

agenda

Briefing Session

A BRIEFING SESSION WILL BE HELD IN

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

ON

TUESDAY 8 JULY 2014

COMMENCING AT

6.30pm

GARRY HUNT
Chief Executive Officer

www.joondalup.wa.gov.au

4 July 2014

PUBLIC QUESTION TIME

Members of the public are requested to lodge questions in writing by close of business on Monday 7 July 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:

[AdditionalInformation140708.pdf](#)

CITY OF JOONDALUP – BRIEFING SESSION

To be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on **8 July 2014** commencing at **6.30 pm**.

ORDER OF BUSINESS

- 1 OPEN AND WELCOME**
- 2 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY**

Disclosure of interest affecting impartiality

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

Name/Position	Cr Brian Corr.
Item No./Subject	Item 17 – Draft Purchasing Policy.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Corr is secretary of the Joondalup Business Association.

Name/Position	Cr Brian Corr.
Item No./Subject	Item 18 – Revocation of the Economic Development Policy.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Corr is secretary of the Joondalup Business Association.

- 3 DEPUTATIONS**
- 4 PUBLIC QUESTION TIME**

5 PUBLIC STATEMENT TIME

The following statement was made at the Briefing Session held on 10 June 2014.

Mr Ben Crealy, Ocean Reef

Re: Mirror Park Skate Park – Review of Facility Management Plan and Proposal for Installation of Lighting

Mr Crealy spoke in objection to the proposal for the installation of lighting at Mirror Park Skate Park.

6 APOLOGIES AND LEAVE OF ABSENCE

Cr Russ Fishwick, JP	4 August to 23 September 2014 inclusive;
Cr Geoff Amphlett,JP	6 August to 22 August 2014 inclusive;
Cr Philippa Taylor	20 August to 12 September 2014 inclusive.

7 REPORTS

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

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	07032, 101515
ATTACHMENTS	Attachment 1 Monthly Development Applications Determined – May 2014 Attachment 2 Monthly Subdivision Applications Processed – May 2014 Attachment 3 Monthly Building R-Code Applications Decision – 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 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 May 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

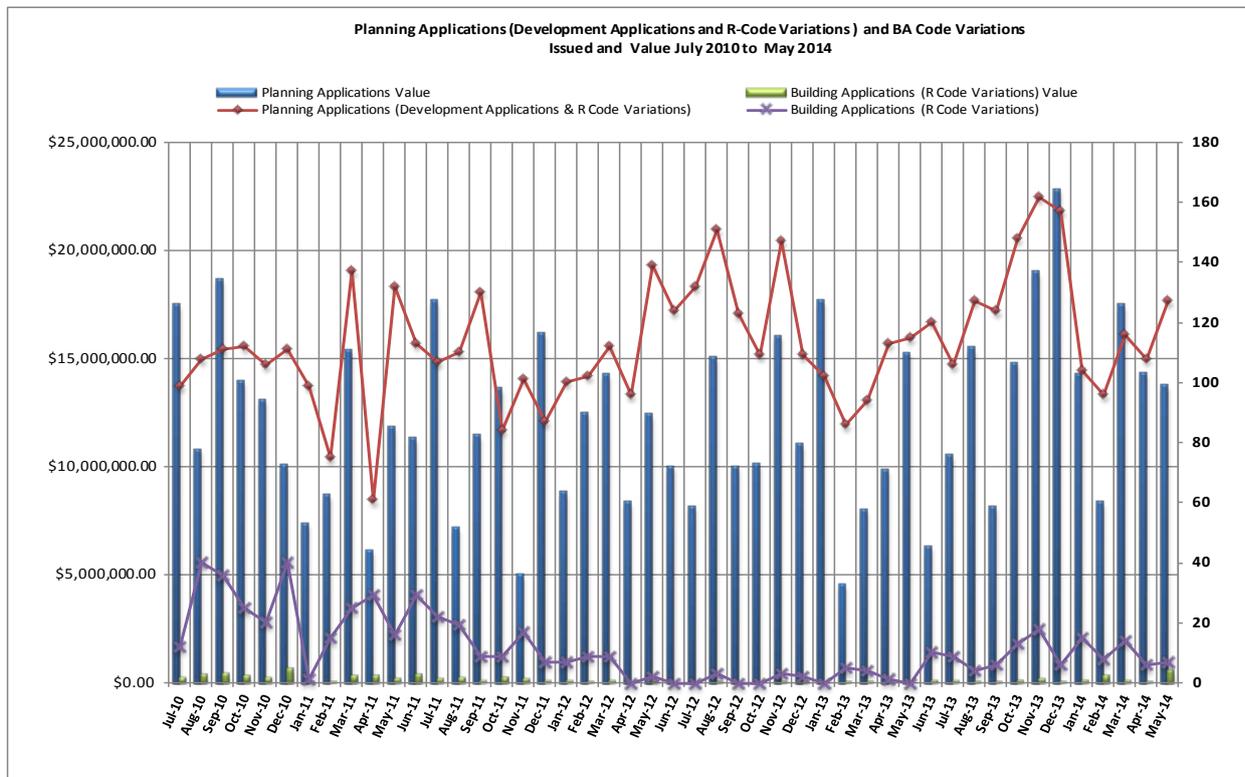
DPS2 requires that delegations be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 25 June 2013 (CJ094-06/13 refers), Council considered and adopted the most recent Town Planning Delegations via its review of the Register of Delegation of Authority.

DETAILS

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

Applications determined under delegated authority – May 2014		
Type of Application	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	127	\$ 13,723,163
Building applications (R-Codes applications)	7	\$573,702
TOTAL	134	\$ 14,296,865

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



The number of development applications received during May was 151. (This figure does not include any applications that may become the subject of an R-Code application as part of the building permit approval process).

The number of development applications current at the end of May was 290. Of these, 71 were pending additional information from applicants, and 69 were being advertised for public comment.

In addition to the above, 277 building permits were issued during the month of May with an estimated construction value of \$30,965,833.

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

Subdivision referrals processed under delegated authority for May 2014		
Type of referral	Number	Potential additional new lots
Subdivision applications	7	6
Strata subdivision applications	1	6

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 134 applications were determined for the month of May with a total amount of \$61,063 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 127 development applications determined during May 2014 consultation was undertaken for 77 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 eight subdivision applications processed during May 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 May 2014;**
- 2 Subdivision applications described in Attachment 2 to this Report during May 2014;**
- 3 Building Residential Design Code applications described in Attachment 3 to this Report during May 2014.**

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf080714.pdf](#)

ITEM 2 DISTRICT PLANNING SCHEME REVIEW – LOCAL PLANNING STRATEGY

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	101666, 09011
ATTACHMENT	Attachment 1 Revised draft Local Planning Strategy
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider the revised draft *Local Planning Strategy* and decide whether to adopt the strategy.

EXECUTIVE SUMMARY

The *Local Planning Strategy* (LPS) is a key component of the review of *District Planning Scheme No. 2* (DPS2) and is required under the *Town Planning Regulations 1967* before a new scheme can be progressed.

The LPS is a statement of strategic direction that will provide the rationale for future decision making by the City and Council. The LPS was prepared in 2008 and advertised for a period of 60 days in 2009. At its meeting held on 16 February 2010 (CJ007-02/10 refers), Council resolved to adopt the LPS and submit it to the Western Australian Planning Commission (WAPC) for endorsement. On 25 March 2010, the Department of Planning advised that the draft LPS would not be progressed until a *Local Housing Strategy* (LHS) and *Local Commercial Strategy* (LCS) were finalised and the recommendations of these strategies incorporated into the LPS.

The LHS and LCS are complete and have been adopted by Council. The LHS has also been supported by the WAPC. The recommendations of these strategies have now been included in the LPS. In addition, a number of other modifications have been made to the LPS to bring the document up to date with current planning policy and legislation, the City's various recent projects and the 2011 Australian Bureau of Statistics (ABS) census data. The document has been reformatted in accordance with the Department of Planning's *Local Planning Manual*, and the terminology has been updated to ensure that it is consistent throughout the document. These changes do not alter the intent or actions of the LPS, LHS or LCS.

It is recommended that Council adopts the updated *Local Planning Strategy* and forwards to the WAPC for endorsement.

BACKGROUND

The City is currently undertaking a review of DPS2 and is in the process of developing a new Local Planning Scheme. However, before the new scheme can be finalised, the City is required under the *Town Planning Regulations 1967* to develop a *Local Planning Strategy*.

The LPS is also supported by the *Local Housing Strategy* and *Local Commercial Strategy*, which were both recently adopted by Council.

The LPS is the framework for local planning and provides the rationale for the zoning and reservation of land in the new scheme. It also establishes the planning objectives and strategic direction that are important to the local government and the community in the medium to long term, specifically the next 10 to 15 years.

A draft LPS was prepared and presented to Council at its meeting held on 5 August 2008 (CJ165-08/08 refers), where it was resolved to submit the LPS to the WAPC for consent to advertise. The draft LPS was submitted to the WAPC in August 2008. In April 2009, the WAPC advised that the draft LPS was suitable to advertise subject to a number of modifications and additions. Further work was undertaken and the requested modifications and additions were incorporated into the document. In August 2009, formal consent to advertise the draft LPS was received from the WAPC.

The LPS was advertised for 60 days closing on 9 November 2009. A total of seven submissions were received, providing a range of comments on the draft LPS. As a result of the comments and advice from the WAPC, several changes to the draft LPS were proposed, primarily to update the background information and improve the clarity of the document.

At its meeting held on 16 February 2010 (CJ007-02/10 refers), Council resolved that it:

- 1 *ADOPTS the Local Planning Strategy with modifications as final, as outlined in Attachment 1 to Report CJ007-02/10;*
- 2 *SUBMITS the Local Planning Strategy to the Western Australian Planning Commission for its endorsement.*

The LPS was forwarded to the WAPC on 8 March 2010 for final approval. On 25 March 2010, the Department of Planning advised that the LPS would not be progressed until a *Local Housing Strategy* and *Local Commercial Strategy* had been finalised and their recommendations included in the LPS.

The *Local Housing Strategy* was adopted by Council on 16 April 2013 (CJ044-04/3 refers), and subsequently supported by the WAPC for the purposes of incorporating into the LPS. In addition, the *Local Commercial Strategy* was adopted by Council on 10 December 2013 (CJ230-12/13 refers).

DETAILS

Modifications to the LPS have been made to bring the document up to date with current planning policy and legislation, the City's most recent projects and the 2011 ABS census data. The updated LPS is included as Attachment 1. The main changes are outlined below.

Recommendations of the Local Housing Strategy and Local Commercial Strategy

The LPS has been updated to incorporate the recommendations of the *Local Housing Strategy* and *Local Commercial Strategy* as required by the WAPC. These are included in Part 1 of the document as new actions to implement the listed strategies. Some of the wording of the actions from the LHS and LCS has been updated to provide consistency of terminology throughout the document. The LHS and LCS will be updated to reflect this terminology after the LPS has been endorsed by the WAPC.

Local Planning Manual

Since the LPS was forwarded to the WAPC, the Department of Planning released the *Local Planning Manual*, which provides the recommended format for a local planning strategy. The LPS has been modified to reflect this format and therefore is structured differently to the previous LPS. The most notable change to the structure is that the background information and analysis now forms Part 2 of the document and the strategy forms Part 1, which is the opposite to how it was previously.

State and Regional Planning Context

Since the document was originally drafted, the State Government has finalised some key planning strategies and policies and released a number of new planning documents. These included:

- *Draft State Planning Strategy (2012)*
- *State Planning Policy (SPP) 2.6 State Coastal Planning Policy*
- *SPP 3.1 Residential Design Codes (2013)*
- *SPP 4.2 Activity Centres for Perth and Peel*
- *Directions 2031 and Beyond: Metropolitan Planning beyond the horizon*
- *Draft Outer Metropolitan Perth and Peel sub-regional strategy.*

The LPS has been updated to summarise and incorporate the findings of these documents.

Local Planning Context

The LPS has been updated to reflect the current and proposed City projects, policies and strategies such as *Joondalup 2022*, the *Economic Development Strategy*, *Environment Plan*, *Community Development Plan 2014-2019*, and various master planning and other projects.

Local Profile

The following sections of the Local Profile have been updated to reflect current State Government documents and incorporate reference to the 2011 census data:

- Population and Housing – updated with 2011 census data.
- Employment and Economy – updated with 2011 census data.
- Retail and Commerce – updated to reflect the Activity Centres for Perth and Peel Policy.
- Transport – updated with 2011 census data.
- Public Utilities and services – updated to reflect the recent upgrade to Beenyup Waste Water Treatment Plant.
- Rural land – updated to reflect the recent Metropolitan Region Scheme Amendment.

Issues and options considered

Council has the option to:

- adopt the updated *Local Planning Strategy* and submit to the WAPC for final approval
- adopt the updated *Local Planning Strategy* with further modification and submit to WAPC for final approval
or
- not adopt the updated *Local Planning Strategy*.

Legislation / Strategic Community Plan / policy implications

Legislation *Town Planning Regulations 1967.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcome.

Strategic initiative Housing infill and densification is encouraged and enabled through a strategic, planned approach in appropriate locations.

Key theme Economic Prosperity, Vibrancy and Growth.

Objective Activity centre development.

Strategic initiative Understand local commercial needs and opportunities.

Policy The LPS does not conflict with any existing planning policies. The LPS identifies changes and modifications required to existing planning policies and identifies the need for new planning policies.

Risk management considerations

Without a LPS there is the risk that the WAPC will not support a new Local Planning Scheme.

Financial/budget implications

The review of the LPS has been prepared with in-house resources, therefore no additional funds were required.

Regional significance

The LPS will establish broad themes that have regional implications. For example, supporting the development of the Joondalup City Centre to become a Primary Centre, the inclusion and coordination of regional transport links, and providing a suitable response to state and regional policies on planning matters.

Sustainability implications

The LPS contains strategies and actions relating to sustainability, across a number of the different themes, in recognition of state planning policies and existing Council policies and strategies. It establishes sustainability objectives as a major priority to clearly indicate that economic, social and environmentally sustainability objectives are included in town planning considerations for the future.

Consultation

The LPS was advertised for 60 days closing on 9 November 2009. A total of seven submissions were received, being two from service authorities, one from a planning consultant, one from another local government, two from other government agencies and one from a member of the public.

As the proposed modifications to the LPS consist of updated background information and the inclusion of adopted *Local Housing Strategy* and *Local Commercial Strategy* recommendations, which have both been advertised extensively, no additional consultation is considered necessary.

COMMENT

The reformatting of the document, use of consistent terminology, updated statistics, figures and references to new planning related projects, policies and legislation does not change the intent of the LPS but predominantly brings the document up to date. As a result of the updated information, some of the strategies and actions have also been revised to bring them up to date. In addition, the recommendations of the *Local Housing Strategy* and *Local Commercial Strategy* have been incorporated into the LPS as actions and strategies. It is considered that these changes are consistent with the overall intent of the document and do not alter the function of the strategy.

The LPS is a key document for the progression of the scheme review. The revised LPS will provide the rationale for future decision making by Council. It is therefore recommended that Council adopts the updated Local Planning Strategy as final.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council, pursuant to regulation 12B(3) of the *Town Planning Regulations 1967*:

- 1 ADOPTS the Local Planning Strategy, as outlined in Attachment 1 to this Report;**
- 2 SUBMITS the Local Planning Strategy to the Western Australian Planning Commission for its endorsement.**

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf080714.pdf](#)

ITEM 3 INITIATION OF AMENDMENT NO. 76 TO DISTRICT PLANNING SCHEME NO. 2

WARD	All	
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development	
FILE NUMBER	104209, 102313	
ATTACHMENT	Attachment 1	Scheme Amendment Maps (existing and proposed)
	Attachment 2	Scheme amendment process flowchart
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.	

PURPOSE

For Council to consider initiating an amendment to update and align *District Planning Scheme No. 2* (DPS2) with the Metropolitan Region Scheme following a recent amendment, for the purpose of public advertising.

EXECUTIVE SUMMARY

In October 2013, the Minister for Planning approved an omnibus amendment to the Metropolitan Region Scheme (MRS) involving the north-west districts of Perth. Several of the proposals were located within the City of Joondalup. It is a requirement of the *Planning and Development Act 2005* that the local planning scheme be made consistent with the MRS.

For proposals which involve the reservation of land in the MRS, the local planning scheme is automatically updated upon finalisation of the MRS amendment to reflect the new reservations. With regard to proposals which involve the application of the 'Urban' zone in place of a 'Parks and Recreation' or 'Other Regional Road' reservation, the local planning scheme must be amended to apply a local zone in place of the previous MRS reservation.

In this instance, one amendment to the MRS was automatically reflected in DPS2, however a further five amendments require the formal initiation of amendments to DPS2 to ensure alignment with the MRS. With the exception of the proposal to rezone Lot 1 (126) Duffy Terrace, Woodvale, from the 'Rural' zone to 'Residential' R25 (Attachment 1, page 4), the other proposals are all of a minor nature to ensure reservations and zones match lot boundaries.

As the purpose of this amendment is to make DPS2 consistent with the MRS, it is recommended that Council proceeds with advertising of the scheme amendment for a period of 42 days.

BACKGROUND

The Metropolitan Region Scheme (MRS) is a strategic level planning scheme that applies broad land use zones and reserves to the Perth metropolitan area. Local planning schemes provide more detailed zonings for their specific areas, however, these are required to align with the MRS.

In October 2013, the Minister for Planning approved MRS Amendment 1244/57 – North West Districts Omnibus 8. This amendment sought to update various zones and reservations in the north-west districts of Perth, and included six proposals within the City of Joondalup. The City provided comment on the MRS Amendment during the public advertising period (CJ043-04/13 refers).

For proposals which involve the reservation of land in the MRS, DPS2 is automatically updated at the gazettal of the MRS amendment to reflect the new reservations. With regard to proposals which involve the application of the 'Urban' zone in place of a 'Parks and Recreation', 'Other Regional Road' or 'Rural' reservation, DPS2 will need to be amended to apply a local zone in place of the previous MRS reservation.

