi-storey car parking facilities. It is currently constructing an office building with basement car parking for the City of Armadale. It demonstrated a thorough understanding of the requirements supplying a detailed methodology, program and site plan. It has a large number of personnel and resources ensuring its ability to deliver the project.

Esslemont Cockram Construction scored 68.1% and was ranked second in the qualitative assessment. It demonstrated sufficient understanding of the requirements and has the capacity to deliver the project. The company has experience in the construction of free-standing car parks and buildings with car parking facilities.

Probuild Constructions (Aust) Pty Ltd scored 70.9% and was ranked first in the qualitative assessment. The company demonstrated extensive experience in completing similar free-standing multi-storey car park projects. It has the capacity to deliver the project with multiple personnel experienced in car park projects. It also demonstrated a thorough understanding of the project supplying a detailed methodology, program and site plan.

Based on the minimum acceptable score (67%), Probuild Constructions (Aust) Pty Ltd, Esslemont Cockram Construction and Georgiou Group Pty Ltd qualified for stage two of the assessment.

Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted lump sum prices offered by the three short-listed tenderers to assess conformance with the specification and value for money to the City.

Tenderer	Lump Sum Price (Exclusive of GST)
Georgiou Group Pty Ltd	\$14,729,866
Esslemont Cockram Construction	\$15,688,284
Probuild Constructions (Aust) Pty Ltd	\$15,976,044

The lump sum prices from the tenderers that did not qualify for the shortlist were in the range of \$14,446,777 to \$16,437,649.

Evaluation Summary

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

Tenderer	Total Contract Price	Price Rank	Evaluation Score	Qualitative Rank
Probuild Constructions (Aust) Pty Ltd	\$15,976,044	3	70.9%	1
Esslemont Cockram Construction	\$15,688,284	2	68.1%	2
Georgiou Group Pty Ltd	\$14,729,866	1	67.7%	3

Based on the evaluation result the panel concluded that the tender that provides best value to the City is that of Georgiou Group Pty Ltd and is therefore recommended.

Issues and options considered

A contractor is required to construct the multi-storey car park. The City does not have the internal resources to supply the required goods/services and as such requires an appropriate external service provider.

Legislation / Strategic Community Plan / policy implications

Legislation

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

Strategic Community Plan

Key theme

Economic Prosperity, Vibrancy and Growth.

Objective

Primary Centre status.

Strategic initiative

Pursue the construction of multi-storey car park facilities within the Joondalup City Centre to facilitate greater accessibility.

Policy

Not applicable.

Risk management considerations

As part of the price and risk assessment for this project, the City carried out assessments of both the price and technical aspects of each of the short-listed tenderers. These assessments were conducted by the project quantity surveyor and technical consultant team.

The quantity surveyor assessed each offer received against the pre-tender estimate for all components of the work and reported on any discrepancies in cost.

Georgiou Group Pty Ltd was assessed as the most competitive offer.

The technical consultant team assessed the trade appendices that detailed both the breakdown of price of each discipline and also the technical data schedules for compliance with the specification and drawings. The pricing from Georgiou Group Pty Ltd was assessed as appropriate for the requirements and all items noted for clarification or confirmation of a technical nature were completed to the satisfaction of the City.

Dun and Bradstreet financial risk reports and Corporate Scorecard express business checks were also completed for the three short-listed tenderers. Georgiou Group Pty Ltd achieved the lowest financial risk in these reports.

Lastly the financial assessment of the audited financial reports of the short-listed tenderers concluded that Georgiou Group Pty Ltd represented a lower financial risk when compared to the other two tenderers.

Based on the findings of the financial and technical assessments of the short-listed tenderers, it is considered that Georgiou Group Pty Ltd will represent the lowest financial risk to the City.

Should the contract not proceed, the risk to the City will be moderate to high. While the City's current parking arrangements are sufficient for the present level of parking required by residents and visitors to the City the growth in parking demand will not be catered for.

Financial / budget implications

Current financial year impact

Account no.	
Budget Item	MPP2035 Multi-Storey Car Park – Boas Avenue.
Budget amount	\$5,355,000 (2013-14 Budget).
Amount spent to date	\$658,428.
Proposed cost	\$14,729,866 (Construction to commence 2014-15).
Balance	\$4,696,572.

The pre-tender estimate for this contract was \$17,750,010.

Future financial year impact

Annual operating cost	The annual operating costs in the first full year of operation are \$309,000 and over the life of the 20 year Strategic Financial Plan are estimated to be \$12,286,000 (inclusive of interest expenses).
Estimated annual income	The estimated annual income in the first full year of operation is \$326,000 and over the life of the 20 Year Strategic Financial Plan is estimated to be \$27,266,000.
20 Year Strategic Financial Plan impact	The total net cash flows (including capital costs and interest expense) over the 20 Year Strategic Financial Plan are (\$5,546,000).
Impact year	Impact commenced with planning and design in 2013-14. Construction to commence 2014-15.

All amounts quoted in this report are exclusive of GST.

Regional significance

The development of a multi-storey car park facility within the Joondalup City Centre has the potential to enhance its infrastructure and assist its development as a major regional centre in the Perth Metropolitan area.

Sustainability implications

The development of a multi storey car park may be seen as encouraging the use of cars for transport with possible negative environmental implications.

A car park facility in the Joondalup City centre will facilitate greater accessibility to the surrounding businesses for residents and visitors to the City. It will also provide an additional income stream to the City that may be used to further develop the City Centre.

Consultation

Extensive consultation was undertaken with relevant officers and a transport survey was conducted with members of the public as part of the business case for the multi-storey car park approved by Council at its meeting held on 12 December 2012 (CJ283-12/12 refers).

COMMENT

The evaluation panel carried out the evaluation of the submissions in accordance with the qualitative criteria in a fair and equitable manner and concluded that the offer representing best value to the City is that as submitted by Georgiou Group Pty Ltd.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council ACCEPTS the tender submitted by Georgiou Group Pty Ltd for the construction of a five level multi-storey car park as specified in Tender 006/14 for the fixed lump sum of \$14,729,866 (GST Exclusive) for completion of the works within 52 weeks from possession of the site.

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf100614.pdf](#)

ITEM 16 REQUEST FOR ANNUAL LEAVE – CHIEF EXECUTIVE OFFICER

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	98394, 101515
ATTACHMENTS	Nil.

AUTHORITY / DISCRETION Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider the request for annual leave submitted by the Chief Executive Officer.

EXECUTIVE SUMMARY

The Chief Executive Officer (CEO) has requested annual leave for the period Monday, 21 July 2014 to Friday, 25 July 2014 inclusive.

BACKGROUND

The CEO has requested annual leave for the period Monday 21 July 2014 to Friday, 25 July 2014 inclusive. The CEO has delegated authority to appoint an Acting CEO for periods where he is absent from work while on leave, where such periods are for less than 35 days.

Issues and options considered

During the employment of the CEO there will be periods of time where he will be absent from the City of Joondalup on annual leave.

The CEO, in accordance with his employment contract, is entitled to 25 days leave per annum.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Maintain a highly skilled and effective workforce.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Provision included in the 2014-15 Budget.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The CEO has an entitlement in accordance with his employment contract for periods of annual leave. The dates requested are conducive to the operations of the City.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council APPROVES the request from the Chief Executive Officer for annual leave for the period Monday, 21 July 2014 to Friday, 25 July 2014 inclusive.

ITEM 17 DOG CONTROL MEASURES

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	04132, 101515
ATTACHMENTS	Nil.
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider specification of dog exercise and prohibited areas in accordance with section 31 of the *Dog Act 1976*.

EXECUTIVE SUMMARY

On 1 November 2013, amendments to the *Dog Act 1976* (the Act) came into effect. These amendments changed the way in which local governments can create dog exercise or dog prohibited areas. Previously these areas were required to be specified in a local law. They are now required to be specified by absolute majority decision of Council in accordance with section 31 of the Act.

Further, on 20 May 2014, the *Dog Regulations 2013* were amended, providing that any local laws which established dog exercises areas or prohibited dog areas will become inoperative on 31 July 2014. This applies to the *City of Joondalup Animals Local Law 1999* which prescribes prohibited dog areas and dog exercise areas.

Further, under section 31 of the Act the default position is that dogs are permitted in all public places and when in a public place must be on a chain, leash or harness (a leash) at all times unless in a specified dog exercise area. As a result, dog exercise areas and prohibited dog areas need to be specified by Council in accordance with section 31 of the Act to enable the current areas prescribed in the *Animals Local Law 1999* to continue or for any additional areas to be added.

In addition to the existing areas in the *Animals Local Law 1999* the natural reserve areas of Craigie Open Space, Warwick Open Space, Lilburne Conservation Reserve, Hepburn Conservation Area and Shepherds Bush Park are places where it is proposed that dogs can only be exercised on a leash.

Currently dogs are able to be exercised in these areas off a leash and this is having an adverse effect on resident fauna. It is recommended therefore that these natural areas be areas where dogs must be on leash at all times.

The City is required under the Act to advertise by local public notice Council's intention to specify dog exercise areas and dog prohibited areas.

It is therefore recommended that Council:

- 1 *BY AN ABSOLUTE MAJORITY determines its intention to SPECIFY the following areas as places where dogs are prohibited at all times pursuant to section 31(2B)(a) of the Dog Act 1976:*
 - 1.1 *Neil Hawkins Park, Joondalup, being Reserve No 28544;*
 - 1.2 *Central Node Foreshore Reserve, Hillarys, being Reserve 39497;*
 - 1.3 *Mawson Park, Hillarys, being Reserve No 33401;*
 - 1.4 *MacDonald Reserve, Padbury, being Reserve No 33072;*
 - 1.5 *Heathridge Park, Heathridge, being Reserve No 34330;*
 - 1.6 *Blue Lake Park, Joondalup, being Reserve No 41893;*
 - 1.7 *Percy Doyle Reserve, Duncraig, being Reserve No 33894;*
 - 1.8 *“Central Park”, Lakeside Drive and Grand Boulevard, Joondalup being Lot 1101, Reserve No 48354;*
 - 1.9 *Tom Simpson Park, Mullaloo, being Reserve No 32074 and Lot 1 (5) Oceanside Promenade, Mullaloo;*
 - 1.10 *Foreshore Reserve 47831 within the City of Joondalup other than that area of the foreshore reserve, from the constructed horse access path southwards for a distance of 750 metres as designated by signs;*
 - 1.11 *Foreshore Reserve 42219 west of the coastal dual use path;*
- 2 *NOTES that the following are places where dogs must be on leash at all times pursuant to section 31(1) of the Dog Act 1976:*
 - 2.1 *Craigie Open Space, being Reserve No’s 38362 and 32858;*
 - 2.2 *Warwick Open Space, being Reserve No 50441;*
 - 2.3 *Lilburne Park Conservation Area, being Reserve No 35545;*
 - 2.4 *Hepburn Conservation Area, being Reserve No 42987;*
 - 2.5 *Shepherds Bush Park, being Reserve No’s 26052 and 39941;*
 - 2.6 *On the coastal dual use path that extends through Foreshore Reserve 47831;*
 - 2.7 *Horse beach, being part of Foreshore Reserve 47831, from the constructed horse access path northwards for 160 metres as designated by signs;*
- 3 *BY AN ABSOLUTE MAJORITY determines its intention to SPECIFY that all public places that are under the care, control or management of the City excluding road and street reserves, areas detailed in Part 1 above and the areas detailed in Part 2 above, as dog exercise areas pursuant to section 31(3A) of the Dog Act 1976;*
- 4 *APPROVES the advertising by local public notice of its intention to specify the areas detailed in Parts 1, 2 and 3 above, in accordance with section 31(3C) of the Dog Act 1976.*

BACKGROUND

Prior to 1 November 2013, dog exercise areas and places where dogs are prohibited absolutely or restricted (permitted on a leash only), were specified in the *Animals Local Law* and required a change in the local law to enable new areas to be specified or other areas amended or removed.