Following an amendment to the MRS, the local authority is required to amend its local planning scheme to match the broad zonings and reservations of the MRS.

DETAILS

In order to update and align DPS2 with the recent amendments to the MRS, the following mapping modifications are proposed:

- Remove the 'Other Regional Roads' reservation from portion (1,266m²) of Lots 209 - 212 (10, 12, 14, 16) Founders Lane, Hillarys and portion of Founders Lane and zone to 'Residential' R20 (Attachment 1, page 1).
- Remove the 'Other Regional Roads' reservation from portion (827m² and 239m²) of Lot 1(16) Sunlander Drive, Currambine and zone to 'Residential' R80 (Attachment 1, page 2).
- Remove the 'Other Regional Roads' reservation from portion (273m²) of Lot 1326 (2) Sunlander Drive, Currambine and zone to 'Business' R80 (Attachment 1, page 2).
- Remove the 'Parks and Recreation' reservation and the Bush Forever overlay from portion (155m²) of Lot 10789 (Crown Reserve 39497) and zone to 'Residential' R20 (Attachment 1, page 3).
- Rezone Lot 1 (126) Duffy Terrace, Woodvale (4,046m²), from 'Rural' to 'Residential' R25 (Attachment 1, page 4).

The above proposals are shown as Attachment 1.

Issues and options considered

Issues:

The issue to be considered by Council is the suitability of the proposed zoning and coding changes.

Options:

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

- proceed with the proposed scheme amendment for the purposes of public advertising
- modify and proceed with the proposed scheme amendment and adopt it for the purposes of public advertising
or
- not proceed with the proposed scheme 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.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality Built Outcomes.

Strategic initiative Not applicable.

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* enables a local government to amend a local planning scheme and sets out the process to be followed. When the MRS is amended, the local planning scheme must also be amended to ensure it is consistent with the MRS.

Should Council resolve to proceed with the proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review is necessary. Should the EPA decide that an environmental review is not required, and notify the City accordingly, then it will be necessary to proceed to advertise the proposed scheme amendment for 42 days.

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

The process flow chart for amendments to DPS2 is included as Attachment 2.

Risk management considerations

If a scheme amendment is not initiated to align DPS2 with the MRS, the City may be directed to initiate the amendment by the Minister for Planning.

Financial / budget implications

The City, as the proponent, will be required to cover the costs associated with the scheme amendment process. The costs incurred are for the advertising of the scheme amendment which consists of placing a notice in the relevant newspapers, the *Government Gazette* and a sign on-site. It is estimated that the cost of advertising will be approximately \$2,500.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Should Council initiate the scheme amendment, it is required to be advertised for public comment for 42 days. It is proposed that advertising will be by way of:

- letters to land owners whose properties are subject to this proposed scheme amendmen
- letters to adjoining and directly opposite land owners
- a notice placed in the Joondalup Community newspaper and *The West Australian* newspaper
- sign on Lot 1 (126) Duffy Terrace, Woodvale
- a notice on the City's website.

COMMENT

The purpose of this amendment is to amend DPS2 to match the broad zonings and reservations of the MRS. With the exception of the rezoning of Lot 1 Duffy Terrace, the remainder of the proposals are all of a minor nature along lot boundaries to ensure zones and reservations match lot boundaries.

Proposal 1

- Remove the 'Other Regional Roads' reservation from portion of Lots 209 - 212 (10, 12, 14, 16) Founders Lane, Hillarys and portion of Founders Lane and zone to 'Residential' R20.

The MRS amendment rezoned this road nib along Whitfords Avenue from 'Other Regional Road' reservation to 'Urban' as it was no longer required. It is recommended that this road nib be zoned 'Residential' R20 as this is consistent with the surrounding zoning and density code.

Proposals 2 and 3

- Remove the 'Other Regional Roads' reservation from portion of Lot 1(16) Sunlander Drive, Currambine and zone to 'Residential' R80.

- Remove the 'Other Regional Roads' reservation from portion of Lot 1326 (2) Sunlander Drive, Currambine and zone to 'Business' R80.

The MRS amendment rationalised portions of the above lots to 'Urban' in accordance with cadastral boundaries and existing infrastructure (pedestrian underpass). It is recommended that these boundary alignments be zoned 'Residential' and 'Business' R80 which is consistent with the existing surrounding zoning and density code.

Proposal 4

- Remove the 'Parks and Recreation' reservation and the Bush Forever overlay from portion of Lot 10789 (Crown Reserve 39497) and zone to 'Residential' R20.

The MRS amendment rezoned portion of Lot 10789 to the 'Urban' zone and removed the Bush Forever designation as this portion is part of the Merrifield Road road reserve. It is recommended that portion of Lot 10789 be zoned 'Residential' R20 as it reflects the existing road configuration and is consistent with the surrounding zoning and density code.

Proposal 5

- Rezone Lot 1 (126) Duffy Terrace, Woodvale from 'Rural' to 'Residential' R25.

The MRS amendment rezoned the above lot from the 'Rural' zone to the 'Urban' zone. The site is currently vacant.

The City's draft *Local Planning Strategy* states that the remaining 'Rural' zoned lots within the City should be rezoned to 'Residential' to reflect the surrounding residential uses. The site to the north has previously been rezoned and coded to a combination of R20, R25 and R40 and is developed with residential dwellings. The site opposite has a density code of R20 and has not yet been developed. The remainder of the surrounding residential area has a density code of R20. It is not clear why a density of R40 was included in this area given the low density and rural nature of the existing area.

Correspondence received on behalf of the owners of Lot 1 Duffy Terrace has requested the site be coded R40. However, the subject lot is not within a Housing Opportunity Area as identified within the City's *Local Housing Strategy*, and is therefore not specifically targeted for a higher density. There are also no other recommendations within the LHS that are applicable to this site. Higher density codes are generally appropriate where located near facilities such as commercial and medical centres and high frequency public transport, which is not the case in this instance.

Notwithstanding, it is recognised that a small pocket of density codes above R20 directly adjoin the site, as well as being located opposite the site, and a density above R20 may have merit. The subject site has an area of 4,046m², therefore a density code of R20, R25, R30 and R40 would allow a maximum of 8, 11, 13 or 18 single or grouped dwellings respectively to be developed on the site.

The State Government's *Directions 2031 and Beyond* document sets a density target of 15 dwellings per gross urban zoned hectare, which equates to just under 25 dwellings per site hectare, or an average lot size of 400m². Given this target and that the site is opposite higher coded areas it is recommended that Lot 1 Duffy Terrace be rezoned to 'Residential' and coded R25.

Conclusion

The proposed scheme amendment is required to ensure DPS2 is consistent with the MRS, and it is therefore recommended that Council support the advertising of the proposal for a period of 42 days.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

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. 76 to the *City of Joondalup District Planning Scheme No. 2* to:

- 1 Zone portion of Lots 209 - 212 (10, 12, 14, 16) Founders Lane, Hillarys and portion of Founders Lane 'Residential' R20;**
- 2 Zone portion of Lot 1(16) Sunlander Drive, Currambine 'Residential' R80;**
- 3 Zone portion of Lot 1326 (2) Sunlander Drive, Currambine 'Business' R80;**
- 4 Zone portion of Lot 10789 (Crown Reserve 39497) 'Residential' R20;**
- 5 Zone Lot 1 (126) Duffy Terrace, Woodvale 'Residential' R25,**

as depicted in Attachment 1 to this Report, for the purposes of public advertising for a period of 42 days.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf080714.pdf](#)

ITEM 4 CITY OF JOONDALUP ENVIRONMENT PLAN 2014–2019

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	28601, 101515
ATTACHMENT	Attachment 1 Environment Plan 2014–2019 Attachment 2 Community Consultation Summary
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 City's *Environment Plan 2014–2019*.

EXECUTIVE SUMMARY

A City of Joondalup *Environment Plan 2014–2019* has been developed to replace the previous *Environment Plan 2007–2011*. The *Environment Plan 2014–2019* guides the City's strategic response to local environmental threats. The purpose of the plan is to ensure that the City's operations are delivered in an environmentally sustainable manner and that the City takes measures to effectively influence positive environmental behaviours within the community.

The *Environment Plan 2014–2019* identifies the key pressures and provides strategic responses to the major environmental issues affecting the City of Joondalup. The plan includes a number of environmental indicators that will be reported against on an annual basis in order to track the progress and effectiveness of the plan. These performance measures will be included within the City's *Annual Report*.

The five themes addressed within the *Environment Plan 2014–2019* are:

- biodiversity management
- water management
- climate change mitigation
- waste management
- community involvement.

In order to address the pressures on the local environment and achieve the objectives of the *Environment Plan 2014–2019*, thirty-one projects have been identified that will be implemented over the life of the plan to reduce the threats outlined within each of the themes. In alignment with the strategic nature of the plan, the proposed projects are either plans/strategies, policies or overarching programs.

It is recommended that the *Environment Plan 2014–2019*, as shown in Attachment 1, is adopted by Council.

BACKGROUND

The City is committed to conserving, enhancing and rehabilitating the City's natural assets to ensure the long term protection of the environment for future generations.

Environmental management is a key role of local government and, while the responsibility is shared with other spheres of government, the City implements programs, strategies and policies, in partnership with stakeholders and the community, to ensure the sustainable use of natural resources, biodiversity conservation, energy and water efficiency and awareness raising of environmental issues within the City of Joondalup.

As the third largest local government in Western Australia, by population, the City of Joondalup is responsible for the management of a diverse number of natural and built environments and the delivery of numerous services to the community. The City has an important role in environmental management and is actively involved in:

- working with the community to raise awareness of environmental issues
- providing opportunities for community education
- developing sustainable waste management options
- supporting efficient use of water, energy and other resources
- conserving local biodiversity and natural areas
- developing partnerships to achieve better environmental outcomes
- consideration of environmental outcomes in purchasing decisions
- enhancing the natural environment of the City through effective land use planning and development control process
- including environmental objectives in long term planning decisions.

The City's innovative approach to environmental management has been recognised locally, nationally and internationally as best practice with a number of environmental awards being presented to the City in recent years.

The City's *Environment Plan 2014–2019* aims to further enhance the City's management of the local environment and provide a greater emphasis on key environmental challenges including climate change, biodiversity protection and water conservation.

The overarching objective for the *Environment Plan 2014–2019* is:

“To provide ongoing leadership in adaptive environmental management to ensure the sustainable use of natural resources and the conservation and enhancement of the City's natural assets for future generations.”

The *Environment Plan 2014–2019* utilises the “Pressure–State–Response” model developed by the Organisation for Economic Cooperation and Development (OECD). Under the model, the “state” of the environment is its condition at a particular time, and “responses” are the organised actions people take to either reduce environmental pressures, or directly improve environmental conditions. This model is considered best practice by national and international environmental planning agencies and consists of the following:

- 1 Pressures or threats that are impacting on the City's environment.
- 2 State of the City's environment (including key environmental assets and current condition).
- 3 Recommended responses to be implemented to improve, enhance and conserve the City's environment.

In alignment with the above, the *Environment Plan 2014–2019* includes five themes under which key environmental pressures will be addressed. For each of the themes, an objective is also provided.

Sitting below each theme are the key pressures to be addressed by the City. These include the City's current responses to each pressure and the recommended responses (in the form of projects, programs and services).

The themes, including the objectives and pressures to be addressed under each are shown in Table 1.

Theme	Pressures to be addressed
<p>Biodiversity Management</p> <p>Objective — “To provide long-term protection and enhancement of the City’s biodiversity through adaptive management and the delivery of targeted projects and programs.”</p>	<ul style="list-style-type: none"> • Invasive species • Altered fire regime • Pathogens • Fragmentation and degradation • Introduced animals • Climate change
<p>Water Management</p> <p>Objective — “To manage the City’s water resources in a sustainable manner in order to decrease water consumption, increase efficiency and improve water quality”.</p>	<ul style="list-style-type: none"> • Increased provision of services and facilities • Reduced water availability • Water regulation • Pollutants
<p>Climate Change Mitigation</p> <p>Objective — “To reduce energy consumption and greenhouse gas emissions by the City and the community to mitigate the effects of climate change”.</p>	<ul style="list-style-type: none"> • Increased provision of services and facilities • Available technologies • Capacity for change • Changing behaviour
<p>Waste Management</p> <p>Objective — “To minimise waste to landfill through sustainable waste management practices which incorporate reduce, re-use, recovery and recycling principles”.</p>	<ul style="list-style-type: none"> • Increasing waste generation • Recycling behaviour • Changing behaviour
<p>Community Involvement</p> <p>Objective — “To enhance community participation in environmental education initiatives and encourage community appreciation and ownership of the natural environment.”</p>	<ul style="list-style-type: none"> • Level of community awareness and participation • City capacity • Community capacity

Table 1: Themes and Pressures addressed in the *Environment Plan 2014-2019*

In order to address the pressures on the local environment and achieve the objectives of the *Environment Plan 2014–2019*, thirty-one projects have been identified that will be implemented over the life of the plan to reduce the threats outlined within each of the themes. In alignment with the strategic nature of the plan, the proposed projects are either plans/strategies, policies or overarching programs.

Achievement of the objectives within the *Environment Plan 2014-2019* will be supported through the City's Environmental Framework, shown in Figure 1. The City's Environmental Framework provides high level guidance to the management of the local environment. The *Environment Plan 2014-2019* sets the strategic direction for the City's environmental management activities.



Figure 1: City of Joondalup Environmental Framework

Sitting below the *Environment Plan 2014–2019* are a series of issue specific plans which address key environmental issues such as water conservation, climate change and adaptation and biodiversity conservation. These issue-specific plans contain detailed information on the activities that the City will take in addressing the key environmental issues affecting the local environment.

The *Environment Plan 2014–2019* also includes a number of environmental indicators that will be reported against on an annual basis in order to track the progress and effectiveness of the plan. A summary of the environmental indicators included within the plan is provided on page 61 of the *Environment Plan 2014–2019*.

DETAILS

At its meeting held on 20 May 2014 (CJ066-05/14 refers), Council endorsed the release of the draft *Environment Plan 2014-2019* for community consultation, for a period of 21 days.

The draft *Environment Plan 2014-2019* was sent to key stakeholders including the Department of Water, Department of Environment and Regulation, Department of Parks and Wildlife, Western Australian Local Government Association, Mindarie Regional Council and City of Joondalup Friends Groups and Community Engagement Network.

The general public also had the opportunity to comment on the draft plan; this was promoted via a media release and on the City's website.

The City received six submissions from the community and stakeholders. Comments received through the consultation process have been incorporated into the plan where appropriate. Changes that have been made to the plan following consultation are shown in

highlighted text in Attachment 1, while community feedback and the City's responses are shown in Attachment 2.

Feedback received indicates that the City's stakeholders and community are generally supportive of the strategic direction of the draft plan and the recommendations included within the document.

It should be noted that the *Environment Plan 2014–2019* is intended to be a high level strategic plan that sits above a number of issue specific plans. As such the *Environment Plan 2014–2019* lists only the City's key responses such as plans or strategies, policies or overarching programs. It is not intended that all of the City's environmental activities and programs are listed in the *Environment Plan 2014–2019*. More details on specific environmental activities and programs can be found in the relevant issue specific plan (for instance *Climate Change Strategy 2014–2019* and *City Water Plan 2012–2015*).

The main amendment to the plan as a result of the consultation process is the inclusion of the School Connections Program within the Community Involvement Responses. The School Connections Program is an overarching program which aims to improve communication between the City of Joondalup and the schools within its boundaries. School Connections includes a range of programs provided by the City including Adopt-a-Coastline, Waste Education – Reduce, Reuse, Recycle, Recover and the Capture Nature Photography Competition. The City is also currently developing an Adopt-a-Bushland program and Yellagonga Wetland School Activity Sheets.

Issues and options considered

Option 1:

Council may choose to adopt the *Environment Plan 2014–2019* with amendments as shown in highlighted text within Attachment 1.

Option 2:

Council may choose to adopt the *Environment Plan 2014–2019* without any amendments.

Option 3:

Council may choose to adopt the *Environment Plan 2014–2019* with further amendments.

Option 4:

Council may choose not to adopt the *Environment Plan 2014–2019*.

The preferred option is option 1 as the document currently reflects the feedback received from stakeholders during the public consultation period.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme The Natural Environment.

Objective Environmental resilience.

Strategic initiative Identify and respond to environmental risks and vulnerabilities.

Policy Development and implementation of the *Environment Plan 2014–2019* is consistent with the objectives within the City's *Sustainability Policy*.

Risk management considerations

A strategic environment plan is essential for the City to effectively and holistically address issues associated with environmental management. There may be considerable risks associated with not developing and implementing a new environment plan for the City of Joondalup. Primarily, there is a risk that, in the absence of a plan, an ad-hoc approach to environmental management could develop, which would likely result in a significant deterioration of the City's natural assets.

The implementation of the *Environment Plan 2014–2019* will enable the long-term protection of the local environment in order to increase resilience within a changing climate.

Financial / budget implications

Implementation of the *Environment Plan 2014–2019* has financial implications for the City. Funds to implement projects within the plan will be subject to the City's annual budget approval process. Projects identified as existing within the plan are approved within existing service levels and have budgets allocated within existing operating or capital works budgets.

A number of new projects within the *Environment Plan 2014–2019* have no additional requirements beyond existing staff resources. New projects with budget requirements will be subject to detailed costing and the City's budget approval process prior to implementation.

Regional significance

A number of initiatives within the current *Environment Plan 2007–2011* have been delivered in partnership with neighbouring organisations including the City of Wanneroo, Edith Cowan University and various Friends Groups. It is anticipated that the new *Environment Plan 2014–2019* will also include initiatives of regional significance that will require a partnership approach.

Sustainability implications

Environmental management is a key component of a sustainable community. The natural environment provides a number of services to the community including amenity, recreational opportunities, air quality improvement and cultural values.

Consultation

The *Environment Plan 2014–2019* was developed in consultation with the Strategic Community Reference Group and the community.

The draft *Environment Plan 2014–2019* was provided to the City's Strategic Community Reference Group in March 2013 and April 2014 for its review and feedback. Comments and feedback obtained through the above consultation were incorporated into the draft *Environment Plan 2014–2019*.

At its meeting held on 20 May 2014 (CJ066-05/14 refers), Council endorsed the release of the draft *Environment Plan 2014-2019* for community consultation, for a period of 21 days. This report outlines the process and outcomes of the community consultation with regard to the City's draft *Environment Plan 2014–2019*, which is provided in the Details section of the report.

COMMENT

The implementation of the *Environment Plan 2007–2011* has been successful. The majority of actions within the plan have now been completed. Many of the initiatives within the plan have resulted in a number of benefits for the local environment, including:

- improved air quality
- reduced water consumption
- increased level of biodiversity protection
- waste minimisation.

The development and implementation of the *Environment Plan 2014–2019* will further enhance the City's management of the local environment and provide a greater emphasis on key environmental challenges including climate change, biodiversity protection and water conservation.

The themes and pressures proposed within the plan have been developed in close consultation with stakeholders and align to the City's *Strategic Community Plan 2012–2022: Joondalup 2022*, as well as to relevant State and Federal planning documents.

The City is already undertaking a number of high level initiatives to improve the local environment and the *Environment Plan 2014–2019* has been developed to incorporate these existing activities. New projects have been included within the plan where gaps in current environmental management activities have been identified.

The new *Environment Plan 2014–2019* will provide for consistent monitoring and reporting on the state of the local environment through the inclusion of environmental indicators. These indicators will be continually monitored and reported to Council and the community on an annual basis via the City's *Annual Report*.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council ADOPTS the *Environment Plan 2014–2019* shown as Attachment 1 to this Report.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf080714.pdf](#)

ITEM 5 SMALL BUSINESS CENTRE NORTH–WEST METRO – REQUEST FOR FUNDING SUPPORT

WARD	All	
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy	
FILE NUMBER	35563, 101515	
ATTACHMENT	Attachment 1	Advice from the Small Business Development Corporation on the revised Small Business Centre Program.
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 a request from the Small Business Centre North–West Metro (SBCNWM) for funding support.

EXECUTIVE SUMMARY

In relation to supporting the small business sector and encouraging business start-up activity, the City has provided funding support to the Small Business Centre North-West Metro (SBCNWM) from 2004 to 2013 in order to support existing and new small business development in Joondalup. Funding support has also been provided by the City of Wanneroo and the Small Business Development Corporation (SBDC).

At its meeting held on 20 November 2012 (CJ231-11/12 refers), Council agreed to contribute \$60,000 (excluding GST) to the SBCNWM for 2012-13 and further resolved to advise the SBCNWM that future funding from the City would be conditional on relocation of the Centre to the ECU Business Innovation Centre (ECUBIC) and the City would also contribute \$5,000 towards relocation costs.

The City was advised by the SBCNWM Management Committee on 16 April 2013 that the condition of relocation was not acceptable and a reconsideration of the decision was requested. The City advised the SBCNWM on 10 May 2013 that the Council decision was binding. The City received a further letter from the SBCNWM in February 2014 advising that the SBCNWM would agree to relocate and, therefore, requested funding support from the City.

The City advised the SBCNWM Management Committee on 26 February 2014 that the City would be in a position to reconsider the request for future funding support for the SBCNWM following a State Government review of all Small Business Centres and formal announcements in relation to the outcomes of this review.

It is recommended that Council does not agree to provide further funding support to the SBCNWM until a decision has been made by the Small Business Development Corporation in respect of future funding for the SBCNWM.

BACKGROUND

The City first entered into a Funding Agreement in 2004 to fund the SBCNWM from 2004 to 2007. Funding support was also provided by the City of Wanneroo and the SBDC. At its meeting held on 27 February 2007 (CJ005-02/07 refers), Council support was dependent on a number of conditions all of which were met.

The City entered into a further three year Funding Agreement with the SBCNWM on 27 March 2008 outlining the terms for the three year period 2007 to 2010. Funding support was also provided by the City of Wanneroo and the SBDC. Council's support was dependent on a number of conditions all of which were met.

At its meeting on 15 December 2009 (CJ271-12/09 refers), Council resolved that as this was the last year of the three year agreement with the SBCNWM the City would initiate in the first quarter of 2010, in partnership with the City of Wanneroo and the Small Business Development Corporation, a review of funding options for the provision of small business services to the North West Corridor for beyond 30 June 2010.

At its meeting held on 14 December 2010 (CJ218-12/10 refers) Council requested that the SBCNWM undertake an economic analysis of relocating to the ECUBIC from 1 July 2011, and submit a report to the City of Joondalup on its findings by 31 March 2011. The Council also agreed in principle to contribute \$60,000 (excluding GST) per annum for the period 2010 to 2013. Funding support was also provided by the City of Wanneroo and the SBDC. The City of Joondalup signed a letter of agreement with the SBCNWM on 5 January 2011 outlining the terms and conditions for the provision of grant funding for the period 2010 to 2013.

At its meeting held on 28 June 2011 (CJ100-06/11 refers) Council considered the report from the SBCNWM on the Economic Analysis of Relocation to the ECUBIC Report from 1 July 2011. The report stated that it was not financially viable for the SBCNWM to relocate at that time. Council requested that an updated relocation report be provided by the SBCNWM by April 2012.

The SBCNWM undertook a further review of relocation options in April 2012 and the SBCNWM Management Committee accepted the recommendation of the report that the SBCNWM remain in its current office location at 4/189 Lakeside Drive, Joondalup.

The reasons cited by the SBCNWM for not relocating were related to reduced rental costs at the Joondalup location which is owned by the Joondalup Business Association due to a reduction in office space requirements, and increased costs associated with relocation.

There were a number of anomalies highlighted in the revised relocation report which were noted in the report to Council on 20 November 2012 (CJ231-11/12 refers). In summary those anomalies related to the fact that the report did not compare 'like for like' costs in terms of per square metre cost comparisons between the current Joondalup location and the ECUBIC location, and inconsistencies in information related to CPI increases versus fixed rental agreement with the owners of the building, Joondalup Business Association. The revised relocation report also failed to take account of the efficiencies associated with other small business activities offered at ECUBIC, as well as the opportunity to talk to ECU about the possible use of board and meeting rooms and utilisation of the reception area at ECUBIC.

At its meeting held on 20 November 2012 (CJ231-11/12 refers), Council agreed to contribute \$60,000 (excluding GST) to the SBCNWM for 2012-13 and further resolved to advise the SBCNWM that future funding from the City would be conditional on relocation of the Centre to the ECUBIC and the City would contribute \$5,000 towards relocation costs. Funding support was also provided by the City of Wanneroo and the SBDC.

The City advised the SBCNWM of Council's decision on 12 December 2012 and received a response from the Chairman of the SBCNW Management Committee on 16 April 2013. The letter rejected the Council resolution of future funding support being conditional on location of the SBCNWM to the ECUBIC, and requested reconsideration of the Council decision.

The City wrote to the Chair of the SBCNWM on 10 May 2013 advising that the Council resolution related to 'future funding from the City will be conditional on relocation of the Centre to the ECUBIC' stands including the City's offer of \$5,000 towards relocation costs and assistance with marketing of the new Centre location if required.

The City was subsequently approached by West Coast Institute (WCI) in November 2013 to partner in the delivery of a co-working space to be located at WCI in order to support start-up and existing small businesses in Joondalup.

Co-working spaces facilitate independent working in shared facilities and provide new spaces for entrepreneurs, start-up businesses, micro enterprises, freelance creative/knowledge workers and teleworkers. Co-working spaces also provide space for mobile collaborative project teams and maximise the sustainability of new enterprises during their critical first months.

At its meeting held on 17 February 2014 (CJ017-02/14 refers), Council resolved to:

- 1 *AGREE to contribute \$60,000 to the co-working space, to be located at West Coast Institute, for the financial year 2013 -14 subject to the Chief Executive Officer's satisfaction with a service delivery plan for 2013-14;*
- 2 *LIST FOR CONSIDERATION a contribution of \$60,000 to the co-working space, to be located at West Coast Institute, in 2014 -15 and 2015 -16 subject to the Chief Executive Officer being satisfied with:*
 - 2.1 *a review of the 2013-14 service delivery plan;*
 - 2.2 *the provision of audited financial statements for 2013-14 and 2014-15;*
 - 2.3 *the provision of service delivery plans for 2014-15 and 2015-16.*

The Chairman of the SBCNWM Management Committee again wrote to the City in February 2014 advising that the SBCNWM had reconsidered its advice to the City in April 2013 and was now prepared to relocate the offices to ECUBIC and, therefore, requested funding support from the City.

The City wrote to the Chairman of the SBCNWM Management Committee on 26 February 2014 acknowledging receipt of the letter and advising that the City would be in a position to reconsider the request for future funding support for the SBCNWM following a State Government review of all Small Business Centres and formal announcements in relation to the outcomes of this review.

DETAILS

The State Government review of the Small Business Centre (SBC) Program has now been completed. The SBDC engaged Quantum Consulting to review the operations of the program. The review included a number of recommendations and advice from the SBDC is that they will make a number of key changes related to the program and its delivery over the next 18 months with 2014-15 being a transitional year. The SBDC has advised all Small Business Centres that the changes to the program will be achieved via three key initiatives namely:

- prescribing the client contact process
- measuring program outcomes
- release of program funding away from expenditure on non-service delivery activities to that of funding for business advisors.

The advice from the SBDC to the Small Business Centre North West Metro is shown as Attachment 1.

The SBDC further advised the SBCNWM that they would receive funding support in 2013-14 of \$146,877. The SBDC have not committed to the usual three year funding agreement and have indicated that 2014-15 will be a transitional year and have therefore only committed funding support of \$146,877 for 2014-15. Funding for 2015-16 and beyond will now require the SBCNWM to bid for provision of services in a competitive tendering process and it is likely that the tender process to determine funding for 2015-16 and beyond will commence in early 2015.

The City of Wanneroo, at its meeting held on 27 May 2014 resolved inter alia to:

- 8 *Separately consider future City of Wanneroo funding support for the Small Business Centre (North West Metro) Inc., once a decision has been made by the Small Business Development Corporation in respect of its future funding of the Small Business Centre (North West Metro) Inc.; and*
- 9 *APPROVE the payment of \$31,800 (excluding GST) to the Small Business Centre (North West Metro) Inc for 2013 /2014 to support small business growth and development within the City of Wanneroo and NOTES that the funding equates to the 53% proportionate benefit received by the City of Wanneroo business community, and that no further funding from the City of Wanneroo will be available to the SBC in the current financial year.*

Issues and options considered

The City received another letter from the Chairman of the SBCNWM Management Committee on 2 May 2014 requesting funding as the State Government's review of the Small Business Centre Program has now been completed and the SBCNWM had agreed to relocate to ECUBIC.

While the review has been completed, no formal announcement has been made in relation to the final arrangements for the Small Business Centre Program. Those announcements are to be made by the State Government in the next 18 months.

The revised SBC Program will fund the procurement of business advisory services from organisations that are able to provide such services to a high standard and will financially support business advisory services rather than supporting organisational costs.

Metropolitan service delivery will be delivered in two ways. The new SBC Program to be delivered by third party providers will focus on existing businesses with a focus on face-to-face client contact. The service model is required to be flexible with business advisors required to be mobile and meet with small business clients at a time and place convenient to the client. The new program will see support to start up businesses delivered primarily by the Small Business Development Corporation rather than Small Business Centres.

The City received a follow up letter from the Chairman of the SBCNWM Management Committee on 13 June (dated 9 June) asking the City to give urgent consideration to the request for funding from the SBCNWM in light of the State Government review of the SBC Program. The letter states that the funding from the SBDC for 2014-15 precludes the funding of infrastructure and administration therefore increasing the requirement for support from the City. The advice from the Small Business Development Corporation to the SBCNWM in fact states that 'the reallocation of funding to direct service provision will be phased in over the 2014-15 transitional year and the SBDC will assist participating organisations to implement changes to their operations'. Those funding and transitional arrangements are further explained in the advice as below:

- Funding will be paid on a six monthly basis providing all requirements of the contract have been met to the satisfaction of the SBDC.
- In the transitional year (2014-15) the SBDC will allow the following allocations of the total funding for non advisory related service delivery:
 - Administrative expenses – up to a maximum of 20% for the first six months then up to a maximum of 10% for the remainder of 2014-15.
 - Infrastructure expenses (defined as rent and outgoings for the purposes of the SBC Program) – up to a maximum of 13% in 2014-15.
 - Other non advisory costs – up to a maximum of 10% in 2014-15.

The City has advised the SBCNWM that the matter will be considered by the Council at the meeting on 15 July 2014.

Council may choose one of the following points:

Option 1

Provide no funding support to the SBCNWM in 2014-15.

This is the preferred option as no allocation has been made in the budget given the original advice from the SBCNWM on 16 April 2013 that they would not accept the Council endorsed condition of relocation to ECUBIC as a condition of funding support from the City of Joondalup.

It is also considered prudent to await the final advice from the State Government on the service model for the new SBC Program and, therefore, whether the SBCNWM is successful in securing funding from the State Government for 2015-16 and beyond.

Option 2

Provide full funding support of \$60,000 (excluding GST) and \$5,000 for relocation costs as per the Council resolution of 20 November 2012 (CJ231-11/12 refers).

This is not the preferred option as no allocation has been made in the 2014-15 budget and it is considered desirable to await final advice on the SBC Program and the third party providers from 2015-16 and beyond.

Option 3

Provide partial funding support of \$30,000 (excluding GST) in accordance with the City of Wanneroo Council resolution at its meeting of 27 May 2014, and \$5,000 for relocation costs in line with the capital works funding.

This is not the preferred option as no allocation has been made in the 2014-15 budget and it is considered desirable to await final advice on the SBC Program and the third party providers from 2015-16 and beyond.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Economic Prosperity, Vibrancy and Growth.

Objective Business capacity.

Strategic initiative Facilitate knowledge sharing and learning opportunities.

Policy *Economic Development Policy.*

Risk management considerations

There may be risks associated with the City choosing not to provide funding support for the SBCNWM in terms of community and business stakeholder perceptions that the City is not supporting the activities of small businesses. The funding allocated to the West Coast Institute Co-Working Space is, however, an indication of the City's commitment to supporting the activities of the small business sector in Joondalup. The City also runs a series of business forums which are aimed at the business sector, and has worked in partnership with a number of agencies to host a series of workshops for the small business sector.

Financial / budget implications

No budget allocation has been made in 2014-15 for funding the SBCNWM.

Should Council support funding for SBCNWM, then funding will need to be identified from existing projects in the 2014–15 Budget.

Regional significance

Not applicable.

Sustainability implications

Supporting the activities of the small business sector is important to the sustainability of the local area. The City, through funding and support of the West Coast Institute Co-Working Space, will provide significant support to new and existing small businesses in Joondalup, as well as providing the City the prospect of being involved in a project that will attract innovative start-up companies, and address employment self sufficiency and self containment by increasing local employment opportunities.

The City also provides support to the small business sector in a number of ways including partnering with other agencies to deliver workshops for small businesses, conducting business forums, and delivery of a number of online and hardcopy business publications.

Consultation

Not applicable.

COMMENT

The City last provided funding support to the Small Business Centre in 2012-13 in the final year of a three year Agreement along with the City of Wanneroo and the SBDC. The City of Joondalup did not provide funding support in 2013-14 due to the Centre advising the City it would not meet the conditions of the Council resolution regarding funding support being dependent on relocation to ECUBIC.

The City is committed to providing funding support to the small business sector as a strong and diverse small business sector is critical for job creation and employment self sufficiency. The City has, therefore, allocated funding support of \$60,000 in 2014-15 to the WCI Co-Working Space which will offer a range of programs for the small business sector including:

- business and support services
- business after hours events
- professional development opportunities
- product and service showcases
- community open days
- start-up weekends.

The opportunity for the City to be involved in developing the Co-Working space will not only attract and nurture innovative and creative companies but will also help generate more strategic employment for the City of Joondalup and, therefore, address employment self sufficiency and self containment by increasing local employment opportunities.

Following the review of the SBC Program by the State Government there is some uncertainty with regard to the future of the SBCNWM beyond 2014-15. The City continues to support the small business sector through funding of the Co-Working Space, delivery of business forums, working in partnership with other agencies to deliver workshops and information sessions for small businesses, and production of a range of business publications both on-line and hard copy.

It is considered prudent to wait for the final announcement from the State Government with regard to the revised SBC Program which will require the SBC to bid for the provision of services in a competitive tendering process which is likely to commence in early 2015. Any future funding beyond 2015-16 from the City would, therefore, be dependent on the SBC securing the contract and funding for delivery of the Small Business Centre Program.

While the City did not provide funding support to the SBCNWM in 2013-14 and has, therefore, not had access to the financial reports from the SBCNWM, the City of Wanneroo's Council report of 27 May 2014 provides significant financial commentary which indicates that the SBC currently has cash reserves to ensure ongoing operation for at least 12 months. In addition to the cash reserves, the SBCNWM has secured funding support of \$31,800 (excluding GST) for 2013-14. The SBCNWM was also recently advised that the SBDC would provide funding support of \$146,877 in 2013-14 and then a further \$146,877 in the transitional year, 2014-15. It is only the 2014-15 allocation from the SBDC which will be subject to the transitional arrangements in relation to administration and infrastructure expenses as detailed in this report.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION**That Council:**

- 1** NOTES the advice from the Small Business Development Corporation to the Small Business Centre North West Metro of the major findings of the Small Business Centre Program review;
- 2** NOTES confirmation of funding support for the Small Business Centre North West Metro by the Small Business Development Corporation for the period 1 July 2013 to 30 June 2014 of \$146,877 (excluding GST);
- 3** NOTES that a State Government review of all Small Business Centres has resulted in the Small Business Centre North West Metro obtaining funding for the 2014-15 year of \$146,877 (excluding GST) and that future funding will be dependent on the Centre's success in an open market process;
- 4** NOTES that the City of Wanneroo has approved the payment of \$31,800 (excluding GST) to the Small Business Centre North West Metro for 2013-14 to support small business growth and development within the City of Wanneroo;
- 5** NOTES that the City of Wanneroo has resolved to separately consider future funding to the Small Business Centre North West Metro once a decision has been made by the Small Business Development Corporation in respect of its future funding of the Small Business Centre North West Metro;
- 6** DOES NOT AGREE to provide funding support for the Small Business Centre North West Metro for 2014-15;
- 7** AGREES to reconsider the funding request from the Small Business Centre North West Metro following the completion of the competitive tendering process for the Small Business Centre Program in 2015;
- 8** ADVISES the Small Business Centre North West Metro, the City of Wanneroo, and the Small Business Development Corporation of Council's decision.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf080714.pdf](#)

ITEM 6 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	15876, 101515
ATTACHMENT	Attachment 1 Documents executed by affixing the Common Seal for the period 26 May 2014 to 28 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 26 May 2014 to 28 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 26 May 2014 to 28 May 2014 executed by means of affixing the Common Seal, as detailed in Attachment 1 to this Report.