The *Animals Local Law 1999* currently provides that:

Dog Exercise Areas

- 10 (1) *All public reserves vested in or under the care, control and management of the local government, excluding road and street reserves and the areas specified in the Second Schedule to this local law, are designated as dog exercise areas for the purposes of the Dog Act. The area designated by the Third Schedule to this local law as a horse exercise area, is subject to restrictions as a dog exercise area in accordance with clause 26(5) of this local law.*
- (2) *A person may exercise a dog on the coastal dual use path that extends through the Foreshore Reserve 47831 and abutting reserves and road reserves, provided the dog remains under effective control on a leash at all times.*

Second Schedule

Prohibited Dog Exercise Areas

- *Neil Hawkins Park, Joondalup, being Reserve No 28544.*
- *Central Node Foreshore Reserve, Hillarys, being Reserve 39497.*
- *Mawson Park, Hillarys, being Reserve No 33401.*
- *MacDonald Reserve, Padbury, being Reserve No 33072.*
- *Heathridge Park, Heathridge, being Reserve No 34330.*
- *Blue Lake Park, Joondalup, being Reserve No 41893.*
- *Percy Doyle Reserve, Duncraig, being Reserve No 33894.*
- *“Central Park”, Lakeside Drive and Grand Boulevard, Joondalup being Lot 1101, Reserve No 48354.*
- *Tom Simpson Park, Mullaloo, being Reserve No 32074 and Lot 1 (5) Oceanside Promenade, Mullaloo.*
- *Foreshore Reserve 47831, within the City of Joondalup, other than:*
 - *All that area of the Foreshore Reserve 47831 as shown delineated in black on Diagram 1 - Dog Exercise Area, from the constructed horse access path southwards for a distance of 750 metres as designated by signs.*

Third Schedule

Restricted Horse and Dog Exercise Area (Refer to clause 26(4) of this local law)

All that area of the Foreshore Reserve 47831 as shown delineated in black on Diagram 2 - Horse Exercise Area, from the constructed horse access path northwards for a distance of 160 metres as designated by signs.

These provisions will become inoperative as of 31 July 2014.

DETAILS

The *Dog Act 1976* was amended effective 1 November 2013 with sections 51(b), (ba) and (bb) which gave the power to specify prohibited, restricted and dog exercise areas through a local law being deleted and section 31 being amended to provide the ability for Council to specify prohibited, restricted and dog exercise areas by way of an absolute majority decision of Council.

Sections 31 (2B) and (3A) now provide:

31 Control of dogs in certain public places

(2B) *A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited:*

- (a) *at all times;*
or
- (b) *at specified times.*

(3A) *A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.*

On 20 May 2014 the *Dog Regulations 2013* were amended with the addition of regulation 37 that has the effect of making areas that have been specified as prohibited or restricted for dogs or specified as dog exercise areas in the *City of Joondalup Animals Local Law 1999* inoperative after 31 July 2014.

Regulation 37(1) provides:

37 Transitional regulation: provisions of certain local laws have no effect after 31 July 2014

(1) *In this regulation — place control provision means a provision of a local law that was made under the Dog Act 1976 section 51(b), (ba) or (bb) before 1 November 2013 (the day on which section 51(b), (ba) and (bb) were deleted by the section 56(a)). Areas to be specified under the provision of section 31 now need only to be advertised in the local newspaper 28 days prior to the intention to specify a place.*

In addition to specifying areas that are dog exercise areas or areas where dogs are prohibited absolutely the local government must give public notice of its intention to specify these areas.

Section 31(3C) provides:

31 Control of dogs in certain public places

(3C) *At least 28 days before specifying a place to be:*

- (a) *a place where dogs are prohibited at all times or at a time specified under subsection (2B);*
or
- (b) *a dog exercise area under subsection (3A);*
or
- (c) *a rural leashing area under subsection (3B),*

a local government must give local public notice as defined in the Local Government Act 1995 section 1.7 of its intention to so specify.

Natural Areas

A further exercise restriction requirement has recently been identified in regard to dogs being exercised in natural areas within the City specifically, Craigie Open Space, Warwick Open Space, Lilburne Park Conservation Reserve, Hepburn Conservation Area and Shepherds Bush Park. Current rehabilitation programs inclusive of re-introduction of native fauna have been affected by dogs being exercised off a leash. It is recognised that the natural areas are an attractive exercise area for people and their dogs but the exercise activity could be satisfied while dogs remain on leash to prevent any interactions with native fauna. Appropriate signage will be placed on all access points to these reserves complimented by periodic Ranger patrols to provide education and enforcement of the new provisions of the Act.

Issues and options considered

In order for the current specified restrictions under the current *Animals Local Law 1999* to continue it will be necessary to specify under the new dog regulations dog prohibited areas and dog exercise areas.

In regards to the natural areas where it is proposed to allow dogs but only while they are on a leash this is effectively the default position as provided by section 31(1) of the Act which is that a dog when in a public place must be on a leash at all times.

Section 31(1) provides:

31 Control of dogs in certain public places

(1) *A dog shall not be in a public place unless it is:*

- (a) *held by a person who is capable of controlling the dog;*
- or*
- (b) *securely tethered for a temporary purpose,*

by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.

Therefore by excluding from the specification of dog prohibited areas and dog exercise areas the natural areas described above, they will, by default, remain as areas where a dog must be on a leash at all times

Legislation / Strategic Community Plan / policy implications

Legislation *Dog Act 1976.
City of Joondalup Animals Local Law 1999.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

In accordance with section 31(3C) of the Act the City must advertise Council's intention to specify places by publishing a local public notice in a newspaper circulating generally throughout the district, by exhibiting the notice at the City's offices and by exhibiting the notice at the City's libraries.

The cost of advertising and installation of appropriate signage is estimated at \$3,600 and can be accommodated within the current budget funds.

Regional significance

No applicable.

Sustainability implications

Not applicable.

Consultation

The City is required to advertise Council's intention to specify these areas by local public notice for a period of 28 days. A further report will be submitted to Council at the conclusion of the advertising period enabling it to proceed to specify areas as described in this Report, in accordance with the Act.

COMMENT

It is suggested that the most practical approach is for Council to specify the dog exercise areas and dog prohibited areas which were prescribed in the *Animals Local Law 1999* as a means of maintaining the status quo regarding dog control in the City's beach reserves and parks and to exclude the natural areas so that they then become by default areas requiring a dog to be on a leash at all times.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council:

- 1 **BY AN ABSOLUTE MAJORITY** determines its intention to **SPECIFY** the following areas as places where dogs are prohibited at all times pursuant to section 31(2B)(a) of the *Dog Act 1976*:
 - 1.1 Neil Hawkins Park, Joondalup, being Reserve No 28544;
 - 1.2 Central Node Foreshore Reserve, Hillarys, being Reserve 39497;
 - 1.3 Mawson Park, Hillarys, being Reserve No 33401;
 - 1.4 MacDonald Reserve, Padbury, being Reserve No 33072;
 - 1.5 Heathridge Park, Heathridge, being Reserve No 34330;
 - 1.6 Blue Lake Park, Joondalup, being Reserve No 41893;
 - 1.7 Percy Doyle Reserve, Duncraig, being Reserve No 33894;
 - 1.8 “Central Park”, Lakeside Drive and Grand Boulevard, Joondalup being Lot 1101, Reserve No 48354;
 - 1.9 Tom Simpson Park, Mullaloo, being Reserve No 32074 and Lot 1 (5) Oceanside Promenade, Mullaloo;
 - 1.10 Foreshore Reserve 47831 within the City of Joondalup other than that area of the foreshore reserve, from the constructed horse access path southwards for a distance of 750 metres as designated by signs;
 - 1.11 Foreshore Reserve 42219 west of the coastal dual use path;
- 2 **NOTES** that the following are places where dogs must be on leash at all times pursuant to section 31(1) of the *Dog Act 1976*:
 - 2.1 Craigie Open Space, being Reserve No’s 38362 and 32858;
 - 2.2 Warwick Open Space, being Reserve No 50441;
 - 2.3 Lilburne Park Conservation Area, being Reserve No 35545;
 - 2.4 Hepburn Conservation Area, being Reserve No 42987;
 - 2.5 Shepherds Bush Park, being Reserve No’s 26052 and 39941;
 - 2.6 On the coastal dual use path that extends through Foreshore Reserve 47831;
 - 2.7 Horse beach, being part of Foreshore Reserve 47831, from the constructed horse access path northwards for 160 metres as designated by signs;
- 3 **BY AN ABSOLUTE MAJORITY** determines its intention to **SPECIFY** that all public places that are under the care, control or management of the City excluding road and street reserves, areas detailed in Part 1 above and the areas detailed in Part 2 above, as dog exercise areas pursuant to section 31(3A) of the *Dog Act 1976*;
- 4 **APPROVES** the advertising by local public notice of its intention to specify the areas detailed in Parts 1, 2 and 3 above, in accordance with section 31(3C) of the *Dog Act 1976*.

ITEM 18 HEATHRIDGE PARK MASTER PLAN - PROJECT PHILOSOPHY AND PARAMETERS

WARD	North-Central	
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services	
FILE NUMBER	04361, 03034, 77575, 25068, 101515	
ATTACHMENTS	Attachment 1	Aerial map of Heathridge Park
	Attachment 2	Heathridge Leisure Centre floorplan
	Attachment 3	Heathridge Park Clubroom floorplan
	Attachment 4	Guy Daniel Clubroom / Heathridge Child Health Centre floorplan
	Attachment 5	City's Master Planning Process
	Attachment 6	Existing user group member numbers
	Attachment 7	Existing facility usage schedule
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.	

PURPOSE

For Council to endorse the *Heathridge Park master plan* and the proposed philosophies and parameters for the project.

EXECUTIVE SUMMARY

At its meeting held on 17 February 2014 (CJ024-02/14 refers), Council requested a 'Philosophy and Parameters' report in relation to a master plan for Heathridge Park to be presented to Council for consideration.

Heathridge Park is a 9.3 hectare active sporting park located on Sail Terrace, Heathridge and is classified as a 'local park'. The site is Crown Land vested in the City for the purpose of parks and recreation and is used by four sporting clubs.