BACKGROUND

During the period 26 May 2014 to 28 May 2014, four documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Lease Agreement	2
Section 70A Notification	1
Licence Agreement	1

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 26 May 2014 to 28 May 2014, executed by means of affixing the Common Seal, as detailed in Attachment 1 to this Report.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf080714.pdf](#)

ITEM 7 ACTIVE RESERVE AND COMMUNITY FACILITY REVIEW

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	29110, 101515, 13010
ATTACHMENT	Attachment 1 2014 active reserve and community facility review report
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 2014 active reserve and community facility review report and the strategic approach to the future provision of community and sporting facilities and infrastructure.

EXECUTIVE SUMMARY

In 2011, a review of active reserves and community facilities was conducted. The review proposed a strategic approach to the future provision of community and sporting facilities and infrastructure. Since then, many of the recommended projects have already been undertaken, while detailed concept planning has occurred on other projects.

Given the original review of active reserves and community facilities was undertaken three years ago, it was determined that an updated report was required in addition to investigation of new items not identified previously. The report is separated into two sections; active reserve review and community facilities review.

For active reserves, the report has made recommendations to improve the infrastructure provision at reserves which aims to meet the increasing demand for ovals with adequate infrastructure and improve the distribution of sporting club usage. Each recommendation has been given a priority based on the trends in growth of individual sports, facilities within the catchment area of the different sporting clubs, distribution and allocation of grounds, surrounding reserve infrastructure and current utilisation rates.

For community facilities the recommendations are separated into facility refurbishment projects and facility redevelopment projects. Facility refurbishment recommendations are for projects for the remaining facilities that have not recently been refurbished or for those where adequate funds were not available at the time of the previous refurbishment for the works required. The report has also made recommendations for future facility redevelopment projects and also some larger scale redevelopments of multiple facilities or those that include other sporting/community infrastructure which are considered master planning projects.

It is therefore recommended that Council:

- 1 *NOTES the 2014 active reserve and community facility review report and the recommendations made that a rebase on a strategic approach to the future provision of community and sporting facilities and infrastructure;*
- 2 *AGREES that the recommended priority for future project works as outlined in this report will be used in the development of the City's future Five Year Capital Works Program and 20 Year Strategic Financial Plan.*

BACKGROUND

In 2011, a review of active reserves and community facilities was conducted. Each review was conducted separately and the active reserve review identified and/or achieved the following outcomes:

- An appreciation of the existing active reserve bookings and utilisation.
- Recommendations to improve the level of infrastructure on active reserves to meet the requirements of sporting groups.
- Opportunities to reallocate existing bookings to make reserves available for other potential user groups.
- Identify challenges with the existing bookings process.
- Priorities for future projects for the City's *Five Year Capital Works Program*.

The 2011 review of community facilities identified priorities for the future development, redevelopment and refurbishment projects. Since then, refurbishment of some of the recommended facilities has already been undertaken, while detailed concept planning has occurred on other projects.

Given the original review of active reserves and community facilities was undertaken three years ago, it was determined that an updated report was required in addition to investigation of new items not identified previously.

The report is separated into two sections; active reserve review and community facilities review. The report intends to:

- understand and analyse the City's existing and future community profile
- evaluate the City's active reserve utilisation
- identify the sports infrastructure needs on active reserves to make better use of the City's parks and service the needs of the community
- outline estimated construction or installation costs to undertake works as recommended
- review the priority order for redevelopment and refurbishment projects from the previous review where construction has not started and/or where detailed planning has not commenced
- identify a hierarchy for community facilities and standard level of provision in these facilities
- outline future redevelopment and refurbishment projects for consideration in the City's *Five Year Capital Works Program* and *20 Year Strategic Financial Plan*.

DETAILS

Understanding of the City's current and future community profile and participation trends is integral to determining the needs of community facilities, active reserves and sporting infrastructure. Community profile information can also be used as the base against which community needs and the assessment of services can be measured. Key highlights of the City's current and future community profile can be found in section 4 of Attachment 1.

Active reserves

The City has 62 active reserves with varying demand based on the level of infrastructure provided on them. As the popularity for individual sports and club membership numbers increase, so does the demand for active reserves with adequate infrastructure. As the City has no ability to create additional reserves on new land, it is important to implement a strategic approach to the ongoing management of reserves and provision of infrastructure.

Understanding the level of usage of an active reserve is important for the overall management and maintenance. The review has identified that there are 13 reserves that are heavily utilised during winter and should be monitored to ensure they are not overused and to mitigate detrimental impacts to the playing surface.

This report has made recommendations to improve the infrastructure provision at reserves which aims to meet the increasing demand for ovals with adequate infrastructure and improve the distribution of sporting club usage. Each recommendation has been given a priority based on the trends in growth of individual sports, facilities within the catchment area of the different sporting clubs, condition of the facility, distribution and allocation of grounds, surrounding reserve infrastructure and current utilisation rates.

Sports Floodlighting

The City aims to provide adequate floodlighting suitable for 'large ball sports training' on active reserves as the minimum level of provision consistent with Australian Standards. Having adequate floodlighting that meets Australian Standards is important as it allows clubs to utilise more of the playing surface of the reserve which helps reduce wear and tear issues. It also reduces safety issues arising from lack of visibility and can allow night competition games to be played when lighting is provided to that level required.

Currently the City's floodlighting projects do not include the use of LED lighting as this technology for use in sports floodlighting is still in its infancy and as yet the lighting units are not comparable in terms of cost, weight and reliability. The City is however, keeping up to date with LED technology and when suitable will consider using for floodlighting projects.

The height of the floodlighting poles and number of luminaries is site specific, but is designed to meet the relevant Australian Standard for the sport.

Based on the review, the following reserves have been identified in priority order for new or an upgrade in floodlighting. It is proposed that for future years of the *Five Year Capital Works Program* (CWP), one floodlighting project be listed for consideration each year based on the priority order developed.

Priority	Active reserve	Estimated total cost	Estimated annual operating cost	Year currently listed in budget
1	Bramston Park, Burns Beach – 4 poles^	\$395,000*	\$11,500	2014-15
2	Seacrest Park (west), Sorrento – 4 poles	\$315,825*	\$11,500	2014-15
3	Chichester Park (south), Woodvale – 8 poles	\$800,000	\$23,000	2015-16
4	Hawker Park, Warwick – 4 poles^	\$435,000*	\$11,500	2016-17
5	Warrandyte Park, Craigie – 7 poles	\$700,000	\$20,125	2016-17
6	Admiral Park, Heathridge – 6 poles	\$600,000	\$17,250	2016-17
7	Kingsley Park, Kingsley – 6 poles	\$600,000	\$17,250	N/A
8	Beldon Park, Beldon – 4 poles	\$400,000	\$11,500	2018-19
9	Timberlane Park, Woodvale – 4 poles	\$400,000	\$11,500	N/A
10	Emerald Park, Edgewater – 4 poles	\$400,000	\$11,500	N/A
11	Christchurch Park, Currambine – 4 poles	\$400,000	\$11,500	N/A
12	Lexcen Park, Ocean Reef – 4 poles	\$400,000	\$11,500	N/A
13	Moolanda Park, Kingsley – 4 poles	\$400,000	\$11,500	2017-18
14	Santiago Park, Ocean Reef – 4 poles	\$400,000	\$11,500	N/A
15	MacNaughton Park, Kinross – 4 poles	\$400,000	\$11,500	N/A
16	Mawson Park, Hillarys – 4 poles	\$400,000	\$11,500	N/A
17	Ocean Reef Park, Ocean Reef – 4 poles#	\$400,000	\$11,500	N/A
18	Forrest Park, Padbury – 2 poles	\$200,000	\$5,750	N/A
19	Charonia Park, Mullaloo – 4 poles	\$400,000	\$11,500	N/A
20	Korella Park, Mullaloo – 4 poles	\$400,000	\$11,500	N/A

*total cost based on the cost estimate obtained from a quantity surveyor (QS).

^ floodlighting is part of the redevelopment project.

possible joint CSRFF application with the club in 2014.

Sports infrastructure

Most sports that utilise active reserves require standard supporting infrastructure that the City provides for example, goal posts, cricket nets/wickets. Some sports require more unique infrastructure and the priorities for replacement or new infrastructure for those sports have been identified in the following table. It is proposed that for future years of the *Five Year Capital Works Program (CWP)*, one project be listed for consideration each year based on the priority order developed.

Priority	Active reserve	Infrastructure type	Estimated total cost	Estimated annual operating costs
1	Hawker Park, Warwick [^]	Cricket practice nets (four)	\$75,000*	\$6,000
2	MacDonald Park (north), Padbury	Replace long jump pit	\$10,000	\$100
3	Robin Park, Sorrento	Replace long jump pit	\$10,000	\$100
4	Korella Park, Mullaloo	Athletics throwing circles (two)	\$10,000	\$100
5	Santiago Park, Ocean Reef	Replace long jump pit	\$10,000	\$100

*total cost based on the cost estimate obtained from a quantity surveyor (QS).

[^] cricket nets are part of the redevelopment project currently listed for consideration in 2016-17.

Toilets / changerooms

Across the City there are a number of toilets/changerooms that support both active and passive park users. The following are the priorities for refurbishment or development of new toilet/changerooms based on the review. The majority of recommended works are at reserves that are currently secondary training/game venues for sporting clubs and are therefore not considered a high priority. It is proposed that for future years of the *Five Year Capital Works Program (CWP)*, one project be listed for consideration every second year based on the priority order developed commencing in the next year to be added to the program (2019-20).

Priority	Active reserve	Works required	Estimated capital cost	Estimated total cost	Estimated annual operating costs
1	Christchurch Park, Currambine	Refurbishment of toilet/changeroom and new storage area (25m ²)	\$97,500	\$133,575	\$2,000
2	Falkland Park, Kinross	Refurbishment and extension of toilet/changeroom (75m ²) and new kiosk (10m ²) and storage area (25m ²) – 105m ²	\$335,500	\$459,635	\$23,100
3	Chichester Park (north), Woodvale	New toilets (35m ²) and storage area (25m ²)	\$135,500	\$185,635	\$12,550
4	Carlton Park, Currambine	New toilets (35m ²) and storage area (25m ²)	\$135,500	\$185,635	\$12,550
5	Littorina Park, Heathridge	New toilets (35m ²) and changerooms (90m ²) – 125m ²	\$350,000	\$479,500	\$21,100

Priority	Active reserve	Works required	Estimated capital cost	Estimated total cost	Estimated annual operating costs
6	Warrigal Park, Greenwood	New toilets (35m ²) and storage area (25m ²)	\$135,500	\$185,635	\$12,550
7	Callandar Park, Kinross	New toilets (35m ²) and changerooms (90m ²) – 125m ²	\$350,000	\$479,500	\$21,100
8	Mirror Park, Ocean Reef	Storage area (25m ²)	\$37,500	\$51,375	\$2,000
9	Lexcen Park, Ocean Reef	Storage area (25m ²)	\$37,500	\$51,375	\$2,000
10	Santiago Park, Ocean Reef	Refurbishment of existing toilet/changeroom	\$60,000	\$82,200	N/A

Community Facilities

The City of Joondalup currently has 41 community facilities available for hire or that are leased to community groups, sporting groups and the general community. These facilities are located across the City and vary in size and function. In order to plan for future facilities, the standard of provision needs to be determined based on required needs, capital outlay and operational / management costs. As there is no industry consistent standard, a community facility hierarchy has been developed which aligns with the City's existing strategies, plans and frameworks. This hierarchy can be found in section 7.2 of the report.

Facility refurbishment and redevelopment projects aim to improve the functionality and aesthetics of a building for current user groups and attract new users to the facility. The City's future refurbishment and redevelopment projects have been identified based on:

- knowledge of the existing facilities
- existing usage and potential future usage
- outcomes of the functionality audit – rating of a facility based on spatial relationship, environmental comfort, provision/amenity and aesthetics
- level of provision as determined in the community facility hierarchy
- previous works undertaken at a facility.

Facility refurbishments

The following is a summary of the recommended future refurbishment projects based on the review. A number of refurbishment projects which have had concept designs and cost estimates completed have been listed in the City's *Capital Works Program* for 2014-15 to 2016-17 (priorities one to six). These projects have been considered by the Capital Works Committee and Council and planning and stakeholder consultation has occurred for these projects.

It is proposed that for future years of the *Five Year Capital Works Program (CWP)* and *20 Year Strategic Financial Plan*, one refurbishment project be listed for consideration each year based on the priority order developed. The priority order can be reviewed annually to ensure factors have not changed that would impact the priority of the projects.

Priority	Facility	Estimated total cost	Estimated annual operating costs	Year listed in budget
1	Heathridge Park Clubroom, Heathridge#	\$78,000*	N/A	2014-15
2	Iluka Sports Complex, Iluka#	\$460,000*	N/A	2014-15
3	Beaumaris Community Centre, Ocean Reef#	\$135,000*	N/A	2014-15
4	Timberlane Park Clubrooms, Woodvale^	\$845,643*	\$23,100	2015-16
5	Kingsley Memorial Clubrooms, Kingsley^	\$650,000	\$14,550	2015-16
6	Flinders Park Community Hall, Hillarys^	\$450,000	\$14,550	2016-17
7	Connolly Community Centre, Connolly	\$250,000	N/A	2017-18
8	Woodvale Community Care Centre, Woodvale	\$300,000	N/A	2017-18
9	Ellersdale Park Clubroom, Warwick	\$850,000	\$14,550	N/A
10	MacNaughton Park Clubroom, Kinross	\$850,000	\$12,550	N/A
11	Warrandyte Park Clubroom, Craigie	\$250,000	\$2,000	N/A
12	Windermere Park Clubroom, Joondalup	\$250,000	\$2,000	N/A
13	Padbury Hall, Padbury	\$500,000	\$3,200	N/A

*total cost based on the cost estimate obtained from a quantity surveyor (QS).

projects have been endorsed by Council as part of the 2014-15 budget.

^ planning, consultation and concept design for these projects has been undertaken.

Facility redevelopments

The following is a summary of the recommended future redevelopment projects based on the review. It is proposed that for future years of the *Five Year Capital Works Program (CWP)* and *20 Year Strategic Financial Plan*, one redevelopment project be listed for consideration every three years based on the priority order developed. The priority order can be reviewed annually to ensure factors have not changed that would impact the priority of the projects.

Priority	Facility / project	Estimated capital cost	Year listed in budget
1	Bramston Park development, Burns Beach	\$2,931,500*	2014-15
2	Synthetic hockey pitch project, Warwick (includes relocation of cricket and softball)	\$7,025,500*	2015-16
3	Penistone Park redevelopment, Greenwood	\$3,820,000*	2015-16
4	Chichester Park redevelopment, Woodvale	\$4,000,000**	N/A
5	Hawker Park redevelopment, Warwick	\$2,741,500*	2016-17
6	Mullaloo Surf Life Saving Club redevelopment, Mullaloo	Unknown	N/A
7	Sorrento Surf Life Saving Club redevelopment, Sorrento	Unknown	N/A
8	Heathridge Park master plan, Heathridge (Guy Daniel Clubroom, Heathridge Park Clubroom, Heathridge Leisure Centre)	Unknown	N/A

9	Prince Regent Park development, Heathridge	Unknown	N/A
Priority	Facility / project	Estimated capital cost	Year listed in budget
10	Warwick Community Facility master plan, Warwick (Warwick Hall, Dorchester Community Centre, Greenwood Warwick Community Care Centre)	\$4,270,000**	2016-17 and 2017-18
11	Greenwood Community Facility master plan, Greenwood (Calectasia Hall and Greenwood Scout and Guide Hall)	\$5,000,000**	2018-19 and 2019-20
12	Emerald Park Clubrooms redevelopment	Unknown	N/A

*total cost based on the cost estimate obtained from a quantity surveyor (QS).

** indicative figure included in the 20 Year Strategic Financial Plan – estimated capital costs are unknown at this stage.

Issues and options considered

Council can either:

- accept the recommended priority for future project works as detailed as a guiding document
or
- provide feedback in regard to the facilities and suggested priorities.

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.

Key theme Financial Sustainability.

Objective Financial diversity; Effective management; Major project delivery.

Strategic initiative

- Position the City to align with State and Federal Government priorities to increase eligibility for funding.
- Balance service levels for assets against long-term funding capacity.
- Effectively prioritise major capital project to facilitate long-term financial sustainability.
- Support new projects that balance identified financial risks against effective management approaches.

Key theme	Quality Urban Environment.
Objective	Quality urban spaces.
Strategic initiative	<ul style="list-style-type: none"> • Apply a strategic approach to the planning and development of public open spaces. • Employ quality and enduring infrastructure designs that encourage high utilisation and increased outdoor activity. • Adopt consistent principles in the management and provision of urban community infrastructure.
Policy	Not applicable.

Risk management considerations

It is becoming increasingly difficult to satisfy both summer and winter sporting club requirements with the City's number of active reserves with adequate infrastructure. If infrastructure improvements are not undertaken over the coming years (particularly floodlighting works), those reserves with heavy utilisation will continue, making them increasingly unsafe for sport as their condition may deteriorate from the extensive use. In addition, sporting clubs that increase in member numbers and therefore require more ground allocations are going to be difficult to accommodate within the City of Joondalup.