Located at the site is the Heathridge Leisure Centre, Heathridge Park Clubroom, Guy Daniel Clubroom/Heathridge Child Health Centre and various community and sporting infrastructure. The facilities service both the local community and almost 40 sporting clubs and community groups.

In 2012-13, the replacement value of the buildings at Heathridge Park totalled nearly \$12 million. In that same year, maintenance costs for the City managed park areas was approximately \$156,000 and for the City managed buildings was approximately \$118,000, giving a total for the site of approximately \$274,000. Rather than focus on maintaining existing assets, there is a unique opportunity to create a long-term sustainable plan for Heathridge Park with a focus on the concept of developing new multi-purpose facilities to meet the future needs of the community.

The purpose of developing a project philosophy and parameters is to articulate and document the intent of the City with respect to the objectives and outcomes of the *Heathridge Park Master Plan* project should it be undertaken. The following is a summary of the philosophy and parameters developed for the project.

Philosophy - project vision

- The provision of community and sporting facilities is a vital component of the community fabric of the City of Joondalup and the City has a continuing role in the provision of such facilities at Heathridge Park.
- The *Heathridge Park master plan* will identify, investigate and make recommendations regarding the opportunities to create a long-term sustainable plan for Heathridge Park, through the provision of facilities and sporting/recreation infrastructure.
- The project will also consider the potential for the rationalisation of the existing buildings at the site with a focus on the concept of developing new multipurpose facilities to meet the future needs of the community.

Key parameters

Governance

- Redevelopment proposals will only be instigated following consideration of the options by Council.
- Planning will be undertaken with the highest levels of probity, in accordance with legislative requirements, the City's governance procedures and at all times in the City's best interests.
- Proposals will incorporate high ethical standards and transparency.

Land use and built form

- The project will consider the whole Heathridge Park site which comprises Lots 14055 and 14056 Sail Terrace, Heathridge and Lot 224 Siren Road, Heathridge.
- The project will focus on the consolidation of the existing buildings through the development of shared and multi-purpose facilities, however, will also consider the provision of other additional community/sporting infrastructure and supporting infrastructure (for instance parking) at the site.
- The project will not consider the relocation of major park infrastructure such as the oval or tennis courts.
- Proposed facilities will be highly adaptable and incorporate the latest relevant design principles, will consider access and inclusion and community safety principles and will aim to enhance the amenity of the public space.
- The project will investigate all location options for the facilities in terms of location criteria, access, site capability, car parking, complementary services and amenity, aspect and the rationalisation of buildings.

Environmental and sustainability considerations

- Utilisation of contemporary architectural design principles that will provide for longevity, diversity, accessibility and inclusiveness.
- Consideration of construction techniques and environmentally sustainable design principles to assist in energy reduction and efficiency, reduced water consumption and minimising the environmental impact.

Financial management

- The City acknowledges its responsibility for the cost of providing quality facilities and infrastructure to the community.
- The project will consider estimated capital costs and financial and cash flow projections over a 40 year period.
- The project will consider the inclusion of a commercial component at the site.
- Other external funding sources for any redevelopment such as grants and State/Federal Government contributions will also be explored.

Stakeholder management

- Identification and liaison with key stakeholders and the wider local community.
- Liaison to be undertaken in accordance with the City's *Community Consultation and Engagement Policy*.

There are currently no funds allocated for a Master Plan redevelopment of the site. It is anticipated that the project would require significant funds in the planning and construction of new facilities and infrastructure.

If Council endorses commencement of the project, it is proposed to not start the project until 2015-16 due to other major projects currently in the planning stages such *Percy Doyle Reserve Master Plan, Edgewater Quarry Master Plan*, Bramston Park development project, Penistone Park redevelopment project, synthetic hockey pitch project and six facility refurbishment projects.

During 2015-16 the City would undertake Stages One and Two of the City's *Master Planning Process*. A business case would be completed and presented to Council for consideration outlining more details of the project including the objectives and deliverables, feasibility/needs assessment, risk assessment and potential financial impact of proceeding with the project. At that point in time, Council could choose to cease the project or continue to community consultation.

If the project is undertaken, funds for the feasibility/needs assessment (approximately \$30,000) would be listed for consideration within the 2015-16 Budget.

It is therefore recommended that Council:

- 1 *APPROVES the Heathridge Park Master Plan project to commence in 2015-16;*
- 2 *NOTES that \$30,000 will be listed for consideration within the draft 2015-16 Budget for a needs and feasibility study to be undertaken for the Heathridge Park Master Plan project;*
- 3 *ENDORSES the Heathridge Park Master Plan philosophies / project vision:*
 - 3.1 *The provision of community and sporting facilities is a vital component of the community fabric of the City of Joondalup and the City has a continuing role in the provision of such facilities at Heathridge Park;*
 - 3.2 *The Heathridge Park master plan will identify, investigate and make recommendations regarding the opportunities to create a long-term sustainable plan for Heathridge Park, through the provision of facilities and sporting/recreation infrastructure;*

- 3.3 *The project will also consider the potential for the rationalisation of the existing buildings at the site with a focus on the concept of developing multipurpose facilities to meet the future needs of the community;*
- 4 *ENDORSES the Heathridge Park Master Plan key parameters - governance:*
- 4.1 *Redevelopment proposals will only be instigated following consideration of the options by Council;*
- 4.2 *Planning will be undertaken with the highest levels of probity, in accordance with legislative requirements, the City's governance procedures and at all times in the City's best interests;*
- 4.3 *Proposals will incorporate high ethical standards and transparency;*
- 5 *ENDORSES the Heathridge Park Master Plan key parameters – land use and built form:*
- 5.1 *The project will consider the whole Heathridge Park site which comprises of Lots 14055 and 14056 Sail Terrace, Heathridge and Lot 224 Siren Road, Heathridge;*
- 5.2 *The project will focus on the consolidation of the existing buildings through the development of shared and multi-purpose facilities, however, will also consider the provision of other additional community/sporting infrastructure and supporting infrastructure (for example parking) at the site;*
- 5.3 *The project will not consider the relocation of major park infrastructure such as the oval or tennis courts;*
- 5.4 *Proposed facilities will be highly adaptable and incorporate the latest relevant design principles, will consider access and inclusion and community safety principles and will aim to enhance the amenity of the public space;*
- 5.5 *The project will investigate all location options for the facilities in terms of location criteria, access, site capability, car parking, complementary services and amenity, aspect and the rationalisation of buildings;*
- 6 *ENDORSES the Heathridge Park Master Plan key parameters – environmental and sustainability considerations:*
- 6.1 *Utilisation of contemporary architectural design principles that will provide for longevity, diversity, accessibility and inclusiveness;*
- 6.2 *Consideration of construction techniques and environmentally sustainable design principles to assist in energy reduction and efficiency, reduced water consumption and minimising the environmental impact;*
- 7 *ENDORSES the Heathridge Park Master Plan key parameters – financial management:*
- 7.1 *The City acknowledges its responsibility for the cost of providing quality facilities and infrastructure to the community;*
- 7.2 *The project will consider estimated capital costs and financial and cash flow projections over a 40 year period;*

- 7.3 *The project will consider the inclusion of a commercial component at the site;*
- 7.4 *Other external funding sources for any redevelopment such as grants and state/federal contributions will also be explored;*
- 8 *ENDORSES the Heathridge Park Master Plan key parameters – stakeholder management:*
- 8.1 *Identification and liaison with key stakeholders and the wider local community;*
- 8.2 *Liaison to be undertaken in accordance with the City’s Community Consultation and Engagement Policy.*

BACKGROUND

The site is made up of the following three lots:

Suburb/Location	Reserve 34330 (Lot 14055) 16 Sail Terrace, Heathridge (Heathridge Park).
Applicant	Not applicable.
Owner	Crown Land (City of Joondalup management order).
Zoning	DPS Parks and recreation.
	MRS Urban.
Site area	92,867m ² (9.3 hectares).
Structure plan	Not applicable.
Suburb/Location	Reserve 34330 (Lot 14056) 1/16 Sail Terrace, Heathridge (Heathridge Leisure Centre).
Applicant	Not applicable.
Owner	Crown Land (City of Joondalup management order).
Zoning	DPS Parks and recreation.
	MRS Urban.
Site area	3,159m ² .
Structure plan	Not applicable.
Suburb/Location	Lot 224 - 18 Siren Road, Heathridge (drainage).
Applicant	Not applicable.
Owner	City of Joondalup.
Zoning	DPS Parks and recreation.
	MRS Urban.
Site area	1,490m ² .
Structure plan	Not applicable.

The City owns three building within Heathridge Park. The details of these properties are:

Suburb/Location	1/16 Sail Terrace, Heathridge (Heathridge Leisure Centre).
Applicant	Not applicable.
Owner	Crown Land (City of Joondalup management order).
Zoning	DPS Parks and recreation.
	MRS Urban.
Site area	3,159m ² .
Structure plan	Not applicable.
Suburb/Location	2/16 and 3/16 Sail Terrace, Heathridge (Guy Daniel Clubroom and Heathridge Child Health Centre).
Applicant	Not applicable.

Owner		Crown Land (City of Joondalup management order).
Zoning	DPS	Parks and recreation.
	MRS	Urban.
Site area		Not applicable (contained within Heathridge Park Lot 14055).
Structure plan		Not applicable.
Suburb/Location		16 Sail Terrace, Heathridge (Heathridge Park Clubroom).
Applicant		Not applicable.
Owner		Crown Land (City of Joondalup management order).
Zoning	DPS	Parks and recreation.
	MRS	Urban.
Site area		Not applicable (contained within Heathridge Park Lot 14055).
Structure plan		Not applicable.

At its meeting held on 17 February 2014 (CJ024-02/14 refers), Council considered the proposed refurbishment of the Heathridge Park Clubroom and requested a 'Philosophy and Parameters' report in relation to a Master Plan for Heathridge Park that includes the Heathridge Park Clubroom, Heathridge Leisure Centre and Guy Daniel Clubroom to be presented to Council for consideration.

Heathridge Park is a 9.3 hectare active sporting park located on Sail Terrace, Heathridge and is currently classified as a 'local park' within the City's existing *Parks and Public Open Spaces Classification Framework*. The site is Crown Land vested in the City for the purpose of parks and recreation (Attachment 1 refers). Currently, the park is used by four sporting clubs (football in the winter and cricket in the summer) and a personal trainer.

As a 'local park' the oval and infrastructure are designed to cater for the needs of the community within the suburb. Seasonal organised sporting activities, both junior and senior are able to be undertaken at Heathridge Park as well as other passive recreational activities. Local parks should contain the following infrastructure:

- Single sporting ground.
- Ability to cater for a single sport (seasonal) at one time.
- Minor sporting infrastructure (basketball ring, tennis hit-up wall, BMX track and the like).
- Floodlighting to facilitate sports participation.
- Changerooms and toilet facilities.
- Capacity for 50 cars to park within or around the perimeter of the park grounds.
- Play equipment.
- Bench seating.