A number of the City's community facilities, particularly those in the southern suburbs are reaching their 'end of life' and in the coming years will require redevelopment. If improvements are not undertaken, facilities will continue to age making them potentially unsafe and unsuitable for use as their condition further deteriorates.

Financial / budget implications

In 2013-14 (to the end of May 2014), the annual income for park hire for the City's active reserves was \$88,819 and for the community facilities was \$406,781.

Projects that have already had concept designs and a detailed cost estimate completed have these costs listed in the report. The remainder of the project costs are based on a series of assumptions based on the following:

- Floodlighting – indicative cost of \$100,000 per tower.
- Building extension works are based on the following base construction rates:
 - \$1,500 per square metre for storage areas.
 - \$2,800 per square metre for toilet/changeroom/kiosks.
 - \$3,000 per square metre for function/meeting/activity rooms.

For some works, the estimates provided are based on capital costs at 2014 value (estimated capital costs) then added to this is professional fees 12%, preliminaries/small works margin 15% and design and construction contingency 10% (estimated total cost). No allowance for escalation has been made so when allocating budget funds, an appropriate amount should be added depending on the year of listing.

The cost estimate for other recommended works have been based on a set of assumptions that were developed based on previous project budgets and actual costs for recent projects.

For where works are anticipated to increase operating expenses, an estimate has also been included.

A list of the assumptions in relation to the estimated costs can be found in Attachment 1 of the report.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Environmental

Any developments 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

All major projects include community consultation with residents and/or current user groups of the existing facilities to ensure that feedback received represents the diverse needs of the City's community. Any developments will consider access and inclusion principles and will aim to enhance the amenity of the public space.

Economic

One of the main principles of the City's endorsed *Master Planning Framework* is the development of 'shared' and 'multipurpose' facilities to replace buildings that are in need of upgrade or are approaching the end of their life span. Reducing the duplication of facilities can reduce the ongoing maintenance and future capital expenditure requirements.

Consultation

In line with the endorsed *Master Planning Framework* community consultation with residents and/or current user groups of the existing facilities is undertaken on all major projects to ensure that feedback received represents the diverse needs of the City's community. Consultation is completed in line with the City's approved *Community Consultation and Engagement Policy and Protocol*.

COMMENT

The City has a limited number of active reserves and an inability to create additional reserves on new land. It is becoming increasingly difficult to satisfy both summer and winter sporting club requirements with the limited number of active reserves with adequate infrastructure. Therefore it is important for the City to have a strategic approach to the provision of reserves and infrastructure to benefit the community and sporting clubs. There is currently a high demand for reserves with adequate infrastructure and a low demand for reserves with little infrastructure. This has resulted in an uneven distribution of the City's sporting clubs and difficulty maintaining good quality playing surfaces on reserves with high demand. Currently there are 13 ovals that are above the industry guideline for usage of 25 hours per week in winter which is known to lead to overuse and have a detrimental impact to the playing surface.

If infrastructure improvements are not undertaken over the coming years, demand for those reserves with adequate infrastructure will continue to rise making them increasingly difficult to maintain to a safe level suitable for sport. This report has made recommendations to improve the infrastructure provision at reserves to better support the needs of the sporting community.

Over the last six years, the City has completed 14 facility refurbishment projects. Projects identified in this report are for the remaining facilities that have not recently been refurbished or for those that adequate funds were not available at the time of the previous refurbishment for the works required.

A number of the City's community facilities, particularly those in the southern suburbs are reaching their 'end of life' and in the coming years will require redevelopment. Therefore it is important for the City to have a strategic approach to the provision of community facilities to ensure that the user groups and the wider community are provided with facilities that are multipurpose, accessible, sustainable and of a good quality. This report has made recommendations for future facility redevelopment projects and also some larger scale redevelopments of multiple facilities or those that include other sporting/community infrastructure which are considered master planning projects.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 NOTES the 2014 active reserve and community facility review report and the recommendations made that are based on a strategic approach to the future provision of community and sporting facilities and infrastructure;**
- 2 AGREES that the recommended priority for future project works as outlined in this report will be used in the development of the City's future *Five Year Capital Works Program* and *20 Year Strategic Financial Plan*.**

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf080714.pdf](#)

ITEM 8 NAMING OF NEW MULTI-STOREY CAR PARK

WARD	North
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	54023, 101515
ATTACHMENT	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 agree to the name of the new multi-storey car park being constructed between Reid Promenade and Boas Avenue.

EXECUTIVE SUMMARY

The City is progressing the construction of a multi-storey car park between Reid Promenade and Boas Avenue. At its meeting held on 24 June 2014 (CJ094-06/14 refers), Council awarded the construction contract and the commencement of the works is imminent. It is expected to be complete by August 2015.

Council needs to endorse the name for the new car park which will be included in various construction elements to the building as well as signage and branding.

This report considers the naming, in accordance with the '*Naming of Public Facilities Policy*', of the new multi-storey car park.

It is recommended that Council, in accordance with the 'Naming of Public Facilities Policy', AGREES to name the new multi-storey car park 'Reid Promenade Car Park'.

BACKGROUND

The City has been progressing the development of a multi-storey car park in the City Centre for some time. At its meeting on the 11 December 2012 (CJ283-12/12 refers) Council considered and adopted a business case to develop a multi-storey car park and endorsed the proposed site. At its meeting held on 24 September 2013 (CJ181-09/13 refers) Council appointed architectural and specialist consulting services and on 24 June 2014 (CJ094-06/14 refers), the construction tender was awarded.

The site of the multi-storey car park is between Reid Promenade and Boas Avenue and has operated as an at grade car park.

DETAILS

The City has a '*Naming of Public Places Policy*' and provides that all City streets, reserves and buildings shall be named in accordance with Landgate's Geographic Names Committee Guidelines. In relation buildings and facilities it provides that subject to the approval of the Council, buildings and facilities shall be named after the locality in which they reside or after an adjacent road, where possible, to facilitate ease of identification.

The existing at grade car park has been known as Boas Avenue Car Park, however, it was not named under the '*Naming of Public Places Policy*' as there is no built structure on the site.

Issues and options considered

It would not be appropriate to name the multi-storey car park based on locality as there are already numerous car parks within the Joondalup City Centre and a locality based name would not help users identify its location. Naming it after an adjacent road is considered the most desirable naming convention.

The site of the multi-storey car park on lots 535 and 537 is landlocked in the centre of a block bounded by Boas Avenue, Lakeside Drive, Reid Promenade and Davidson Terrace. It is not directly adjacent to any of those streets although access is available from both Boas Avenue and Reid Promenade over various rights of way.

Although the current at grade car park has been known as Boas Avenue Car Park, with the construction of the multi-storey car park it is intended that the primary access and egress be from and to Reid Promenade.

Considering the possibility of the future development of car parking elsewhere on Boas Avenue, that access to the new car park will be from Reid Promenade and that there are currently no existing car parks using the name Reid Promenade it is suggested that the multi-storey car park be named 'Reid Promenade Car Park'.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

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 *Naming of Public Facilities Policy.*

Risk management considerations

Not Applicable.

Financial / budget implications

Not applicable.

Regional significance

The development of parking facilities within the City will cater for residents both locally and from the broader region who visit and work in the Joondalup City Centre.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

It is appropriate for Council to consider the naming of the new multi-storey car park as soon as possible so the approved name can be used as required in various construction elements to the building as well as signage and branding. In accordance with the requirements of the *Naming of Public Facilities Policy*, it is proposed that the new multi-storey car park be named 'Reid Promenade Car Park'.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council, in accordance with the *Naming of Public Facilities Policy*, AGREES to name the new multi-storey car park 'Reid Promenade Car Park'.

ITEM 9 WARWICK OPEN SPACE - SYNTHETIC HOCKEY PITCH PROJECT

WARD	South	
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services	
FILE NUMBER	10098,101515, 07496, 26520	
ATTACHMENT	Attachment 1	Warwick Open Space aerial map
	Attachment 2	Proposed development site plan
	Attachment 3	Proposed clubroom floor plan
	Attachment 4	Property Management Framework
	Attachment 5	Project capital cost estimate breakdown
	Attachment 6	Financial evaluation report
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 proposed management and lease options for the synthetic hockey pitch project.

EXECUTIVE SUMMARY

The Whitford Hockey Club currently utilises one of the two ovals at MacDonald Park, Padbury during the winter sporting season. In 2009, Hockey WA released a *Strategic Facilities Plan* that outlined the need for synthetic hockey pitch facilities within the metropolitan area.

In October 2011, Council considered the proposal made by the Whitford Hockey Club to develop a synthetic hockey pitch at MacDonald Park. The City acknowledged the need identified in the needs assessment and Hockey WA's *Strategic Facilities Plan* for additional synthetic hockey pitches in the northern metropolitan area. However, Council did not support the proposal for the facilities to be located at MacDonald Park due to the anticipated impact it would have on the surrounding residents and other sporting clubs that utilise the park. Council resolved for the City to work with the club to explore other locations that would be more suitable for the development.

As part of the feasibility study undertaken in 2012, the consultant considered a number of location options that would be suitable for the construction of a synthetic hockey pitch and supporting infrastructure and it was determined that Warwick Open Space, Warwick was the preferred location.

As part of the project, a site plan and clubroom floor plan were developed for the proposed development and included a synthetic hockey pitch with perimeter fencing; two grass hockey pitches; floodlighting; clubroom facility and additional car parking.

The proposed project will create one of the largest hockey developments within the northern metropolitan area which will be considered a regional hockey complex and attract sporting clubs and people from outside the City of Joondalup.

Community consultation with City of Joondalup residents living within a 500 metre radius from the site was conducted in February/March 2013. The consultation provided the local community with an opportunity to provide feedback on the proposed redevelopment at Warwick Open Space.

The estimated capital costs for the project was \$7,025,500 (2015-16 value). The project was identified as being eligible for the Department of Sport and Recreation's (DSR) Community Sporting and Recreation Facilities Fund (CSRFF) program which if successful would contribute up to one-third of the project - \$2,341,000. The Whitford Hockey Club has committed \$600,000 to the project dependent on the facility management model and tenure arrangement. The City would therefore be required to fund the remainder of the capital costs for the project.

Council considered the synthetic hockey pitch project at its meeting held on 25 June 2013 (CJ103-06/13 refers). At this meeting, the project was approved with an application to be made to the Department of Sport and Recreation for CSRFF grant funding.

At this meeting, the recommended management model (City/club managed) was also supported. This model would involve the Whitford Hockey Club leasing the clubroom and synthetic hockey pitch, with the grass hockey pitches being managed by the City. The lease agreement would be aligned with the City's adopted *Property Management Framework*. It was noted at the meeting that a further report would be presented to Council in early 2014 outlining the agreed City/club management model and would include more detailed financial projections for the Whitford Hockey Club including the proposed lease arrangement.

In February 2014, the City received notification from the DSR on the City's CSRFF applications. The synthetic hockey pitch project received partial funding with \$1,200,000 approved of the \$2,341,834 requested.

Council considered the outcome of the City's CSRFF applications at its meeting held on 20 May 2014 (CJ072-05/14 refers). At this meeting, it was agreed that the synthetic hockey pitch project would proceed to detailed design for construction, with the City to fund the project shortfall. It was requested that a reduction in the clubroom size be made to decrease the capital cost by an estimated \$480,000, giving a new project total of \$6,545,500.

The proposed management and lease options have been developed and a decision is being sought on this information.

It is therefore recommended that Council:

- 1 *NOTES that as supported by Council on 25 June 2013 (CJ103-06/13 refers) the agreed management model for the synthetic hockey pitch development project is the City/club management model – whereby the Whitford Hockey Club lease the clubroom and synthetic hockey pitch (and associated floodlighting) and the City manages the grass hockey pitches (and associated floodlighting) and carpark;*
- 2 *ENDORSES the lease agreement to be aligned with the City's adopted Property Management Framework (PMF) for the Whitford Hockey Club to lease the clubroom, synthetic hockey pitch and associated floodlighting with the conditions set out by the PMF for a not-for-profit community group;*
- 3 *REQUESTS the Chief Executive Officer to arrange a lease with the Whitford Hockey Club following completion of construction of the facilities with the following conditions:*

- 3.1 *Ten year period with two options to extend for further periods of up to five years;*
- 3.2 *Rental to be set at 0.1% of the capital cost of the leased property (clubroom, synthetic hockey pitch and associated floodlighting) with a market rental review undertaken by a licensed valuer at the end of the first 10 year term;*
- 3.3 *Club to be responsible for the replacement of the synthetic hockey pitch surface (synthetic carpet) when required;*
- 3.4 *An annual financial review is undertaken by the City and the Club of the Club's financials;*
- 3.5 *An annual fee structure review to ensure the hire fees charged to other clubs and users of the clubroom and synthetic pitch are reasonable;*
- 3.6 *The City reserves the ability to secure naming rights of the facilities.*

BACKGROUND

The Whitford Hockey Club is one of the largest hockey clubs in Western Australia with over 500 members and has a distinct focus on junior players with more than 312 junior players, of which over 100 players are under the age of 10. Of the club's 30 teams, 12 require a synthetic turf pitch for competition games based on the grade they play in.

The club currently hires the south oval at MacDonald Park where they set up three grass pitches, and the Lesser Hall in the Fleur Freame Pavilion during the winter season. They also hire the synthetic hockey pitch at HBF Arena Joondalup for five hours per week. Access to this synthetic facility is limited due to Arena Joondalup's own programming.

Currently the top teams of the club play in the 'Promotion One (Willow Bridge)' grade of the 'Elite Turf Premier League'. The 'Elite Turf Premier League' facilitates the highest level of club hockey and a pathway of promotion for all elite players within clubs and all clubs within the structure. All games within this league are played on synthetic turf.

In 2009 Hockey WA released a *Strategic Facilities Plan* that outlined the need for synthetic hockey pitch facilities within the metropolitan area. The plan indicated possible locations in the northern corridor which included a pitch within the City of Stirling, City of Wanneroo and City of Joondalup.

In 2010, in partnership with the City, the Whitford Hockey Club developed an application for the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) bi-annual Small Grant Round to undertake a feasibility study to assess the need and suitability of a synthetic hockey pitch at MacDonald Park, Padbury. This application was endorsed by Council at its meeting held on 17 August 2010 (CJ134-08/10 refers). The grant application was successful with the City contributing \$10,133 to the project.

A needs assessment and feasibility study was managed by the Whitford Hockey Club with an appointed consultant who considered a number of location options for the proposed synthetic hockey pitch and recommended the preferred location as the Club's existing location at MacDonald Park.

At its meeting held on 11 October 2011 (CJ177-10/11 refers), Council considered the proposal made by the Whitford Hockey Club to develop a synthetic hockey pitch at MacDonald Park. The City acknowledged the need identified in the needs assessment and

Hockey WA's Strategic Facilities Plan for additional synthetic hockey pitches in the northern metropolitan area. However, Council did not support the proposal for the facilities to be located at MacDonald Park due to the anticipated impact it would have on the surrounding residents and other sporting clubs that utilise the park. Council resolved for the City to work with the club to explore other locations that would be more suitable for the development.

As part of the feasibility study, the consultant considered a number of location options that would be suitable for the construction of a synthetic hockey pitch and supporting infrastructure and it was determined that Warwick Open Space, Warwick was the preferred location.

Warwick Open Space is located on Lloyd Drive, Warwick (Attachment 1 refers). The oval is Crown Land vested in the City for the purpose of parks and recreation and is 4.58 hectares. It is currently considered a District Park under the City's Parks and Public Open Spaces Classification Framework. The site is also classified as 'Bush Forever'.

Warwick Open Space is currently utilised by Perth Outlaws Softball Club in winter and the Warwick Greenwood Junior Cricket Club and Greenwood Senior Cricket Club in summer. Current infrastructure at the park includes two softball diamonds, softball batting cage, cricket centre wicket, six floodlights (which do not meet Australian Standards) and 100 car parking bays that are shared with the nearby Warwick Sports Centre.

Developing the synthetic hockey pitch infrastructure at Warwick Open Space would require the relocation of the softball and cricket clubs to alternative venues. It is anticipated that this can be successfully achieved by relocating the softball club to MacDonald Park and if necessary constructing additional cricket training nets/centre wicket at another park within the Warwick/Greenwood area.

Community consultation with City of Joondalup residents living within a 500 metre radius from the site was conducted in February/March 2013. The consultation provided the local community with an opportunity to provide feedback on the proposed redevelopment at Warwick Open Space. The City received 537 valid responses of which 25 were from residents living within a 500 metre radius of the site or stakeholders directly consulted, which is a response rate of 12.3%. The facilities proposed for the site were supported by the majority of respondents with over 91% of people supporting all the proposed works. The small number of concerns that were raised through the consultation process can be mitigated or managed through the detailed design stage of the project.

As part of the project, a site plan and clubroom floor plan were developed and are included as attachment 2 and 3.

The site plan (attachment 2 refers) indicates the layout of the proposed development including the following infrastructure:

- Full size hybrid (wet/dry) synthetic hockey pitch with perimeter fencing.
- Two full size grass hockey pitches (need to relay new turf).
- Floodlighting for pitches – 18 metres in height to an illumination level of 500 lux for the synthetic pitch and 250 lux for the grass pitches (will meet Australian standards for outdoor hockey).
- Clubroom facility including benches for scorers and players and spectator viewing area.
- Additional car parking.

The clubroom floor plan (attachment 3 refers) includes a single storey clubroom facility consisting of:

- function room of 400m² (with view over synthetic hockey pitch)
- changerooms including umpire room
- first aid room
- toilets
- kitchen/kiosk/bar
- meeting room of 26m²
- storage.

The proposed development will create one of the largest hockey developments within the northern metropolitan area. It is anticipated that this project will be considered more of a regional hockey complex rather than a local hockey area and as such will attract clubs from outside the City of Joondalup.

A number of management options for the proposed development were explored including a City managed; club managed; or City/club managed model. The recommended model was the City/club managed model which would involve the Whitford Hockey Club leasing the clubroom and synthetic hockey pitch with the grass hockey pitches being managed by the City.