Located at the site is the Heathridge Leisure Centre, Heathridge Park Clubroom, Guy Daniel Clubroom/Heathridge Child Health Centre and various community and sporting infrastructure including ten tennis courts, three cricket practice nets, synthetic centre cricket pitch, tennis hit up wall, 10 car parking bays (three separate parking areas) and two playground areas. The facilities service both the local community and almost 40 sporting clubs and community groups with approximately 1,911 members (Attachment 6 refers).

In addition, there are four floodlighting towers providing lighting levels to the oval of 100 lux (Australian Standard large ball sports club competition / match practice). The floodlighting was installed in 2009-10 at a total project cost of \$201,600. The project was funded on a one-third basis between the City, the Ocean Ridge Junior Football Club and the Department of Sport and Recreation's *Community Sporting and Recreation Facilities Fund* (CSRFF) program with each contributing \$67,200.

The Heathridge Leisure Centre (Attachment 2 refers) was constructed in 1983 and is a two storey facility consisting of a multi-sport court, toilets, changerooms, 10 activity rooms, playgroup room and crèche, office and various storage areas. The current design, layout of the facility and the number of individual rooms causes issues with access, booking management and surveillance. There have been no significant alterations or improvements to the facility since it was constructed. Currently the facility is used by 25 regular hire groups for activities such as basketball, badminton, arts/craft and meetings (Attachment 7 refers). The majority of the regular hire groups receive a facility hire subsidy through the City's *Facility Hire Subsidy Policy*.

The Heathridge Park Clubroom (Attachment 3 refers) was constructed in 1991 at an approximate cost of \$90,000 and records indicate the Ocean Ridge Senior Cricket Club contributed \$5,000 and the Ocean Ridge Junior Football Club contributed \$15,000 towards the construction. The clubroom is located in close proximity (four metres) to the Heathridge Leisure Centre.

The existing facility includes a 145m² meeting room, kitchen/kiosk/bar and small storeroom. Hirers currently use the toilets and changerooms at the rear of the Heathridge Leisure Centre, and furniture (tables and chairs) and user group equipment is kept within the meeting room reducing its usable size and aesthetics. In addition, the meeting room for the facility is limited to 100 patrons due to a lack of toilets within the facility. These issues impact the number of bookings received during weekdays (9.00am – 4.00pm) for the meeting room to be hired by the local community and sporting clubs. Currently the facility is used by the five sporting clubs that use the oval for training and games and one community group (Attachment 7 refers).

In 2009-10 minor refurbishment of the facility was undertaken through the Federal Government's *Regional and Local Community Infrastructure Program* (RLCIP). Works included a new kitchen/bar, a storage area, painting, security screens and external walls rendered/painted. At the time it was determined that the facility also required toilets accessible from inside the facility as well as storage for furniture and new community groups in order for the facility to be used during weekdays, however funds were not available to complete the additional works.

In 2014-15 there are funds listed within the City's *Five Year Capital Works Program* to undertake further refurbishment works at the clubroom. While major refurbishment works such as new toilets and storage were proposed, it was agreed to only undertake minor works (undercover spectator verandah area) until the whole site was considered for a major redevelopment project (Master Plan).

The Guy Daniel Clubroom / Heathridge Child Health Centre (Attachment 4 refers) was constructed in 1980 and includes a 124m² meeting room, kitchen, toilets, changerooms and storage area. It also includes an exclusive use area for the Ocean Ridge Tennis Club (five year licence currently being finalised) that consists of a 100m² meeting room, kitchen and storage area. Also operating from the facility is the Heathridge Child Health Centre that has exclusive use of an office, meeting and storage area at the southern end of the building. The City is currently in negotiations with the Department of Health for licence arrangements at all Child Health Centres within the City. Currently the hireable section of the facility is used by six community groups for meetings and other various activities (Attachment 7 refers).

In 2009-10, minor refurbishment of the facility was undertaken through the Federal Government's *Regional and Local Community Infrastructure Program* (RLCIP). Works included a new kitchen, toilets, heating/cooling system, painting and a changeroom extension. The clubroom is located in close proximity (200 metres) to the Heathridge Leisure Centre and Heathridge Park Clubroom. The site contours have resulted in the clubroom being below street level which can attract antisocial behaviour due to lack of passive surveillance opportunities.

In 2012-13, the replacement value of the buildings at Heathridge Park totalled nearly \$12 million. In that same year, maintenance costs for the City managed park areas was approximately \$156,000 (equates to approximately \$16,796 per hectare) and for the City managed buildings was approximately \$118,000 (equates to approximately \$38.50 per square metre) giving a total for the site of approximately \$274,000. Rather than focus on maintaining existing assets, there is a unique opportunity to create a long-term sustainable plan for Heathridge Park with a focus on the concept of developing new multipurpose facilities to meet the future needs of the community.

As part of an initial site review of the area, the current challenges identified for Heathridge Park include the following:

- Location and use of buildings - the buildings at Heathridge Park have been developed in an ad-hoc manner without consideration for future use of the site.
- Duplication of facilities - due to the way the site was developed, there are buildings that serve a similar purpose.
- Condition of infrastructure - some of the existing infrastructure is in need of upgrade or is approaching the end of its life span. In the coming years, the City will be required to undertake significant maintenance and renewal works at the site.
- Incorporation of passive recreation - there is limited passive recreation (non-formal recreation that is less physical in nature) opportunities such as picnics, BBQ's, walking, cycling and children's play areas.
- Capacity of existing facilities - presently, Heathridge Park caters for a good range of active sports including football, tennis, cricket, basketball and badminton. The current layout of facilities however restricts the City's ability to accommodate growth of the sporting clubs.
- Limited available storage for the current and potential user groups.
- Lack of toilets, changerooms and general 'park access toilet' in close proximity to the oval.
- Anti-social behaviour - the location and orientation of some of the buildings and infrastructure at the site create areas that attract anti-social behaviour due to lack of passive surveillance opportunities.

The benefits of considering new multipurpose facilities at the site include the following:

- Improved facilities - the use of funds to consolidate several facilities would ensure the improvement in the condition of the buildings. The user groups would also be consulted on any facility works allowing them input in the design, layout and specifications.
- Cost saving - consolidating several facilities into larger multi-purpose facilities could provide economies of scale leading to cost savings in areas including cleaning and maintenance.
- Increased passive recreation opportunities - in creating a more efficient use of the park, the City can increase opportunities for passive recreation in the provision of pathways, BBQ/picnic and recreation play areas.
- Expanding user base - redeveloping the park will assist to facilitate potential expansion to the user base, and bring more opportunities for the community to participate in sport, recreation and leisure activities.
- Environmental sustainability – buildings will be developed using design principles to improve the long term environmental sustainability for the facilities in accordance with the City's *Environmentally Sustainable Design Policy*. These techniques can cost more during the construction stage of a project to achieve a building with a Green Star rating.

- Increase in community interaction - the current user groups of the park will benefit with improved facilities and access that will create better opportunities for their use, membership numbers and for community interaction.

DETAILS

If the project is endorsed by Council to commence, it will be managed in accordance with the City's endorsed *Master Planning Process* (Attachment 5 refers) which consists of the following stages:

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

The purpose of developing a project philosophy and parameters is to articulate and document the intent of the City with respect to the objectives and outcomes of the Heathridge Park Master Plan project should it be undertaken. Following the agreement to commence the project, as part of the first stage, a business case would be undertaken and presented to Council outlining more details of the project including the objectives and deliverables, feasibility/needs assessment, risk assessment and potential financial impact of proceeding with the project.

As yet, no feasibility/needs assessment or community consultation has been undertaken for the redevelopment of Heathridge Park as a whole site and no budget funds have been allocated for this project.

1 Philosophy - project vision

At its meeting held on 17 February 2014 (CJ024-02/14 refers), Council requested a 'Philosophy and Parameters' report in relation to a master plan for Heathridge Park to be presented to Council for consideration.

The City has three facilities located at Heathridge Park – Heathridge Leisure Centre, Heathridge Park Clubroom and the Guy Daniel Clubroom/Heathridge Child Health Centre. Rather than focus on maintaining existing assets, there is a unique opportunity to create a long-term sustainable plan for Heathridge Park with a focus on the concept of developing multipurpose facilities to meet the future needs of the community.

The City considers the provision of community and sporting facilities as a vital component of the community fabric of the City 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 recreation, sporting and leisure activities. The City has a continuing role in the provision of such facilities at Heathridge Park.

The project will identify, investigate and make recommendations regarding the opportunities for the provision of facilities and sporting/recreation infrastructure at Heathridge Park. The project will also consider the potential for the rationalisation of the City's buildings with a focus on the concept of developing new multipurpose facilities to meet the future needs of the community.

2 Key parameters

Governance

The City acknowledges that the project will involve a review of the opportunities available for the provision of facilities and sporting/recreation infrastructure at Heathridge Park. Any redevelopment proposals will only be instigated following consideration of the options by Council.

Any planning for a development on City owned or managed land should be undertaken with the highest levels of probity, in accordance with legislative requirements, the City's governance procedures and at all times in the City's best interests. Any proposal should incorporate high ethical standards and transparency is 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
- legal and statutory compliance.

Land use and built form

The project will consider the whole Heathridge Park site which comprises of Lots 14055, 14056 and 224 and consists of Heathridge Park, Heathridge Leisure Centre, Heathridge Park Clubroom and the Guy Daniel Clubroom/Heathridge Child Heath Centre. The project will focus on the consolidation of the existing buildings, however, will also consider the provision of other additional community/sporting infrastructure and supporting infrastructure (for example parking) at the site. The project will not consider the relocation of major park infrastructure such as the oval or tennis courts.

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. Furthermore, any development at the site will consider access and inclusion and community safety principles and will aim to enhance the amenity of the public space.

Community and sporting facilities should provide space for 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 the community, be adaptable to community preferences in terms of access to services, and support local organisations and community/sporting groups in their service delivery.

One of the main principles of the City's *Master Planning Process* is the development of 'shared' and 'multi-purpose' facilities to avoid their duplication, and to reduce the ongoing maintenance and future capital expenditure requirements.

The location of facilities and infrastructure is a critical factor underpinning their success. The project will investigate all options in terms of location criteria, access, site capability, car parking, complementary services and amenity, aspect and the rationalisation of buildings.

Environmental and sustainability considerations

The City is committed to the utilisation of contemporary architectural design principles that will provide for longevity, diversity, accessibility and inclusiveness. It will consider construction techniques and 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 instance rainwater)
- minimising the environmental impact.

The City will ensure that any proposed redevelopment complies with Council's *Environmentally Sustainable Design for City Buildings Policy*.

Financial management

While the City currently maintains the existing facilities at Heathridge Park, there are no funds allocated for a Master Plan redevelopment of the site. It is anticipated that the project would require significant funds in the planning and construction of new facilities and infrastructure.

The City however, acknowledges its responsibility for the cost of providing quality facilities and infrastructure to the community. The project will consider estimated capital costs and financial and cash flow projections over a 40 year period.

The project will consider the inclusion of a commercial component at the site to provide an alternative income stream for the City.

Preliminary discussions with a property consultant have indicated that the inclusion of a small commercial component may be possible at the site but would involve purchasing the land or a land swap arrangement as the land is Crown land and not owned by the City of Joondalup. Also, some potential issues have been identified such as ground level variations across the site, access and amenity issues, surrounding residents and a local retail precinct approximately 700 metres nearby.

Other external funding sources for any redevelopment such as grants and State/Federal Government contributions will also be explored as part of the project.

Stakeholder management

Of key importance to the project is the identification and liaison with existing user groups of the facilities at Heathridge Park and the wider local community. Any liaison regarding the redevelopment of Heathridge Park will be undertaken in accordance with City's *Community Consultation and Engagement Policy*.

The project will include consultation with existing and potential user groups and the local wider community to ensure that feedback received represents their diverse needs. It is expected that if the redevelopment works occur, the project will lead to higher utilisation rates of the facility/ies and potentially the oval.

3 Summary

It is viewed appropriate and necessary that Council considers and affirms the philosophy for the *Heathridge Park Master Plan* and endorses the key parameters for the project as outlined above, and summarised below:

Philosophy - project vision

- The provision of community and sporting facilities is a vital component of the community fabric of the City Joondalup and the City has a continuing role in the provision of such facilities at Heathridge Park.
- The *Heathridge Park Master Plan* will identify, investigate and make recommendations regarding the opportunities to create a long-term sustainable plan for Heathridge Park, through the provision of facilities and sporting/recreation infrastructure.
- The project will also consider the potential for the rationalisation of the existing buildings at the site with a focus on the concept of developing new multipurpose facilities to meet the future needs of the community.

Key Parameters

Governance

- Redevelopment proposals will only be instigated following consideration of the options by Council.
- Planning will be undertaken with the highest levels of probity, in accordance with legislative requirements, the City's governance procedures and at all times in the City's best interests.
- Proposals will incorporate high ethical standards and transparency.

Land use and built form

- The project will consider the whole Heathridge Park site which is considered Lots 14055, 14056 and 224.
- The project will focus on the consolidation of the existing buildings through the development of shared and multi-purpose facilities, however, will also consider the provision of other additional community/sporting infrastructure and supporting infrastructure (for example parking) at the site.
- The project will not consider the relocation of major park infrastructure such as the oval or tennis courts.
- Proposed facilities will be highly adaptable and incorporate the latest relevant design principles, will consider access and inclusion and community safety principles and will aim to enhance the amenity of the public space.
- The project will investigate all location options for the facilities in terms of location criteria, access, site capability, car parking, complementary services and amenity, aspect and the rationalisation of buildings.

Environmental and sustainability considerations

- Utilisation of contemporary architectural design principles that will provide for longevity, diversity, accessibility and inclusiveness.
- Consideration of construction techniques and environmentally sustainable design principles to assist in energy reduction and efficiency, reduced water consumption and minimising the environmental impact.

Financial management

- The City acknowledges its responsibility for the cost of providing quality facilities and infrastructure to the community.
- The project will consider estimated capital costs and financial and cash flow projections over a 40 year period.
- The project will consider the inclusion of a commercial component at the site.
- Other external funding sources for any redevelopment such as grants and state/federal contributions will also be explored.

Stakeholder management

- Identification and liaison with key stakeholders and the wider local community.
- Liaison to be undertaken in accordance with the City's *Community Consultation and Engagement Policy*.

Issues and options considered

It is considered that Council has two options:

- either to endorse commencement of the project
or
- not endorse commencement of the project.

If Council endorses commencement of the project, it is proposed to not start the project until 2015-16 due to other major projects currently in the planning stages such as Bramston Park development, the synthetic hockey pitch project, Penistone Park redevelopment, *Edgewater Quarry Master Plan* and *Percy Doyle Reserve Master Plan*.

During 2015-16 the City would undertake Stages One and Two of the City's *Master Planning Process*. A business case would be completed and presented to Council for consideration outlining more details of the project including the objectives and deliverables, feasibility/needs assessment, risk assessment and potential financial impact of proceeding with the project. At that point in time, Council could choose to cease the project or continue to community consultation.

If Council chooses not to commence the project, user groups will continue to operate at the existing facilities and annual maintenance will continue to be undertaken. A major refurbishment of the Heathridge Leisure Centre will be required within the next five years. The individual buildings at the site will be due for replacement/refurbishment in the next ten years based on their expected end of life.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community wellbeing.

Objective Quality facilities.

Strategic initiative

- Support a long-term approach to significant facility upgrades and improvements.
- Understand the demographic context of local communities to support effective facility planning.
- Employ facility design principles that will provide for longevity, diversity and inclusiveness and where appropriate, support decentralising the delivery of City services.

Policy *Access and Inclusion Plan 2012 – 2014.*
Community Consultation and Engagement Policy.
Environmentally Sustainable Design for City Buildings Policy.

Risk management considerations

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

If the project does not commence, the existing user groups will continue to operate, although the facilities will continue to provide limited functionality and not completely service their needs and those of the local wider community.

The City will undertake further risk management assessment and monitoring as part of the project management if the project commences.

Financial / budget implicationsCurrent financial year impact

In 2013-14, the operating income and expenses for Heathridge Park and the three facilities located at the site were budgeted as follows:

Income	Amount
Guy Daniel Clubroom (B2044) - hire fees	\$5,026
Heathridge Park Clubroom (B2047) - hire fees	\$10,534
Heathridge Leisure Centre (A4413) - hire fees / term program	\$77,961
Heathridge Park (P3266) - hire fees: park	\$1,755
Heathridge Park (P3803) - hire fees: tennis courts	\$4,183
Heathridge Park (A4407) - hire fees: personal trainer	\$1,752
Total Income	\$101,211
Expenditure	Amount
Guy Daniel Clubroom (B2044)	(\$46,764)
Heathridge Park Clubroom (B2047)	(\$39,335)
Heathridge Leisure Centre (A4413 and B2046)	(\$297,086)
Heathridge Park (P3803)	(\$101,707)
Total Expenditure	(\$484,892)
NET OPERATING COST – SURPLUS (DEFICIT)	(\$383,681)

Future budget allocations

There are no funds allocated for a Master Plan redevelopment of the site. It is anticipated that the project would require significant funds in the planning and construction of new facilities and infrastructure.

In 2014-15 there is \$78,000 listed within the City's *Five Year Capital Works Program* to undertake minor refurbishment works at the Heathridge Park Clubroom.

There is \$1 million listed in the City's *20 Year Strategic Financial Plan* in 2018-19 for the refurbishment of the Heathridge Leisure Centre.

In considering the financial implications, it is important to note that from an asset management perspective, significant upgrades will be required in the future to enable the existing facilities to maintain their useability and safety. As such, it may be more cost effective to consider replacement rather than major upgrades and / or refurbishment and the rationalisation of the facilities, particularly given their age and the amount of maintenance that will be required in future years.

As part of Stages One and Two of the City's *Master Planning Process* a feasibility/needs assessment would be undertaken. The cost of this report is estimated at approximately \$30,000 based on the cost of a similar study undertaken for the *Percy Doyle Master Plan*. If Council endorses commencement of the project, funds for this study would be listed for consideration within the draft 2015-16 Budget.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Environmental

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

Social

The project will include consultation with existing and potential user groups and the local wider community to ensure that feedback received represents their diverse needs. It is expected that if the redevelopment works occur, the project will lead to higher utilisation rates of the facility and potentially the oval. Furthermore, any development at the site will consider access and inclusion and community safety principles and will aim to enhance the amenity of the public space.

Economic

One of the main principles of the City's *Master Planning Process* is the development of shared and multi-purpose facilities to avoid their duplication, and to reduce the ongoing maintenance and future capital expenditure requirements.

Consultation

If the project commences, community consultation will be undertaken in line with the endorsed *Master Planning Process* and *Community Consultation and Engagement Policy and Protocol*.

COMMENT

At its meeting held on 17 February 2014 (CJ024-02/14 refers), Council requested a philosophy and parameters report in relation to a master plan for Heathridge Park. This report outlines the proposed project philosophy and parameters to articulate and document the intent of the City with respect to the objectives and outcomes of the Heathridge Park master plan project should it be undertaken.

While there is \$1 million listed in 2018-19 for the refurbishment of the Heathridge Leisure Centre, a redevelopment of the whole Heathridge Park site is not currently listed within the City's *Corporate Business Plan* or *Annual Plan* and does not have funds allocated within the *Five Year Capital Works Program* or *20 Year Strategic Financial Plan*.

It is also important to note that the City currently has a number of major recreation redevelopment projects and master plans currently in the planning stages. These include the *Percy Doyle Reserve Master Plan*, *Edgewater Quarry Master Plan*, Bramston Park development project, Penistone Park redevelopment project, synthetic hockey pitch project and six facility refurbishment projects. Based on the number of projects currently within the planning stages, there is limited capacity to commence this project in the near future. Therefore, if the project is endorsed to commence, it is proposed to start in 2015-16.

In 2015-16, the City would undertake Stages One and Two of the City's *Master Planning Process*. A business case would be completed and presented to Council for consideration outlining more details of the project including the objectives and deliverables, feasibility/needs assessment, risk assessment and potential financial impact of proceeding with the project. At that point in time, Council could choose to cease the project or continue to community consultation.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 APPROVES the *Heathridge Park Master Plan* project to commence in 2015-16;
- 2 NOTES that \$30,000 will be listed for consideration within the draft 2015-16 Budget for a needs and feasibility study to be undertaken for the *Heathridge Park Master Plan* project;
- 3 ENDORSES the *Heathridge Park Master Plan* philosophies / project vision:
 - 3.1 The provision of community and sporting facilities is a vital component of the community fabric of the City of Joondalup and the City has a continuing role in the provision of such facilities at Heathridge Park;
 - 3.2 The *Heathridge Park Master Plan* will identify, investigate and make recommendations regarding the opportunities to create a long-term sustainable plan for Heathridge Park, through the provision of facilities and sporting/recreation infrastructure;
 - 3.3 The project will also consider the potential for the rationalisation of the existing buildings at the site with a focus on the concept of developing multipurpose facilities to meet the future needs of the community;
- 4 ENDORSES the *Heathridge Park Master Plan* key parameters - governance:
 - 4.1 Redevelopment proposals will only be instigated following consideration of the options by Council;
 - 4.2 Planning will be undertaken with the highest levels of probity, in accordance with legislative requirements, the City's governance procedures and at all times in the City's best interests;
 - 4.3 Proposals will incorporate high ethical standards and transparency;
- 5 ENDORSES the *Heathridge Park Master Plan* key parameters – land use and built form:
 - 5.1 The project will consider the whole Heathridge Park site which comprises of Lots 14055, 14056 and 224;
 - 5.2 The project will focus on the consolidation of the existing buildings through the development of shared and multi-purpose facilities, however, will also consider the provision of other additional community/sporting infrastructure and supporting infrastructure (eg parking) at the site;
 - 5.3 The project will not consider the relocation of major park infrastructure such as the oval or tennis courts;

- 5.4 Proposed facilities will be highly adaptable and incorporate the latest relevant design principles, will consider access and inclusion and community safety principles and will aim to enhance the amenity of the public space;
- 5.5 The project will investigate all location options for the facilities in terms of location criteria, access, site capability, car parking, complementary services and amenity, aspect and the rationalisation of buildings;
- 6 ENDORSES the *Heathridge Park Master Plan* key parameters – environmental and sustainability considerations:
 - 6.1 Utilisation of contemporary architectural design principles that will provide for longevity, diversity, accessibility and inclusiveness;
 - 6.2 Consideration of construction techniques and environmentally sustainable design principles to assist in energy reduction and efficiency, reduced water consumption and minimising the environmental impact;
- 7 ENDORSES the *Heathridge Park Master Plan* key parameters – financial management:
 - 7.1 The City acknowledges its responsibility for the cost of providing quality facilities and infrastructure to the community;
 - 7.2 The project will consider estimated capital costs and financial and cash flow projections over a 40 year period;
 - 7.3 The project will consider the inclusion of a commercial component at the site;
 - 7.4 Other external funding sources for any redevelopment such as grants and state/federal contributions will also be explored;
- 8 ENDORSES the *Heathridge Park Master Plan* key parameters – stakeholder management:
 - 8.1 Identification and liaison with key stakeholders and the wider local community;
 - 8.2 Liaison to be undertaken in accordance with the City's *Community Consultation and Engagement Policy*.