Council considered the feasibility study, community consultation results, proposed concept plans, estimated capital costs and recommended management model for the synthetic hockey pitch project at its meeting held on 25 June 2013 (CJ103-06/13 refers). At this meeting it was resolved:

“That Council:

- 1 *NOTES the findings and recommendations of the completed feasibility study for the synthetic hockey pitch development project;*
- 2 *NOTES the findings and additional comments received as part of the community consultation process undertaken for the synthetic hockey pitch development project;*
- 3 *NOTES the findings of the completed floodlighting impact study for the synthetic hockey pitch development project;*
- 4 *NOTES the synthetic hockey pitch development project will be listed as part of the City’s Community Sport and Recreation Facilities Fund project submission report to be considered by Council at the September 2013 ordinary meeting;*
- 5 *Subject to a successful Community Sport and Recreation Facilities Fund grant application of \$2,341,000 and an agreed contribution from the Whitford Hockey Club, APPROVES the proposed synthetic hockey pitch, grassed hockey pitches, clubroom, additional car parking, floodlighting and associated works at Warwick Open Space as detailed in Report CJ103-06/13 at a capital cost estimate of \$7,024,000 (including escalation to 2015-16);*
- 6 *SUPPORTS the City/club management model for the synthetic hockey pitch development project – whereby the Whitford Hockey Club lease the clubroom and synthetic hockey pitch (and associated floodlighting) and the City manage the grass hockey pitches (and associated floodlighting) and carpark;*

- 7 *NOTES that a further report will be presented to Council in early 2014 outlining the proposed City/club management model for the project – whereby the Whitford Hockey Club lease the clubroom and synthetic hockey pitch (and associated floodlighting) and the City manage the grass hockey pitches (and associated floodlighting) and carpark;*
- 8 *NOTES that the report detailed in Part 7 above will include more detailed financial projections for the Whitford Hockey Club including the proposed lease arrangement and the outcome of the City's Community Sport and Recreation Facilities Fund application for this project;*
- 9 *REQUESTS that the existing allocation of \$5,400,000 within 2017-18 of the City's 20 year Strategic Financial Plan for the construction be brought forward to 2015-16 and a further \$1,624,000 be listed for consideration to total \$7,024,000 for the synthetic hockey pitch development project subject to a successful Community Sport and Recreation Facilities Fund grant application of \$2,341,000;*
- 10 *REQUESTS that \$7,024,000 be listed for consideration within 2015-16 of the City's Five Year Capital Works Program for the synthetic hockey pitch development project subject to a successful Community Sport and Recreation Facilities Fund grant application of \$2,341,000;*
- 11 *AGREES that further community consultation for the synthetic hockey pitch development project is not required and REQUESTS the Chief Executive Officer to advise the project stakeholders and City of Joondalup residents within 500 metres of the site of the results of the initial consultation, the support received for the development and decision to proceed with the project."*

In February 2014, the City received notification from the DSR on the City's CSRFF applications. The synthetic hockey pitch project received partial funding with \$1,200,000 approved of the \$2,341,834 requested.

Council considered the outcome of the City's CSRFF applications at its meeting held on 20 May 2014 (CJ072-05/14 refers). At this meeting, it was agreed that the synthetic hockey pitch project would proceed to detailed design for construction, with the City to fund the project shortfall. It was requested that a reduction in the clubroom size be made to decrease the capital cost by an estimated \$480,000, giving a new project total of \$6,545,500.

The proposed management and lease options have been developed and direction is being sought on this information.

DETAILS

The agreed management model for the project is the City/club managed model which would involve the Whitford Hockey Club leasing the clubroom and synthetic hockey pitch with the grass hockey pitches being managed by the City.

Through this management model the club would be responsible for all the maintenance and utilities of the clubroom and synthetic hockey pitch and would be able to generate income through bar takings and by making the facilities available for other groups/clubs to hire outside of their requirements. The club would also be expected to fund the resurfacing costs of the synthetic hockey pitch.

The grass pitches however would be managed by the City and the hockey club would be required to hire them during the winter sporting season. This would allow the City to make the grassed areas available to other sporting groups outside the hockey club's requirements. It would also ensure that the grassed areas are available to the community and residents.

The Whitford Hockey club supports this management approach and has provided financial projections for this model that demonstrate it would be sustainable and will allow them to continue to grow as a club. This information is discussed further in the financial/budget implications section of this report.

It is important to note that the club intends to operate at the facilities as two separate entities – the Whitford Hockey Club Inc. (Club) and the Whitford Turf Inc. (Turf). Basically the Club will operate as a typical sporting club where it receives the income from membership fees and bar takings. It pay the expenses for the club activities such as coaching and payment of state sporting association fees (Hockey WA). It also pays the Turf to use (hire) the synthetic hockey pitch. The Turf, receives all income associated with the clubroom hire and synthetic pitch hire and gate takings (from both the club and other user groups). It is responsible for all expenses associated with the clubroom and synthetic hockey pitch (for example utilities, staffing and maintenance) and replacement cost of the synthetic pitch surface. As yet, which entity the lease arrangement will be with has not yet been determined. For the purposes of this report, the lease is referred to as being with the Whitford Hockey Club.

The lease agreement is to be aligned with the City's adopted *Property Management Framework* (PMF). The PMF (attachment 4 refers) was adopted by Council at its meeting held on 20 November 2012 (CJ234-11/12 refers). The framework classifies lessees into the following categories:

- Commercial organisations.
- Telecommunication carriers.
- Government departments/agencies.
- Not-for-profit groups.
- Other groups.

The Whitford Hockey Club would be classified as a not-for-profit community group as they are incorporated under the *Associations Incorporation Act 1987* and have their primary base of operation located within the City of Joondalup. As such, based on the guidelines of the PMF and the agreed management model for the project, it is proposed to arrange a lease for the Whitford Hockey Club for the clubroom and synthetic hockey pitch and associated floodlighting with the following conditions:

- Ten year period with two options to extend for further periods of up to five years.
- Rental to be set at 0.1% of the capital cost of the leased property (clubroom, synthetic hockey pitch and associated floodlighting). The capital cost for these components of the project is estimated at \$4,300,550 (based on the cost estimate associated with the concept design). Therefore the annual rental would be approximately \$4,301 subject to final confirmation of the actual construction cost and re-valuation by a licensed valuer at the end of the lease agreement.
- As the Club is not contributing at least 30% of the cost of construction, they would not be eligible for a subsidised rental on the prescribed rental rate, unless deemed a special circumstance.
- Main responsibilities of the lessee (Whitford Hockey Club) in line with the PMF guidelines (section 6.2.c; 6.2.e and 6.2.f of Attachment 4 refers).

- Main responsibilities of the lessor (City of Joondalup) in line with the PMF guidelines (section 6.2.d of Attachment 4 refers).

In addition to the standard lease conditions, it is proposed to include additional points on the following:

- Club to be responsible for the replacement of the synthetic hockey pitch surface (synthetic carpet) when required.
- An annual financial review is undertaken by the City and the Club of the Club's financials.
- Specific building maintenance details included in the lease outlining the schedule of standard maintenance requirements and the procedure for unscheduled maintenance.
- An annual fee structure review to ensure the hire fees charged to other clubs and users of the clubroom and synthetic pitch are reasonable.
- The City reserves the ability to secure naming rights of the facilities.

Given the nature and scale of the project and the income projected to be generated from the synthetic hockey pitch for the club, a higher lease fee could also be considered for this lease agreement. When developing the financial projections for the project, the club used a lease fee of \$10,000. A review of the club's financials demonstrated that this lease fee is achievable and also ensures their sustainability in the long-term. Based on the projections of the club, a lease fee of \$20,000 - \$30,000 would also be financially achievable. This information is discussed further in the financial/budget implications section of this report.

Issues and options considered

There are three main options for the proposed lease for the Whitford Hockey Club for the clubroom, synthetic hockey pitch and associated floodlighting at Warwick Open Space. These include:

- annual lease fee based on PMF guidelines – 0.1% of the capital cost of the leased property (approximately \$4,301 subject to final confirmation of the actual construction cost)
- annual lease fee based on club affordability financial model (\$10,000)
or
- annual lease fee based on City's assessment of the Club's affordability (\$20,000 – \$30,000).

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 Not applicable.

Risk management considerations

Any capital project brings risks in relation to contingencies and over runs against original design. The capital cost estimate is based on high level concept designs and may differ once further detailed designs are undertaken for the project.

Although the Whitford Hockey Club has demonstrated some capacity to contribute to the project (which includes a loan from Hockey WA and its own cash resources) the club would still need to secure approximately \$250,000 to meet their commitment of the construction costs.

There is also a financial risk associated with the Whitford Hockey Club leasing the facilities and being responsible for all operating expenses. If the club is unable to meet these financial obligations, the City may be required to assist, resulting in unplanned budget expenditure. However, based on the review of the club's proposed financial operations, this risk is considered low.

Financial / budget implications

Estimated capital project costs

The estimated capital cost of the development is \$6,244,000 at today's value. A full breakdown of costs associated with this is included as Attachment 5. A summary breakdown of the capital costs is as follows:

- \$300,000 - Site preparation works.
- \$2,578,000 - Clubroom facility.
- \$1,245,000 - Synthetic hockey pitch.
- \$736,000 - Other (car park, grass pitches, relocation of softball & cricket club).
- \$733,000 – Contingencies.
- \$447,000 - Professional fees.
- \$205,000 - CCTV, new bore, water quality filter (these additional costs have been determined by the City and have been added to the total shown on Attachment 5).

TOTAL = \$6,244,000

The capital costs were estimated to increase to \$7,025,500 by 2015-16. Based on the Council decision in May 2014, what will be listed in the *20 Year Strategic Financial Plan and Five Year Capital Works Program* is an allocation of \$1,276,500 in 2014-15 for detailed design and \$5,269,000 in 2015-16 for construction giving a total of \$6,545,500 for this project.

The Whitford Hockey Club has committed \$600,000 to the project dependent on the facility management model and tenure arrangement. These funds are coming from current savings (\$150,000), Hockey WA loan (\$200,000), and the remainder from fundraising and in-kind contribution.

Estimated ongoing operating costs

A financial model has been developed for the agreed City/club management model. In this model, the Whitford Hockey Club would lease the clubroom and synthetic hockey pitch from the City. A lease fee of \$3,823 per annum has been included which is consistent with option one. The City would be responsible for the grass pitches, the car park and the floodlighting associated with these areas.

Within this model the club would generate income through the hire of the clubroom and synthetic hockey pitch to other clubs/groups and through bar sales. The club would be responsible for all utilities and ongoing maintenance costs associated with the clubroom, synthetic hockey pitch and associated floodlighting.

From a City perspective, in the first year of operation (2016-17) it is expected that the City managed facilities would generate an estimated \$12,000 in revenue and (\$159,000) expenditure for the City, giving a deficit of (\$147,000). As a comparison, if the synthetic hockey pitch and associated facilities were not constructed, the City would still generate an estimated \$4,000 in revenue and (\$116,000) expenditure giving a deficit of (\$112,000) for the existing operations and maintenance of the oval at Warwick Open Space.

Financial Summary

The financial impact to the City of the project up until 2034-35 on the City/club managed option can be summarised as follows (the projected income figures are based on the City's current fees and charges for team sports):

Net cumulative cashflows (including inflation)	City/club managed option
Capital expenditure and one-off	(\$6,545,500)
Grants and contributions	\$1,800,000
Borrowings	\$4,745,500
Funding repayments and interest	(\$6,145,000)
Expenditure recurring	(\$4,162,000)
Income recurring	\$323,000
Surplus (deficit) / total	(\$9,983,000)

Whitford Hockey Club – ability to meet financial commitments

A review of the club's financial projections based on the City/club management option has been undertaken and is included as Attachment 6.

In summary the following conclusions were made:

- The \$600,000 contribution to the construction costs by the club appears reasonable, although there is a lot of work for the club to complete in terms of fundraising.
- There is high membership growth (85%) projected by the club over a ten year period.
- The cash surplus for the club is estimated to be approx 8% per year, resulting in \$312,877 by 2025.
- The income projections are detailed, but slightly optimistic.
- The expense projections are more reasonable than the initial projections prepared in 2012, however are still deemed to be slightly optimistic. It is understood that the club intends to use as much volunteer support to minimise costs e.g. cleaning and building repairs.
- The operating surplus is high at 29% over 10 years, and therefore allows plenty of scope for variations to the projections whilst still generating a surplus (29% is based on a lease fee of \$10,000, if the lease fee was based on option one of \$4,301 the operating surplus would be 31%).
- The replacement of the synthetic pitch is planned after nine years, funded by the high operating surpluses. If there were less operating surpluses available the timing of the replacement could be delayed.
- When undertaking the financial projections, the club assumed a lease fee to the City of \$10,000 per year, with allowance for inflation. There is very little risk of the club being unable to afford this.
- The overall risk to the City of the club not being sustainable and requiring unplanned financial support from the City is very low.

All amounts quoted in this report are exclusive of GST.

Regional significance

The need for additional synthetic hockey pitch facilities in the north metropolitan area is documented in the Hockey WA Strategic Facilities Plan and supported by the feasibility study. Warwick Open Space is currently considered a District Park under the City's *Parks and Public Open Spaces Classification Framework*. The project will create one of the largest hockey developments within the northern metropolitan area. The park will become a Regional Park as it would incorporate a large number of multi-use sport and recreation based facilities and have the capacity to service the needs of the City's community and may also attract users from outside the region.

Sustainability implications

Environmental

One of the benefits of Warwick Open Space as the agreed location for the development is the site is relatively flat and clear, meaning only minimal earth works would be required.

The proposed synthetic pitch will be a hybrid (wet/dry) based playing surface, which would require some watering to enable games to be played (however the water requirements are lower than those needed for a full water based pitch). Depending on the amount of watering required, this could have an impact on the City's water usage for the area. However, as part of the detailed design stage of the project water harvesting methods will be explored for suitability with this type of project. The development of a synthetic pitch would also reduce the level of weed spraying, fertilising, mowing etc required for part of the existing grass turf area.

The clubroom facility will be planned to reduce the impact of the carbon footprint and consider environmental sustainability design features.

Social

The project has included consultation with local residents and user groups of the oval to ensure that feedback received represents the diverse needs of the City's community. Any developments at the site will consider access and inclusion principles and will aim to enhance the amenity of the public space.

The project will create one of the largest hockey developments within the northern metropolitan area and able to attract elite level games. It is anticipated that this project will be considered more of a regional hockey complex rather than a local hockey area and as such will attract clubs and people from outside the City.

Through the City/club management model, the City is able to ensure that the grassed areas of the oval continue to be available for the local community and residents to use for informal play, exercise and dog walking.

Economic

If the Whitford Hockey Club is unable to raise the additional required funds for its committed contribution to the project there is a risk that the City may be required to allocate additional funding to the project for it to proceed.

Through the proposed lease arrangement, if the Club is unable to meet the on-going operating costs for the facilities, the City may be required to assist resulting in expenditure of unplanned budget funds. However, based on the review of the Club's proposed financial operations, this risk is considered low.

Consultation

The City has communicated with the Whitford Hockey Club the three proposed lease-fee options.

COMMENT

The agreed management model for the development at Warwick Open Space is for a City/club managed facility. This model would provide facilities to meet the needs of the Whitford Hockey Club, attract other hockey/sporting clubs and ensures that the grassed areas of the oval continue to be available for other sporting clubs/group and the local community and residents to use for passive recreation activities.

It is recommended that the lease agreement is aligned with the City's adopted *Property Management Framework* (PMF) for the Whitford Hockey Club to lease the clubroom, synthetic hockey pitch and associated floodlighting with the conditions set out by the PMF for a not for profit community group. In addition to the standard lease conditions it is proposed to include additional points including the club being responsible for the replacement of the synthetic hockey pitch surface; an annual review of the Club's financials; specific building maintenance details; an annual review of the hire fees the club charges to others; and the City reserving the ability to secure naming rights of the facilities.

Based on the PMF not for profit category the lease fee would be set at 0.1% of the capital cost of the leased property (clubroom, synthetic hockey pitch and associated floodlighting). The capital cost for these components of the project is estimated at \$4,300,550 (based on the cost estimate associated with the concept design). Therefore the annual rental would be approximately \$4,301 subject to final confirmation of the actual construction cost.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 NOTES that as supported by Council on 25 June 2013 (CJ103-06/13 refers) the agreed management model for the synthetic hockey pitch development project is the City/club management model – whereby the Whitford Hockey Club lease the clubroom and synthetic hockey pitch (and associated floodlighting) and the City manages the grass hockey pitches (and associated floodlighting) and carpark;**
- 2 ENDORSES the lease agreement to be aligned with the City's adopted Property Management Framework (PMF) for the Whitford Hockey Club to lease the clubroom, synthetic hockey pitch and associated floodlighting with the conditions set out by the PMF for a not-for-profit community group;**

- 3 REQUESTS the Chief Executive Officer to arrange a lease with the Whitford Hockey Club following completion of construction of the facilities with the following conditions:**
- 3.1 Ten year period with two options to extend for further periods of up to five years;**
 - 3.2 Rental to be set at 0.1% of the capital cost of the leased property (clubroom, synthetic hockey pitch and associated floodlighting) with a market rental review undertaken by a licensed valuer at the end of the first 10 year term;**
 - 3.3 Club to be responsible for the replacement of the synthetic hockey pitch surface (synthetic carpet) when required;**
 - 3.4 An annual financial review is undertaken by the City and the Club of the Club's financials;**
 - 3.5 An annual fee structure review to ensure the hire fees charged to other clubs and users of the clubroom and synthetic pitch are reasonable;**
 - 3.6 The City reserves the ability to secure naming rights of the facilities.**

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf080714.pdf](#)

ITEM 10 REQUEST FOR ADDITIONAL SUBSIDIES - FACILITY HIRE SUBSIDY POLICY

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	101271, 101515
ATTACHMENT	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 apply additional subsidies for the hire of City facilities.

EXECUTIVE SUMMARY

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted a *Property Management Framework* which is intended to provide the City with a guide to managing all property under the City's ownership, care and control. It contains specific requirements for the classifying of property and its usage.

As part of the framework, Council also reviewed various supporting policies to assist it in managing property and users of City facilities. The revised *Facility Hire Subsidy Policy* allows for various levels of subsidisation of the hire fees for certain community groups. The policy states that where a community group wishes for further subsidisation, application must be made to the City with a report presented to Council for its consideration.

The City has recently completed the bookings for use of its facilities for the 2014 winter sporting season. Consequently, the following groups have sought further subsidisation in accordance with the policy:

- Westside Football Club (juniors).
- Wanneroo Lacrosse Club (juniors).
- Wanneroo Lacrosse Club (seniors).
- Sorrento Football Club (juniors).

It is recommended that Council consider each request on a case by case basis.

BACKGROUND

The City of Joondalup manages 148 facilities utilised by approximately 300 community groups over 19,000m² of land either as freehold or managed property which is reserved or dedicated under the *Land Administration Act 1997*. This property has been set aside for a diversity of purposes, such as recreation, public open space, drainage and administrative or infrastructure purposes.

In previous years, property management arrangements for City owned and managed property were approached on an ad-hoc basis. This resulted in varying management methods and inconsistent leasing, licensing, and facility hire conditions (including the application of subsidised use).

In an effort to apply greater consistency to property management, at its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted a framework that takes a broad approach and addresses the myriad of issues involved in property management. It is intended to provide a consistent and concise methodology for the future.

DETAILS

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted a new policy relating to subsidised use of City facilities that is to:

- provide guidance on determining the extent of subsidy to be offered to groups hiring City-managed facilities
- ensure facility hire subsidies are applied in a consistent, transparent and equitable manner.

The policy applies to all local not-for-profit community groups and groups from educational institutions hiring City-managed facilities on a regular or casual basis, excluding facilities contained within the City of Joondalup Leisure Centre-Craigie. The policy applies to organised groups only and does not apply to individuals.

The policy allocates a level of subsidy to user groups. The City will subsidise the cost of facility hire charges for City-managed facilities for local not-for-profit community groups and groups from educational institutions if the group is able to demonstrate that at least 50% of its active members/participants reside within the City of Joondalup. These groups are categorised within the policy based on the nature of the group, that is, groups that provide recreational, sporting activities and/or targeted services exclusively for people aged 55 years of age and over.

Notwithstanding the above, the City reserves the right that if a group is booking a facility at a subsidised rate and it is not being utilised it may charge that group for the unutilised booking of that facility at the full community rate.

The process the City follows when booking facilities for regular hire groups is via two ways, being:

- annual users
- seasonal users.

Annual users are those groups who hire a City facility for a calendar year, where a seasonal user is a group that books either for a winter or summer season, which are regarded as traditional sports seasons.

In regard to dealing with requests for additional subsidies over and above what is permitted within the policy, the policy states:

“A group may apply for an additional subsidy under special circumstances. Applications must be made in a written submission to the Chief Executive Officer. All such applications will be assessed by the City and referred to Council for determination.”

Additional subsidies will be provided for the following:

- *Any group who has provided recent, significant cash or in-kind contribution(s) towards the total value of the construction of a hired facility.*
- *Any group who is experiencing significant financial difficulties.*
- *Any other group who can provide reasonable justification for receiving an additional subsidy.*

Submissions for additional subsidies will be assessed on a case-by-case basis and will apply for one year/season. A new application must be made in each following year/season.”

The City has recently completed the bookings for use of its facilities for the 2014 winter sporting season. Consequently, the following groups have sought further subsidisation in accordance with the policy:

- Westside Football Club (juniors).
- Wanneroo Lacrosse Club (juniors).
- Wanneroo Lacrosse Club (seniors).
- Sorrento Football Club (juniors).

Westside Football Club (juniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
McNaughton Park & Prince Regent Park	Junior Recreational or Sporting Group	100% up to 35 hours per week	66	31	\$3,050.25

Westside Football (soccer) Club is a junior sporting club with approximately 259 members who book and use Prince Regent Park (Heathridge) and McNaughton Park (Kinross) for soccer training and games.

Under the City's *Facility Hire Subsidy Policy*, the club is entitled to 35 hours per week of 100% subsidised hire. For the 2014 season, the club has booked an average of 66 hours per week, 31 more than provided for in the policy.

The club has indicated that they are using all of these hours and have requested the City give consideration to extending their subsidy up to 66 hours per week. The club stated the reason they exceed the hours provided for in the policy is that they have only a small number of members training at any one time due to the limited floodlighting available at Prince Regent and McNaughton Parks. This means their training times are extended, resulting in additional park bookings.

It is noted that the City is currently completing a floodlighting upgrade project at Prince Regent Park which will see the entire park floodlit to Australian standards and will allow a significantly greater number of participants to train on the park at the same time. This will enable the club to consolidate their training times in the future. The club is contributing one third of the cost and the project is due to be completed in the current winter season.

It is recommended that Council approves the request and extends the 100% subsidy for the club to 66 hours per week.

Wanneroo Lacrosse Club (juniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Penistone Clubrooms, Penistone Park east and west	Junior Recreational or Sporting Group	100% up to 35 hours per week	14.7	N/A	\$7,080.84

Wanneroo Lacrosse Club (juniors) has 112 members and is based at Penistone Park in Greenwood. Previously the group was their own independent club but in 2013 they merged with the men's and women's individual Lacrosse Clubs to form one club – the Wanneroo Lacrosse Club.

The City's *Facility Hire Subsidy Policy* provides different subsidy levels for junior and senior sporting groups so for the purposes of assessing the club's eligibility for a subsidy, the junior and senior sections of the club are considered separately.

The Wanneroo Lacrosse Club (juniors) book City facilities for 14.7 hours per week, 3.4 hours in the Penistone Clubrooms and 11.3 hours on Penistone Park (east and west). A 100% subsidy would normally apply to these bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 112 junior members, only 46.4% are City of Joondalup residents, less than the minimum 50% required under the policy.

The club has requested the City give special consideration to approving the 100% subsidy for their bookings. It is noted that this group is based in the south eastern corner of the City and therefore it is understandable that the group will attract participants from the neighbouring local governments. Wanneroo Lacrosse Club has been based at Penistone Park for over 30 years and recently contributed approximately \$30,000 to upgrade the floodlighting at the park to Australian Standards.

It is recommended that the 100% subsidy is not approved, but that Council give consideration to approving a 100% fee waiver up to 14.7 hours per week for the club's 2014 winter season bookings.

Wanneroo Lacrosse Club (Adults)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Penistone Clubrooms, Penistone Park east and west	Adult Recreational or Sporting Group	50% continually	13.8	N/A	\$3,010.04

Wanneroo Lacrosse Club (adults) has 71 members (men and women) and is based at Penistone Park in Greenwood. Previously the group was two separate individual men's and women's clubs but in 2013 they merged with the juniors to form one club – the Wanneroo Lacrosse Club.

The City's *Facility Hire Subsidy Policy* provides different subsidy levels for junior and senior sporting groups so for the purposes of assessing the Club's eligibility for a subsidy, the junior and senior sections of the Club are considered separately.

The Wanneroo Lacrosse Club (adults) book City facilities for 13.8 hours per week, 6.2 hours in the Penistone Clubrooms and 7.6 hours on Penistone Park (east and west). A 50% subsidy would normally apply to these bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 71 adult members, only 40.8% are City of Joondalup residents, less than the minimum 50% required under the policy.

The club has requested the City give special consideration to approving the 50% subsidy for their bookings. It is noted that this group is based in the south eastern corner of the City and therefore it is understandable that the group will attract participants from the neighbouring local governments. Wanneroo Lacrosse Club has been based at Penistone Park for over 30 years and recently contributed approximately \$30,000 to upgrade the floodlighting at the park to Australian Standards.

It is recommended that the 50% subsidy is not approved, but that Council give consideration to approving a 50% waiver of the fees that apply to the club's 2014 winter season bookings.

Sorrento Football Club (junior soccer)

Facility/Park Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Percy Doyle 1, 2 & 3, and Marri Park – Upper & Lower	Junior Recreational or Sporting Groups	100% up to 65 hours per week	89.5 hours	24.5 hours	\$10,287.55

The Sorrento Football Club (junior soccer) currently has approximately 442 members and hires the playing surfaces at Percy Doyle and Marri Park (upper and lower). They occupy the clubroom facility located on Percy Doyle 1 exclusively under a lease arrangement.

As a result of the number of active playing members, the club is entitled to 65 hours per week across the City's facilities at 100% subsidy. The club's initial booking request was for an average of 88.5 hours per week for the 2014 season across the five playing surfaces. A review was undertaken by the club in consultation with the City and a number of changes were made to the booking schedule that now accurately reflects the club's usage of City facilities. This, however, did not result in a decrease in booking hours, they in fact increased by one hour per week. As a result of the review, the club now exceeds its weekly allocation by 24.5 hours per week.

The club has indicated that they are using all of these hours and have requested the City give consideration to extending their subsidy up to 89.5 hours per week. The club stated the reason they are over the hours provided for in the policy is that they have three additional junior teams this season and the club participates in elite levels of junior soccer as well as community competitions. As a result, the club has additional training sessions.

It is recommended that Council approves the request and extends the 100% subsidy for the club to 89.5 hours per week.

Issues and options considered

The Council may:

- approve each of the requests for additional subsidies on a case by case basis
- approve in part each of the requests on a case by case
or
- decline the request for additional subsidies on a case by case basis.

Legislation / Strategic Community Plan / policy implications

Legislation Section 6.12 of the *Local Government Act 1995*.

Strategic Community Plan

Key theme Financial Sustainability.

Objective Financial diversity.

Strategic initiative Identify opportunities for new income streams that are financially sound and equitable.

Policy *Facility Hire Subsidy Policy*.

Risk management considerations

The following risks may happen pending the consideration of the additional requests for subsidised use of City facilities:

- The user groups may not have the financial capacity to meet the costs proposed by the City for the additional use above the group's allocated subsidy.
- The City compromises its strategic initiative in examining alternative revenue streams.
- Incorrectly classifying the groups may set a precedent and cause complications in classifying other groups when determining subsidies.

Financial/budget implications

The cost to the City across all levels of subsidised use of City facilities is approximately \$1.3 million dollars. If the City was to extend the subsidies and waive the fees proposed for additional usage of City facilities for these groups, the City will lose approximately \$23,428.68 in income for 2014.

Regional significance

Requests for subsidised use only apply to users of City facilities that have a minimum of 50% members being resident to the City of Joondalup.

Sustainability implications

The *Property Management Framework* aims to support the equitable, efficient and effective management of City-owned and managed properties. The framework recognises the value and community benefit of activities organised and provided for by community groups, by subsidising such groups where appropriate. The framework also aims to protect and enhance the City's property assets for the benefit of the community and for future generations.

Consultation

Not applicable.

COMMENT

The intent of the adopted *Facility Hire Subsidy Policy* was not about generating additional income but to achieve more equitable and greater use of City facilities. It is important that the classification of groups within the policy for levels of subsidisation remains consistent, however, if a group requires further consideration relating to fees, it is open to Council to waive these fees.

One of the objectives of the *Property Management Framework* was to stop groups booking facilities on a just-in-case situation. Such bookings then prevent other groups/individuals from gaining access to those facilities.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 AGREES to extend the 100% subsidised use to the Westside Football Club (juniors) for the use of City parks and facilities to a maximum 66 hours per week in the 2014 winter season;**
- 2 NOTES that the Wanneroo Lacrosse Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;**

- 3 **DOES NOT AGREE** to the request for subsidy as per the *Facility Hire Subsidy Policy* for the Wanneroo Lacrosse Club (juniors and seniors);
- 4 **AGREES** to waive the fees for the Wanneroo Lacrosse Club (juniors) up to 14.7 hours per week for the club's park and facility bookings in the 2014 winter season;
- 5 **AGREES** to waive 50% of the fees for the Wanneroo Lacrosse Club (seniors) up to 13.8 hours per week for the club's park and facility bookings in the 2014 winter season;
- 6 **AGREES** to extend the 100% subsidised use to the Sorrento Football Club (juniors) for the use of City parks and facilities to a maximum 89.5 hours per week in the 2014 winter season;
- 7 **NOTES** that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made each following year/season.

ITEM 11 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION REQUEST FOR SUPPORT TO RESTORE THE INDEXATION OF FINANCIAL ASSISTANCE GRANTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	04468, 101515
ATTACHMENT	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 supporting the position of the Australian Local Government Association (ALGA) to seek the restoration of indexation of Financial Assistance Grants by the Federal Government.

EXECUTIVE SUMMARY

The Federal Government has announced in the budget for 2014-15 its decision to place a freeze on the indexation of Financial Assistance Grants (FAGs) to local government for three years until 2017-18. On the 16 June 2014 delegates to the National General Assembly for Local Government resolved to call on the Commonwealth Government to immediately restore indexation of FAGs in line with CPI and population growth. The ALGA is taking this matter forward directly with Federal Government Ministers but has written to local governments seeking continued support to send the message to local Federal Government representatives.

It is recommended that Council:

- 1 SUPPORTS the resolution of the National General Assembly on 16 June 2014 calling on the Commonwealth Government to restore indexation of Financial Assistance Grants, in line with CPI and population growth, immediately;*
- 2 REQUESTS the Mayor write to Local Federal Government representatives seeking their support for the immediate re-introduction of indexation of Financial Assistance Grants.*

BACKGROUND

In the recent Federal Budget the Government announced its decision to place a freeze on the indexation of Financial Assistance Grants (FAGs) to local government for three years until 2017-18.

The decision will cost local governments an estimated \$925 million in foregone increases to FAGs by 2017-18. The impact will also continue beyond that date even if indexation is re-introduced assuming that 2017-18 then becomes the new base year and the previous lost indexation is not made up. In the 2017-18 financial year FAGs are expected to be reduced \$321 million and by the 2019-20 financial year the reduction will be \$350 million even if indexation recommences in 2017-18.

It is difficult to accurately determine the impact on the City of Joondalup due to other movements in the grant apart from indexation. However using the budgeted grant for 2014-15 if the expected indexation over the years to 2016-17 were to be an estimated 2.5% the freezing of indexation could cost the City up to approximately \$300,000 in forgone FAGs.

FAGs are a vital part of the revenue base of all local governments. For many rural and remote local governments, FAGs form the majority of their revenue.

DETAILS

On the 16 June 2014 delegates to the National General Assembly for Local Government resolved to call on the Commonwealth Government to immediately restore indexation of FAGs in line with CPI and population growth.

The resolution in part states:

“Delegates of the National General Assembly, in recognition of the vital importance of the Financial Assistance Grants (FAGs) to local government for the provision of equitable levels of local government services to all Australian communities, call on the Commonwealth Government to:

- *Restore indexation of Financial Assistance Grants in line with CPI and population growth immediately,”*

The ALGA is taking this matter forward directly with Federal Government Ministers but has written to local governments seeking continued support to send the message to local Federal Government representatives.

Issues and options considered

Council can either:

- support ALGA’s request and write to local Federal Government representatives seeking their support for the immediate re-introduction of indexation of FAGs
or
- not support ALGA’s position.

The loss of indexation of FAG’s will have a direct impact on the City of Joondalup’s revenue not only over the next three years on-going after indexation is restored. Supporting ALGA’s request is the recommended option.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Financial Sustainability.

Objective	Financial diversity.
Strategic initiative	Position the City to align with State and Federal Government priorities to increase eligibility for grant funding.
Policy	Not applicable.

Risk management considerations

There are no risks in the City advocating for the restoration of indexation of FAGs. The worst outcome is status quo and the best is restoration of indexation of FAGs.

Financial / budget implications

Current financial year impact

Account no.	323-A3206-1211-0000.
Budget Item	State General Purpose Grants.
Budget amount	\$3,472,652.
Amount received to date	\$Nil.
Proposed revenue	\$ Waiting final confirmation of approved grants.
Balance	\$Nil.

Future financial year impact

Annual operating cost	Not applicable.
Estimated annual income	Approximate reduction of \$300,000 up to and including 2016-17.
Capital replacement	Not applicable.
20 Year Strategic Financial Plan impact	Nil reduction in revenue has already been factored to the adopted <i>20 Year Strategic Financial Plan</i> .
Impact year	Every year from 2014-15.

All amounts quoted in this report are exclusive of GST.

Regional significance

The freezing of indexation of FAGs impacts all local governments across the state.

Sustainability implications

There will be a direct impact on economic sustainability by the loss of FAG revenue.

Consultation

There has been wide discussion on this issue within the local government industry culminating in a resolution passed at the National General Assembly for Local Government on 16 June calling on the Commonwealth Government to immediately restore indexation of FAGs in line with CPI and population growth.

COMMENT

The loss of indexation of FAG's will have a direct impact on the City of Joondalup's revenue not only over the next three years but on-going after indexation is restored. Supporting ALGA's request to send a message to local Federal Government representatives to immediately restore indexation of FAGs in line with CPI and population growth is supported.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 SUPPORTS the resolution of the National General Assembly on 16 June 2014 calling on the Commonwealth Government to restore indexation of Financial Assistance Grants, in line with CPI and population growth, immediately;**
- 2 REQUESTS the Mayor write to local Federal Government representatives seeking their support for the immediate re-introduction of indexation of Financial Assistance Grants.**

ITEM 12 TENDER 016/14 SUPPLY OF SWIMWEAR AND ASSOCIATED PRODUCTS FOR CRAIGIE LEISURE CENTRE RETAIL OUTLET

WARD	Central
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	104159, 101515
ATTACHMENT	Attachment 1 Schedule of Items Attachment 2 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 Speedo Australia Pty Ltd for the supply of swimwear and associated products for Craigie Leisure Centre retail outlet.

EXECUTIVE SUMMARY

Tenders were advertised on 31 May 2014 through statewide public notice for the supply of swimwear and associated products for Craigie Leisure Centre retail outlet for a period of five years. Tenders closed on 17 June 2014. A submission was received from each of the following:

- Speedo Australia Pty Ltd.
- Vorgee Pty Ltd trading as Vorgee.

The qualitative weighting method of tender evaluation was selected to evaluate the offers and the minimum acceptable qualitative score was predetermined at 60%. Vorgee Pty Ltd did not meet the minimum score to qualify for stage two of the assessment.