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf100614.pdf](#)

ITEM 19 PROGRESS OF THE IMPLEMENTATION OF THE PROPERTY MANAGEMENT FRAMEWORK

WARD	All
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	101409, 101515
ATTACHMENTS	Attachment 1 Status of lease agreements Attachment 2 Status of licence agreements
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the progress of the *Property Management Framework* for the period ending 31 May 2014.

EXECUTIVE SUMMARY

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted the *Property Management Framework* (PMF) to provide the City with a guide to managing all property under the City's ownership, care and control. The PMF endeavours to make City owned or managed property available for use by the wider community and provides specific requirements for the classifying of property and its usage.

The PMF provided for standard tenure arrangements to apply to leases and licences granted by the City and as a consequence standard leases and licences were drafted based on the standard tenure arrangements provided.

The City commenced the implementation of the PMF in 2013 and as at 31 May 2014, 26 lease agreements and two licence agreements were in place with a further 35 leases/licences agreed or under negotiation.

During negotiations with some groups changes were requested to the standard terms and conditions of the lease. Such requests have been considered on a case-by-case basis following legal advice and, if appropriate, the changes were approved and contained within an amended lease agreement. In all such cases it was ensured that the PMF objectives and intent were maintained.

This report provides Council with an update on the progress of the PMF up to 31 May 2014.

It is therefore recommended that Council NOTES:

- 1 *the progress of the implementation of the Property Management Framework as at 31 May 2014;*
- 2 *a further report on the progress of the implementation of the Property Management Framework as at 31 May 2015 will be submitted to Council in June 2015.*

BACKGROUND

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted the *Property Management Framework* (PMF) which provides the City with a guide to managing all property under the City's ownership, care and control. The framework takes into account the City's statutory obligations and the desire to promote the wellbeing of all people in the community through support of recreational and community groups and the provision of high quality and accessible facilities.

The objectives of the draft PMF are as follows:

- To define the classifications for which City-owned and -managed property is held.
- To establish the categories and associated principles under which City-owned and -managed property may be used and occupied.
- To promote equitable, effective and sustainable management practices for the use and occupation of City-owned and -managed property.

Under the PMF City-owned and -managed property may be utilised by groups such as government agencies, business entities and community groups, depending on the appropriateness of the site. There are three different types of property utilisation that may be granted to groups:

- Lease Agreement.
- Licence Agreement.
- Facility Hire.

The PMF endeavours to make City owned or managed property available for use by the wider community with property utilisation determined on a case-by-case basis.

DETAILS

When the PMF was adopted a number of leases and licences with groups (particularly not-for-profit community groups) had expired and were being held over which has resulted in the City entering into negotiations with a number of community groups for new lease and licence agreements.

The PMF provided for standard tenure arrangements to apply to leases and licences granted by the City and standard leases and licences were prepared based on these standard tenure arrangements.

During negotiations with some groups changes were requested to the standard terms and conditions of the lease/licence agreements. Such requests have been considered on a case-by-case basis following legal advice and, if appropriate, the changes were approved and

contained within an amended lease agreement. In all such cases it was ensured that the PMF objectives and intent were maintained.

The standard lease and licence has in some cases been varied to allow for the inclusion of a redevelopment clause. The redevelopment clause has been included where it has been identified that there are future proposed projects for the area or specific building such as Ocean Reef Marina, Percy Doyle Reserve and Timberlane Park Hall. The clause provides certainty for the lessee by stipulating when redevelopment is expected and providing for twelve months written notice of termination.

The PMF allows for the granting of a lease or licence at a subsidised rate for not-for-profit community groups and government departments/agencies. Requests for subsidised rental are considered and decided on a case-by-case basis based on:

- purpose for which the property is used (government departments/agencies)
- contribution towards the costs of construction of the building (not-for-profit community groups)
- recognition of perceived benefit to the community (not-for-profit community groups)
- ability to pay rent (not-for-profit community groups).

A number of community groups have requested subsidisation of rental payments and such requests have been considered in accordance with the PMF.

Lease agreements

The City has lease agreements or is currently negotiating lease agreements with a number of different groups that fall into the following categories:

Commercial organisations

The PMF provides that rentals for commercial organisations are to be based on the market rate and reviewed every 12 months. The following commercial leases are currently in place:

- Craigie Leisure Centre Café.
- Joondalup Reception Centre.
- Wilson Security.
- Mindarie Regional Council – Tamala Park.
- Grove Child Care Centre.
- Silver Chain Nursing Inc.

A commercial lease at Lakeside Shopping Centre car park for a portion of Lot 6 (6) Lawley Court is currently being progressed for execution. Following which the only commercial leases to be negotiated and agreed are those for the following hairdressing salons operating in City buildings.

- Whitfords Senior Citizens Centre.
- Warwick Community Centre.

Commercial rental valuations are underway for these premises following which it is proposed that a commercial lease will be negotiated with the operators of the hairdresser salons.

Telecommunication carriers

Tenure arrangements for telecommunication carriers are determined on a case-by-case basis due to the nature of their unique powers under the *Telecommunications Act 1987*. The City currently has the following telecommunication leases in place:

- Crown Castle Australia Pty Ltd – Reserve 50443, Lot 503 (1/64L) Lloyd Drive, Warwick.
- Optus Pty Ltd – 90 Boas Avenue.
- Telstra Corporation – Reserve 50443, Lot 503 (1/64L) Lloyd Drive, Warwick.
- Telstra Corporation – 90 Boas Avenue, Joondalup.
- Vividwireless – 90 Boas Avenue, Joondalup.
- Vividwireless – 3/362L Ocean Reef Road, Ocean Reef.
- Vodafone Pacific Pty Ltd – 15 Burlos Court, Joondalup.
- Crown Castle Australia Pty Ltd – 15 Burlos Court, Joondalup.

Negotiations for the telecommunications leases at the locations below are ongoing:

- Crown Castle Australia Pty Ltd – 1700 Marmion Avenue, Tamala Park.
- Vodafone Pacific Pty Ltd – 3/362L Ocean Reef Road, Ocean Reef.

Government Departments/Agencies

The PMF provides that Government Departments/Agencies are generally to be treated in the same manner as commercial organisations except where subsidised rent is considered appropriate. Subsidised rent for Government Departments/Agencies is considered on a case-by-case basis depending on the purpose for which the property is to be used.

Government Departments currently operate Child Health Centres, Early Learning Centres, Pre-Primary Schools and the Wanneroo-Joondalup State Emergency Service depot from City premises. The status of negotiations with Government Departments/Agencies is provided below:

- Pre-Primary School (Department of Education)

There is a current lease in place for the Duncraig Pre-Primary School.

- Child Health Centres (Department of Health)

The City's involvement in the provision of child health centres has been principally in providing the facility and assisting with operational costs such as maintenance, cleaning and utility costs. The Department of Health has requested that this arrangement for child health centres continue. The City is currently negotiating with the Department of Health for a \$5,000 annual contribution towards maintenance, cleaning and utility costs for existing child health centres.

The City is also currently negotiating with the Department of Health for a child health centre at the Currabmine Community Centre to be made available on a hire basis with application of the appropriate fees. This negates the need for the payment of outgoings and rent. This arrangement is being negotiated on the premise that this is not an existing child health centre and hence there is an opportunity for the provision of a facility under new arrangements.

- Early Learning Centres (Department of Local Government and Communities)

The Department of Local Government and Communities currently leases two properties with the City which operate as Early Learning Centres at 43 Beddi Road, Duncraig and 133 Moolanda Boulevard, Kingsley. The Department has indicated that there is no budget in place for rental payments where property is leased from local authorities and has advised the Department would have to consider relinquishing the buildings if a peppercorn rental agreement for a period of 10 years cannot be agreed. The Early Learning Centres are currently co-located with child health centres.

- Wanneroo-Joondalup State Emergency Service depot (Department of Fire and Emergency Services)

A draft lease has been provided to the SES and is currently being reviewed by their legal officers.

Not-for-Profit Community Groups

- Surf Life Saving Clubs

Leases have been completed with the Sorrento and Mullaloo Surf Life Saving Clubs.

- Whitfords Volunteer Sea Rescue Group

The Whitfords Volunteer Sea Rescue Group has agreed to the term and conditions of the lease and it is being progressed for final execution.

- Community Kindergartens/Playgroups

The lease for Padbury Playgroup has been completed.

Four independent community kindergartens currently operate from City owned buildings. Negotiations with the kindergartens are underway with requests for rental subsidies under consideration.

- Aged Care facilities

There are currently two City properties from which Aged Care facilities are operating. Silver Chain Nursing Association operates from 11 Moolanda Boulevard, Kingsley and has a current commercial lease.

The second facility, known as Barridale Lodge, operates from Reserve 41582 (89) Barridale Drive, Kingsley and is operated by the Shire of Wanneroo Aged Persons Homes Trust (SWAPHT). In accordance with Council's decision of 20 May 2014 (CJ077-05/14 refers) the City has requested that the Minister for Lands revoke the Management Order for Reserve 41582 to allow the Minister for Lands and the SWAPHT to enter into negotiations regarding the tenure of the land.

- Sporting Groups

Leases have been completed for the following sporting groups:

- Joondalup Kinross Junior Football and Cricket Club.
- Warwick Bowling Club.
- Greenwood Tennis Club.
- Sorrento Tennis Club.
- Sorrento Bowling Club.
- Churches of Christ Sport and Recreation Association.
- Undercroft Bridge Club.

Lease agreements for the following Clubs are currently under negotiation:

- Sorrento Football Club.
- Beaumaris Sports Association.
- Ocean Reef Sea Sports Club.

- Community Care Groups

There is a lease agreement in place for Joondalup Lotteries House.

Lease agreements for the following community care organisations are currently under negotiation:

- The Spiers Centre – a subsidy of rent in accordance with the PMF has been requested and is currently under consideration. The group has also requested that consideration be given to allow them to be the holders of the building insurance policy. The PMF provides that the City is responsible for arranging appropriate building insurance and as the property owner the City would be responsible for paying annual insurance premiums and receiving any settlement from the insurers should the building be destroyed.

It is anticipated that a report will be presented to Council at the July 2014 meeting regarding building insurance for the Spiers Centre.

- Creative and Therapeutic Activities Group – a subsidy of rent and outgoings has been requested and is currently under consideration.
- Community Vision – Joondalup.
- Community Vision – Hillarys.
- Community Vision – Woodvale.
- Community Vision – Kingsley.

The table at Attachment 1 provides details of the status of lease development under the PMF.

Licence agreements

The City has licence agreements or is negotiating licence agreements with a number of different groups that fall into the following categories.

Telecommunications carriers

There is currently one telecommunication licence in place with Business Services and Resources Pty Ltd (Service Elements) – 90 Boas Avenue, Joondalup.

Not-for-Profit Community Groups and Sporting Groups

Negotiations for licence agreements with 14 not-for-profit community/sporting groups commenced in November 2013. The licence agreements with these groups intend to formalise their use of City property.

- **Seniors' Groups**

Draft licence agreements were sent to Seniors' Groups in November 2013. All are for a peppercorn rent. The status of the licence agreements is provided below:

- Ocean Ridge Senior Citizens Club – licence agreement complete.
- Warwick Senior Citizens Club – licence terms and conditions agreed and being progressed for execution.
- Duncraig Senior Citizens Club – under negotiation, the Club has indicated that it does not want to sign the licence agreement.
- Whitford Senior Citizens Club – draft licence provided – negotiations not yet commenced.

- **Community Groups**

Draft licence agreements were sent to the following Community Groups in November 2013. The status of the licence agreements is provided below:

- Wanneroo-Joondalup Returned Services League – under negotiation.
- Goollelal Greenwood Scout Group – under negotiation.
- Duncraig Playgroup – under negotiation.
- Marmion-Warwick Playgroup – under negotiation.
- Wonderland Childcare Duncraig – under negotiation.

- **Sporting Groups**

Draft licence agreements were sent to the following Sporting Groups in November 2013. The status of the licence agreements is provided below:

- Ocean Ridge Tennis Club - licence terms and conditions agreed and being progressed for final execution.
- Kingsley Tennis Club – under negotiation.
- Edgewater Cricket Club – under negotiation.
- Warwick Greenwood Cricket Club – under negotiation.
- Whitford Hockey Club – under negotiation.

Annual rents in the draft licences for sporting groups have been calculated in accordance with the PMF and include a proportion of utility costs for the building.

The table at Attachment 2 provides details of the status of licence development under the PMF.

Facility hire

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted the *Facility Hire Subsidy Policy* which provides guidance on the extent of the subsidy offered to groups hiring City-managed facilities.

A number of organised local not-for-profit community groups and groups from educational institutions that hire facilities on a regular or casual basis have received subsidies for the cost of facility hire charges for City-managed facilities since the adoption of the policy.

In accordance with the *Facility Hire Subsidy Policy* requests for subsidy of facility hire charges are approved by Council. These are not included in this report.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation	Section 3.58 of the <i>Local Government Act 1995</i> . Regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i> . Section 18 of the <i>Land Administration Act 1997</i> . <i>Telecommunications Act 1997</i> .
Strategic Community Plan	
Key theme	Financial Sustainability.
Objective	Effective management.
Strategic initiative	Manage liabilities and assets through a planned, long-term approach.
Key theme	Community Wellbeing.
Objective	Quality facilities.
Strategic initiative	Understand the demographic context of local communities to support effective facility planning.
Policy	<i>Asset Management Policy</i> . <i>Facility Hire Subsidy Policy</i> .

Risk management considerations

There is an on-going risk of an adverse response from community groups whose new lease/licence agreement prescribes additional payments or responsibilities under the PMF. For this purpose, the City has undertaken thorough negotiations with the individual groups and dealt with requests for changes to the standard lease/licence agreements on a case-by-case basis.

Financial/budget implications

The PMF is intended to provide the City with a guide to managing property in an equitable and efficient manner and is not intended to provide a mechanism for income generation. However the PMF contributes to the financial viability of the City through tenure arrangements which make the lessee/licensee responsible for non-structural maintenance, cleaning, insurance (excluding building insurance) and operational/running costs such as utilities.

Costs in relation to the implementation of the PMF have been largely related to obtaining property valuations and the drafting of lease/licence documentation.

Requests for subsidised rent and facility hire are considered on a case-by-case basis in accordance with the PMF and the *Facility Hire Subsidy Policy*.

Regional significance

Not applicable.

Sustainability implications

The PMF aims to support the equitable, efficient and effective management of City-owned and –managed properties. The PMF recognises the value and community benefit of activities organised and provided for by community groups and also aims to protect and enhance the City's property assets for the benefit of the community and for future generations.

The activities organised and provided for by community groups are often provided at little or no cost to participants. The PMF provides such groups with security of tenure and by subsidising such groups where appropriate allows groups to determine their financial capability to continue in the future.

Consultation

To minimise the impact and reduce the risk of an adverse reaction to the PMF the City has approached individual groups on a case-by-case basis as each lease/licence is under development. To date the majority of discussions have been positive and led to a clearer understanding of the intent of the PMF.

COMMENT

The intent of the PMF and the *Facility Hire Subsidy Policy* was not about generating additional income but to provide a guide to managing all property under the City's ownership while promoting equitable, effective and sustainable management practices. To address the intention and objectives of the PMF the City has developed standard lease and licences based on the standard tenure arrangements included in the PMF. While some changes have been made to the terms and conditions of the standard lease and licence conditions based on previous arrangements or group requests in general the intent of the PMF has been maintained.

In progressing lease/licence agreements under the PMF the City's focus has been on those lease/licences that are considered critical to be in place. City officers have consulted extensively with groups during lease and licence negotiations. The majority of discussions have been positive however some lease and licence negotiations are taking considerable time to complete as a number of groups have sought legal advice on the draft lease and licence before agreeing to the term and conditions. However it is anticipated that, subject to successful negotiations, the following lease/licence agreements will be executed by the end of July 2014:

Group	Comment/Status
Whitfords Volunteer Sea Rescue Group	Terms and conditions agreed currently being progressed for final execution.
Beaumaris Sports Association	Terms and conditions agreed currently being progressed for final execution.
Hillarys Community Kindergarten	Requests for rental subsidies under consideration.
Padbury Community Kindergarten	Requests for rental subsidies under consideration.
Mullaloo Community Kindergarten	Requests for rental subsidies under consideration.
Warwick Senior Citizens Club	Terms and conditions agreed currently being progressed for final execution.
Ocean Ridge Tennis Club	Terms and conditions agreed currently being progressed for final execution.

Negotiations for the remaining lease/licence agreements will continue to be progressed and it is likely they will be finalised during 2014-15.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES:

- 1 the progress of the implementation of the *Property Management Framework* as at 31 May 2014;
- 2 a further report on the progress of the implementation of the *Property Management Framework* as at 31 May 2015 will be submitted to Council in June 2015.

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf100614.pdf](#)

REPORTS – CAPITAL WORKS COMMITTEE – 3 JUNE 2014

ITEM 20 DESIGN REVIEW FOR PRIORITY TWO AND PRIORITY THREE ENTRY STATEMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	37196, 101515
ATTACHMENT	Attachment 1 Entry statement review Attachment 2 Typical revised priority two entry statement Attachment 3 Typical priority three entry statement Attachment 4 Original locations map Attachment 5 Proposed locations map
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to endorse the revised design and proposed locations of the priority two and priority three entry statements and approve the installation timetable for priority two entry statements.

EXECUTIVE SUMMARY

A report on the *Priority Two and Priority Three Entry Statements* was presented to the Capital Works Committee at its meeting held on 1 April 2014. At that meeting it was agreed that the design of the priority two and priority three entry statements be professionally revised including a revision of the installation timetable to focus on the installation of priority two entry statements initially.

A professional review of the priority two and priority three entry statements was requested and the "Joondalup Priority 2 & 3 Entry Statements Review" report prepared by Urban Design and Landscape Architecture (UDLA) was received by the City on 9 May 2014 (Attachment 1 refers).

Recommendations from that review have been acknowledged and reflected in the revised typical priority two entry statement design (Attachment 2 refers). The priority three entry statement has no changes made to the sign itself but allowance has been made in the garden bed for future inclusion of interpretive poles (Attachment 3 refers).

The original locations mapped for entry statements has been included for reference and forms Attachment 4 to this Report. The proposed locations map for priority two and priority three entry statements forms Attachment 5 to this Report.

The proposed locations map nominates priority two entry statement sites near the local government boundaries within the medians of:

- Ocean Reef Road
- Connolly Drive
- Whitfords Avenue
- Hepburn Avenue
- Warwick Road.

The proposed locations map also includes two additional priority three entry statements on the freeway entry/exits of Burns Beach Road and Shenton Avenue.

The priority two entry statement signage forms part of the Level one landscape treatment for entry points into the City. The installation time table is governed by the commencement of the *East West Arterial Roads Upgrade Program SSE2011* listed in the *2015-16 Capital Works Program* with an allocated budget of \$750,000.

Table 1: Condensed project schedule details the entry statement signage installation within the SSE2011 project construction for 2015-16. The project is scheduled to commence on 1 July 2015.

It is therefore recommended that Council:

- 1 *NOTES the "Joondalup Priority 2 & 3 Entry Statements Review" report prepared by Urban Design and Landscape Architecture (UDLA) forming Attachment 1 to this Report;*
- 2 *ENDORSES the revised concept design for the priority two and priority three entry statement forming Attachments 2 and 3 to this Report;*
- 3 *APPROVES the locations of the priority two and priority three entry statements forming Attachment 5 to this Report;*
- 4 *APPROVES the progressive installation of the priority two entry statements under the East West Arterial Roads Upgrade Program SSE2011 for the 2015-16 Capital Works Program.*

BACKGROUND

In 2007 the City appointed Greg Grabasch, Landscape Architect, Urban Design and Landscape Architecture (UDLA) to undertake the design of priority one entry statements to the City. The design was developed during a series of workshops with Elected Members to create an entry statement unique to the City of Joondalup.

At its meeting held on 16 February 2010 (CJ026-02/10 refers), Council approved the installation of two priority one entry statements located within the median of Marmion Avenue near the south and north local government boundaries. The Entry Statements Project was advertised for tender and submissions received in 2012 exceeded the budget. All tenders were declined.

The Entry Statements Project was subject to review during 2012-13 to meet budget constraints and Main Roads WA requirements. The construction of two priority one entry statements was completed in November 2013.

At its meeting held on 10 December 2013 (CJ252-12/13 refers), Council agreed in part to approve the installation of the third priority one entry statement located within the median of Joondalup Drive near the eastern local government boundary. Construction of the third priority one entry statement currently in progress will complete three priority one entry statements for the City of Joondalup.

In February 2014 a report was requested to address the design, locations and implementation strategy for priority two and priority three entry statements. The *Priority Two and Priority Three Entry Statements* report was presented to the Capital Works Committee meeting held on 1 April 2014 and at this meeting it was agreed that:

"The item relating to priority 2 and priority 3 entry statements be REFERRED BACK to the Chief Executive Officer to allow the design of the priority 2 and priority 3 entry statements to be professionally revised including a revision of the installation timetable to focus on the installation of priority 2 entry statements initially."

DETAILS

Entry Statement Design

A professional review of the priority two and priority three entry statements was requested from UDLA to ensure the intent and vision for the original entry statement design was captured in the priority two and priority three versions.

The 'Joondalup Priority 2 & 3 Entry Statements Review' report, prepared by UDLA, was received by the City on 9 May 2014. The report, forming Attachment 1 to this Report, provides commentary and recommendations for the entry statement signs. For the priority two signage, two options were considered by UDLA: Option A, the original design which consists of three interpretive poles and Option B, an enhanced design which consists of five interpretive poles. Priority three signage is limited to the sign only.

In summary the recommendations for the priority two signage from UDLA are:

- general support for Option B (five interpretive poles)
- placement of the five poles should appear randomised
- interpretive poles should be placed so as not to obscure the message on the sign
- each site should have its own unique pole configuration
- consider randomising the colours of the different pole lengths.

A revised typical priority two entry statement design forming Attachment 2 to this Report has been prepared for Council assessment. At detailed design stage each entry statement site will be surveyed and the pole placement individually configured.

The priority three entry statement forming Attachment 3 to this Report has no changes made to the sign itself but the placement of the signage within the garden bed allows for future inclusion of interpretive poles.

Installation Time Table

It is proposed that the entry statement signage will be installed under the *East West Arterial Roads Upgrade Program* as part of the landscape treatment and at its meeting held on 15 April 2014 (CJ059-04/14 refers), Council agreed in part to:

"Approve Option 3 for implementation to provide landscape treatments to selected sections on more than one arterial road simultaneously."

The original locations mapped for entry statements has been included for reference and forms Attachment 4 to this Report. The proposed locations map for priority two and priority three entry statements forms Attachment 5 to this Report.

Priority two entry statements have been proposed for entry points into the City off the eastern local government boundary at Wanneroo Road and at the northern local government boundary on Connolly Drive. Priority two entry statements, as shown on the original locations map, at the southern local government boundary are not included in this proposal.

The five locations proposed for priority two signage are sited near the local government boundaries within the medians of:

- Ocean Reef Road
- Connolly Drive
- Whitfords Avenue
- Hepburn Avenue
- Warwick Road.

The proposed locations map also includes two additional priority three entry statements on the freeway entry/exits of Burns Beach Road and Shenton Avenue.

Focussing initially on the installation of priority two entry statements, Table 1 below has been prepared demonstrating the phasing of SSE2011 for 2015-16.

Table 1: Condensed project schedule

ITEM	DATE
Order placed - fabrication of signage and poles	1 May 2015
Commence site works (location 1)	1 July 2015
Commence irrigation installation (location 1)	1 July 2015
Commence concrete installation (location 1)	20 July 2015
Commence signage installation (location 1)	20 July 2015
Commence landscape installation (location 1)	10 August 2015
Complete site works (location 5)	9 September 2015
Complete signage installation (location 5)	15 September 2015
Complete concrete installation (location 5)	30 October 2015
Complete irrigation installation (location 5)	30 October 2015
Complete landscape installation (location 5)	13 November 2015
Practical completion	18 November 2015
Commence consolidation period	19 November 2015
Project handover	19 February 2016

Issues and options considered

The review undertaken by UDLA explores the notion of each site having its own unique pole configuration and randomising the colours of the different pole lengths.

The unique pole configuration was demonstrated in the construction of the priority one entry statements on the southern entry statement on Marmion Avenue where the pole placement was detailed to suit a narrower median. During detailed design phase each site will be assessed individually for pole colour and placement as per the UDLA review.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Buildings and landscaping is suitable for the immediate environment and reflect community values.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

The priority two entry statement signage will form part of the landscape treatments under the *East West Arterial Roads Upgrade Program SSE2011* which is listed for commencement in the *2015-16 Capital Works Program* with an allocated budget of \$750,000.

Capital Cost

Priority two entry statement:

Individual estimated cost - \$15,500.

Five proposed installations.

Total estimated cost entry statements - \$77,500.

Landscape component:

Total estimated cost Level one treatment - \$672,500.

Annual Operating Costs

Priority two entry statement:

Individual cost per annum - \$2,500.

Five proposed installations.

Total cost per annum - \$12,500.

Landscape component:

Maintenance cost per annum - \$7.00m²

Current financial year impact

There is no impact on the current 2013-14 or the *2014-15 Capital Works Program*.

Future financial year impact

Annual operating cost Installation of the priority two entry statement signage and associated landscaping is scheduled for the *2015-16 Capital Works Program* with operating costs applicable in 2016-17 going forward. The annual operating cost will be included in the *Parks Operational Budget* allocation for specific arterial roads.

20 Year Strategic Financial Plan impact The capital cost for the priority two entry statement signage and associated landscaping is covered in the current adopted *20 Year Strategic Financial Plan* within the *2015-16 Capital Works Program* under the *East West Arterial Roads Upgrade Program SSE2011* with an allocated budget of \$750,000.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

Approval of the revised priority two entry statement signage will facilitate the detailed documentation required prior to the commencement of the *East West Arterial Roads Upgrade Program SSE2011* in the *2015-16 Capital Works Program*. A significant lead-in time will ensure a timely delivery of the project.

Preliminary estimates indicate the proposed landscape upgrades inclusive of entry statement signage can be installed on the five nominated arterial roads within the allocated budget of \$750,000.

It is to be noted that all signage is constructed with frangible bases and installation of safety barriers is not included. Also there is no provision for illuminating the signage.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this Report (as detailed below) was resolved by the Capital Works Committee at its meeting held on 3 June 2014.

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

That Council:

- 1 *NOTES the "Joondalup Priority 2 & 3 Entry Statements Review" report prepared by Urban Design and Landscape Architecture (UDLA) forming Attachment 1 to this Report;*
- 2 *ENDORSES the revised concept design for the priority two and priority three entry statement forming Attachments 2 and 3 to this Report;*
- 3 *APPROVES the locations of the priority two and priority three entry statements forming Attachment 5 to this Report;*
- 4 *APPROVES the progressive installation of the priority two entry statements under the East West Arterial Roads Upgrade Program SSE2011 for the 2015-16 Capital Works Program.*

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

That Council:

- 1 *NOTES the "Joondalup Priority 2 & 3 Entry Statements Review" report prepared by Urban Design and Landscape Architecture (UDLA) forming Attachment 1 to this Report;*
- 2 *ENDORSES the revised concept design for the priority two and priority three entry statement forming Attachments 2 and 3 to this Report, with the following amendments:*
 - 2.1 Priority two entry statements:
 - 2.1.1 are to consist of a two metre high monolith sign with decorative poles adjusted to suit;
 - 2.1.2 are to have watermarked City of Joondalup logo and a drive safely message in bold text on the exit side of the sign;
 - 2.1.3 are to have a welcome message on the entry side of the sign;
 - 2.1.4 are to consist of a 100 metre landscaping strip;
 - 2.2 Priority three entry statements:
 - 2.2.1 are to consist of a two metre high monolith sign;
 - 2.2.2 are to have City of Joondalup logo on both sides of the sign;
 - 2.2.3 are to consist of a 40 metre landscaping strip;
- 3 *APPROVES the locations of the priority two and priority three entry statements forming Attachment 5 to this Report;*
- 4 *APPROVES the progressive installation of the priority two entry statements under the East West Arterial Roads Upgrade Program SSE2011 for the 2015-16 Capital Works Program.*

RECOMMENDATION

That Council:

- 1 **NOTES** the "Joondalup Priority 2 & 3 Entry Statements Review" report prepared by Urban Design and Landscape Architecture (UDLA) forming Attachment 1 to this Report;
- 2 **ENDORSES** the revised concept design for the priority two and priority three entry statement forming Attachments 2 and 3 to this Report, with the following amendments:
 - 2.1 **Priority two entry statements:**
 - 2.1.1 are to consist of a two metre high monolith sign with decorative poles adjusted to suit;
 - 2.1.2 are to have watermarked City of Joondalup logo and a drive safely message in bold text on the exit side of the sign;
 - 2.1.3 are to have a welcome message on the entry side of the sign;
 - 2.1.4 are to consist of a 100 metre landscaping strip;
 - 2.2 **Priority three entry statements:**
 - 2.2.1 are to consist of a two metre high monolith sign;
 - 2.2.2 are to have City of Joondalup logo on both sides of the sign;
 - 2.2.3 are to consist of a 40 metre landscaping strip;
- 3 **APPROVES** the locations of the priority two and priority three entry statements forming Attachment 5 to this Report;
- 4 **APPROVES** the progressive installation of the priority two entry statements under the East West Arterial Roads Upgrade Program SSE2011 for the *2015-16 Capital Works Program*.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf100614.pdf](#)

8 REPORT OF THE CHIEF EXECUTIVE OFFICER

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10 REPORTS REQUESTED BY ELECTED MEMBERS

11 CLOSURE



**DECLARATION OF
FINANCIAL INTEREST/INTEREST THAT MAY AFFECT
IMPARTIALITY**

**To: CHIEF EXECUTIVE OFFICER
CITY OF JOONDALUP**

Name/ Position	
Meeting Date	
Item No/ Subject	
Nature of Interest	Financial Interest * Interest that may affect impartiality* <i>* Delete where not applicable</i>
Extent of Interest	
Signature	
Date	

Section 5.65(1) of the *Local Government Act 1995* states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) *in a written notice given to the CEO before the meeting; or*
- (b) *at the meeting immediately before the matter is discussed.*



**DECLARATION OF
FINANCIAL INTEREST/INTEREST THAT MAY AFFECT
IMPARTIALITY**

**To: CHIEF EXECUTIVE OFFICER
CITY OF JOONDALUP**

Name/ Position	
Meeting Date	
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Nature of Interest	Financial Interest * Interest that may affect impartiality* <i>* Delete where not applicable</i>
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**QUESTION TO BE ASKED AT
BRIEFING SESSION/COUNCIL MEETING**

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

QUESTIONS

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to council.questions@joondalup.wa.gov.au

Please note that:

- Questions asked at a **Briefing Session** must relate to matters contained on the draft agenda.
- Questions asked at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.
- Questions asked at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called



**STATEMENT TO BE MADE AT
BRIEFING SESSION/COUNCIL MEETING**

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

STATEMENT

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to council.questions@joondalup.wa.gov.au

Please note that:

- Statements made at a **Briefing Session** must relate to matters contained on the draft agenda.
- Statements made at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.
- Statements made at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called