The submission from Speedo Australia Pty Ltd represents best value to the City. The company demonstrated a thorough understanding of the City's requirements. It has been manufacturing and supplying swimwear products in Australia since 1928. It is currently providing similar products and services for a number of local governments including the City of Greater Geelong and the City of Vincent. It is the City's current contractor for the supply of swimwear and associated products. Speedo Australia is well resourced and has the capacity and experience to provide the goods and services to the City.

It is therefore recommended that Council ACCEPTS the tender submitted by Speedo Australia Pty Ltd for the supply of swimwear and associated products for Craigie Leisure Centre retail outlet as specified in Tender 016/14 for a period of five years at the submitted schedule of rates.

BACKGROUND

The City has a need to operate a retail outlet at the Craigie Leisure Centre to provide added value to City patrons. The City seeks to establish a relationship with a single supplier of swimwear and associated products with high profile brand recognition, proven record in sales, marketing and promotional support.

The contractor's swimwear and aquatic equipment will be the exclusive brand sold through the retail outlet to provide an income stream to the City.

The City currently has a single contract for swimwear and associated products for Craigie Leisure Centre retail outlet with Speedo Australia Pty Ltd, which expires on 24 July 2014.

Speedo Australia has provided a quality service throughout the term of the contract.

DETAILS

The tender for the supply of swimwear and associated products for Craigie Leisure Centre retail outlet was advertised through statewide public notice on 31 May 2014. The tender period was for two weeks and tenders closed on 17 June 2014.

Tender Submissions

A submission was received from the following:

- Speedo Australia Pty Ltd.
- Vorgee Pty Ltd trading as Vorgee.

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

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

Evaluation Panel

The evaluation panel was composed of four members being:

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

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

Compliance Assessment

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

Qualitative Assessment

The qualitative 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 score that would indicate the ability of the tenderer to satisfactorily deliver the services. The predetermined minimum acceptable qualitative score was set at 60%.

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

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

Vorgee Pty Ltd scored 54.4% and was ranked second in the qualitative assessment. The company has been supplying aquatic products to aquatic centres and sports retailers since its inception in 2005. It demonstrated a sound understanding of the required tasks. It indicated the company has contracts with over 60 local governments Australia wide. However, the information provided on scope of work was limited. In addition, it has minimal product range, particularly, swimwear to meet the City's requirements.

Speedo Australia Pty Ltd scored 73.6% and was ranked first in the qualitative assessment. The company demonstrated a thorough understanding of the City's requirements. It has been manufacturing and supplying swimwear products in Australia since 1928. It is currently providing similar services for a number of local governments including the City of Greater Geelong and the City of Vincent. It is the City's current contractor for swimwear and associated products. Speedo Australia is well resourced and has the capacity and experience to provide the goods and services to the City.

Given the minimum acceptable qualitative score of 60%, Speedo Australia Pty Ltd was the only supplier that qualified for stage two of the assessment.

Price Assessment

The panel carried out a comparison of the submitted rates offered by the shortlisted tenderer with its current contract rates expiring on 24 July 2014, in order to assess value for money to the City.

To provide an estimated expenditure over a 12 month period, the most commonly used items and their typical usage based on historical data have been used in the calculation which represents approximately 60% of the projected contract cost.

The following table provides a summary of the estimated expenditure of the shortlisted tenderer. Any future mix of requirements will be based on demand and subject to change in accordance with operational needs of the City.

The rates are fixed for the life of each seasonal product release. For estimation purposes, a 3.5% CPI increase was applied to the rates in years two, three, four and five.

Tenderer	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Speedo Australia Pty Ltd	\$62,458	\$64,644	\$66,906	\$69,248	\$71,671	\$334,926

The estimated expenditure using the current contract rates is \$62,128 for year one. The cost of the proposed new contract represents a 0.53% increase on the previous tender rates (offered in April 2011). This is considered a good value offer as the annual CPI increase to March quarter 2014 is 3.1%.

During 2013-14, the City incurred \$89,694 expenditure on swimwear and associated products for Craigie Leisure Centre retail outlet. The City is expected to incur in the order of \$560,632 over the five year contract period.

Evaluation Summary

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

Tenderer	Estimated Contract Price (60% of the Projected Contract Cost)	Qualitative Ranking	Weighted Percentage Score
Speedo Australia Pty Ltd	\$334,926	1	73.6%
Vorgee Pty Ltd	Not Assessed	Failed to meet the acceptable score	54.4%

Based on the evaluation result the panel concluded that the tender from Speedo Australia Pty Ltd provides best value to the City and is therefore recommended.

Issues and options considered

Supply and fit out of equipment, chattels, merchandising materials and displays of swimwear and associated products is required for the retail outlet at the Craigie Leisure Centre. 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 and 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

Community Wellbeing.

Objective

Quality facilities.

Strategic initiative

Support a long-term approach to significant facility upgrades and improvements.

Policy

Not applicable.

Risk management considerations

Should the contract not proceed, the risk to the City will be moderate as the City may have to source the range of products from various suppliers which could impact on both the profitability and service quality.

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

Financial / budget implications

Account Number:	444-A4411-1703-4042
Budget Item	Swimwear and associated products for Craigie Leisure Centre retail outlet
Budget amount (2014-15)	\$105,225
Amount spent to date	\$0
Proposed cost (2014-15)	\$105,225
Balance	\$0
Estimated annual income	\$192,610 (adopted budget)

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The evaluation panel carried out the evaluation of the submission in accordance with the City's evaluation process and concluded that the offer submitted by Speedo Australia Pty Ltd represents best value to the City.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council ACCEPTS the tender submitted by Speedo Australia Pty Ltd for the supply of swimwear and associated products for Craigie Leisure Centre retail outlet as specified in Tender 016/14 for a period of five years at the submitted schedule of rates.

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf080714.pdf](#)

ITEM 13 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2014

WARD	All	
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services	
FILE NUMBER	07882, 101515	
ATTACHMENT	Attachment 1	Financial Activity Statement for the Period Ended 31 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 Financial Activity Statement for the period ended 31 May 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 May 2014 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$11,839,223 for the period when compared to the 2013-14 Revised Budget.

The variance can be summarised as follows:

The operating surplus is \$4,668,298 higher than budget, made up of higher operating revenue \$1,103,196 and lower operating expenditure of \$3,565,103.

Operating revenue is below budget on Rates \$13,304, offset by higher revenues on Fees and Charges \$70,238, Contributions, Reimbursements and Donations \$138,976, Profit on Asset Disposals \$772,516, Interest Earnings \$73,637, Grants and Subsidies \$28,175, Other Revenue \$30,741 and Specified Area Rates \$2,216.

Operating Expenditure is below budget mainly on Employee Costs \$723,424, Materials and Contracts \$3,290,898, Loss on Asset Disposals \$88,266 and Interest and Insurance expenses \$551 and \$577 respectively. These are partly offset by higher expenditure on Depreciation and Amortisation \$476,570 and Utilities \$62,043.

The Capital Deficit is \$7,497,800 below budget primarily owing to lower than budgeted expenditure on Capital Works \$6,048,954, Capital Projects \$871,643 and Motor Vehicle Replacements \$625,130 as well as higher revenue from Equity Distribution \$666,666 and Capital Contributions \$43,582. These are partially offset by lower revenue from Capital Grants and Subsidies \$36,505 and unbudgeted Tamala Park Development Costs \$722,003.

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 31 May 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 31 May 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 funds 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 expenditure 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 31 May 2014 forming Attachment 1 to this Report.

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf080714.pdf](#)

ITEM 14 LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2014

WARD	All	
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services	
FILE NUMBER	09882, 101515	
ATTACHMENT	Attachment 1	Chief Executive Officer's Delegated Municipal Payment List for the month of May 2014
	Attachment 2	Chief Executive Officer's Delegated Trust Payment List for the month of May 2014
	Attachment 3	Municipal and Trust Fund Vouchers for the month of 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 list of accounts paid under the Chief Executive Officer's delegated authority during the month of May 2014.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of May 2014 totalling \$13,975,464.85.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for May 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 \$13,975,464.85

BACKGROUND

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

DETAILS

The table below summarises the payments drawn on the funds during the month of May 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 - 98270 - 98594 & EF039295 –EF040010 Net of cancelled payments	\$9,830,333.11
	Vouchers 1282A & B -1283A & 1286A - 1288A & 1291A -1293A	\$4,107,583.79
Trust Account	Trust Cheques 206306 206373 Net of cancelled payments	\$37,547.95
Total		\$13,975,464.85

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 May 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 \$13,975,464.85.

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf080714.pdf](#)

BACKGROUND

The City has had in place since March 2010 a SAR Policy which provides guidance on the process for the management and implementation of Specified Area Rating. The policy was subject to a minor review process in 2012 in order to align it to the new policy template.

On 9 October 2013 an information session was organised by City officers following discussions with the Chairman of the BBRA. The purpose of the session was to provide clarification to the BBRA members on SARs.

The City confirmed that public open space being handed over from the developer (Peet Limited) in Burns Beach would reach the end of the developer's agreed maintenance period on 1 July 2014, after which the City would be responsible for ongoing maintenance.

Information was provided by the City on the SAR policy and confirmed how the City's SARs are managed, including examples of existing service levels currently being managed by the City.

On 17 October 2013 the City received a formal request from the BBRA asking the City consider establishing a SAR for Burns Beach. The City agreed a draft timetable with BBRA where consultation would be scheduled to take place in 2014-15 with a view to a SAR start date of July 2015-16. This was to align the process with financial years and also to allow for any delay in the handover of maintenance from the developer (which was originally scheduled to take place in July 2014) but is still subject to ongoing negotiation. Regular contact has taken place with BBRA since the formal request was made in October 2013.

DETAILS

Imposition of Specified Area Rating

Council may consider applying a SAR under the following circumstances:

- 1 An incorporated body representing the property owners of an established residential area requests that the City provides a specific work, service or facility to their area to be funded by a SAR imposed on the property owners.
- 2 For any area to be considered for a SAR, it must be a reasonable size in terms of the number of properties. As a general guide, it is expected that a SAR area would include no less than 100 properties.
- 3 A further requirement is that the area must be defined by clear and discernible geographic boundaries which may include main streets, or natural features.

The suburb of Burns Beach has an active representative property owners group operating as an incorporated body open to all 1,156 property owners in the proposed SAR area. Therefore, there are sufficient properties to establish a SAR in all of Burns Beach or the area recently developed by Peet Limited.

Burns Beach is clearly defined by Burns Beach Road to the south, Marmion Avenue to the east, the coastline on the west and bushland reserve to the north.

It is acknowledged by the BBRA that should a SAR be supported by the property owners affected and implemented by the City, all costs associated with the SAR will be negotiated with the City on an annual basis. These will be imposed under section 6.37 of the *Local Government Act 1995*.

Issues and options considered

Council may choose to:

- 1 accept that the request submitted by BBRA has merit and commence consulting with all proposed affected property owners regarding establishing a SAR within Burns Beach
- 2 endorse the Community Consultation and Communication Plan, forming Attachment 1 to this report
- 3 not accept that the request submitted by BBRA has merit and not to progress with consultation
- 4 not accept the draft Consultation and Communication Plan, forming Attachment 1 to this Report.

Options one and two are recommended.

Legislation / Strategic Community Plan / policy implications

Legislation Section 6.37 of the *Local Government Act 1995*.

Strategic Community Plan

Key theme Quality Urban Environment.
Financial Sustainability.

Objective Quality open spaces.
Effective management.

Strategic initiative Apply a strategic approach to the planning and development of public open spaces.
Balance service levels for assets against long-term funding capacity.

Policy *Specified Area Rating Policy*.

Risk management considerations

The SAR policy determines the criteria and process for representative property owner groups to apply for the implementation of a SAR.

The request is consistent with existing SAR areas and services undertaken.

Should progression to the consultation stage not be approved the City would not be following the adopted SAR policy.

If no action is taken, then the SAR request will not proceed.

Should a SAR not be implemented the current landscaping would require modification to enable the City to maintain it to an acceptable standard with existing service levels.

Financial / budget implications

The purpose of a SAR is to receive contributions from households to pay for the cost of additional services within a specified area. The City still contributes to cover the base (Public Open Space) service level.

For instance, the City's service level for POS (Cities contribution) + additional services (Ratepayer contribution) = SAR.

Services are determined on a case-by-case basis through the negotiation of annual contracts. Given that no services have been negotiated at this stage within Burns Beach, the City is unable to quantify costs without considering the context of a contract.

In general SARs are affected by the following factors:

- The Gross Rental Value of individual households.
- The number of households subject to the SAR (more households = greater spread of the costs).
- The total value of all additional services negotiated.

The amount charged to the household will be dependent on individual Gross Rental Values. It has been estimated that a SAR that would maintain the current level of landscape maintenance carried out by the developer would result in an average cost of \$150 for residents. This is an estimate only and would be subject to a contract price following a tender exercise. For information the average cost for residents of Harbour Rise is \$200, for Iluka is \$130 and for Woodvale Waters is \$130. However different standards of up-keep apply to each of these suburbs including what is actually maintained in terms of landscaping, thereby making cost comparisons between these suburbs difficult.

The consultation will ask residents what they are prepared to pay for an increased level of service should a SAR be implemented.

Should a SAR not be implemented standard service levels would be provided by the City from municipal funds (standard rates).

The cost of consultation to be undertaken in 2014-15 is estimated at \$2,000.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The Community Consultation and Communication Plan provides an outline of how the consultation process could be conducted to encourage the greatest number of responses from ratepayers within Burns Beach (Attachment 1 refers).

COMMENT

The landscaping within Burns Beach is varied and complex in nature requiring high intensity of maintenance to retain the original design intent. The estate has a very high amount of individual garden beds compared to other suburbs.

The total landscaped area in Burns Beach is 8.2 hectares (82,000m²) with approximately four hectares being garden beds. Only Harbour Rise Estate and Iluka have a similar type of split between garden beds and turf, and they are both SAR areas.

Consulting with the affected property owners will give a clear indication on the landscaping standards expected within the estate and give a further indication on what they are prepared to pay.

VOTING REQUIREMENTS

Simply Majority.

RECOMMENDATION

That Council:

- 1 **ACCEPTS** that the request submitted by Burns Beach Residents Association Incorporated has merit;
- 2 **APPROVES** commencement of a 30-day consultation process with all affected property owners regarding the potential establishment of a specified area rating within Burns Beach, in accordance with the Community Consultation and Communication Plan shown in Attachment 1 of this Report.

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf080714.pdf](#)

ITEM 16 THE SPIERS CENTRE - LEASE NEGOTIATIONS

WARD	North-Central
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	37505, 101515
ATTACHMENT	Attachment 1 Site plan
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 be informed of matters relating to the lease negotiations with the Spiers Centre and consider the Centre's request that the City allows them to insure the building contrary to the provisions of the *Property Management Framework*.

EXECUTIVE SUMMARY

The Spiers Centre is a not-for-profit charitable organisation that provides a variety of programs to counsel and support predominantly low income families and individuals of all ages and cultures in the northern suburbs. The organisation provides a number of programs to the community including:

- financial counselling
- emergency relief
- personal development activities
- Special Kids Integrated Parent Support Family Support Group (SKIPS) which provides opportunities for parents of children with special needs to share their experiences, develop new friendships and to support each other.

The Spiers Centre has had a long association with the former Shire of Wanneroo and the City of Joondalup, which began in 1982 with the Shire leasing accommodation for the group in Heathridge. In 1986 the Spiers Centre received \$60,000 in funding from the Lotteries Commission to build the Granny Spiers Community House on City land at Lot 501 (2) Albatross Court, Heathridge, where they currently reside on a lease with the City that expired on 30 June 2012.

Following the adoption of the *Property Management Framework* (PMF) lease negotiations between the City and the Spiers Centre commenced in March 2013. City officers met with the Spiers Centre on a number of occasion working through issues the group had about the draft lease.

A major concern for the Spiers Centre is that standard clauses within the draft lease which relate to the damage and/or destruction of the premises and the associated building insurance provisions, do not guarantee that they will be re-housed should the building be destroyed. They have requested that either the lease be amended so the City provides a guarantee that the group will be re-housed or that the City allows the Spiers Centre to insure the building and use the proceeds from the insurance, in the event the building is destroyed, to rebuild or re-house themselves.

City officers have advised the Spiers Centre that under the PMF the City is responsible for arranging appropriate building insurance and as the building is a City Asset in the event of destruction, the City would receive any settlement from the insurers. Negotiations between the parties have come to a stalemate.

It is therefore recommended that Council:

- 1 *NOTES the information provided in relation to lease negotiations with the Spiers Centre;*
- 2 *DECLINES the Spiers Centre request that they be allowed to insure the building located at Lot 501 (2) Albatross Court, Heathridge;*
- 3 *DECLINES the Spiers Centre request that Clause 5.3 “Destruction of the Premises” of the draft lease agreement be amended to include a guarantee that the Spiers Centre will be re-housed or the insurance proceeds used to rebuild should the building at Lot 501 (2) Albatross Court, Heathridge be destroyed;*
- 4 *ENDORSES the position that all lease agreements for City owned buildings provide that the City is responsible for arranging appropriate building insurance and in the event of destruction, the City would receive any settlement from the insurers.*

BACKGROUND

Ocean Ridge Women’s Community Group (now known as The Spiers Centre) was formed in 1980. In October 1985 the Ocean Ridge Women’s Community Group received \$40,400 funding from the Lotteries Commission to build the Granny Spiers Community House on City land at Lot 501 (2) Albatross Court, Heathridge. The funding failed to take into account site works, landscaping, driveway and car park and an extra \$19,700 was received from the Lotteries Commission in February 1986 to complete the Centre.

The City contributed the land, architectural supervision and administrative services. Construction of the house was completed in 1986.

DETAILS

The Spiers Centre provides a number of programs to the local community including:

- financial counselling
- emergency relief
- personal development activities
- SKIPS which provides opportunities for parents of children with special needs to share their experiences, develop new friendships and to support each other.

The Spiers Centre has had a long association with the former Shire of Wanneroo and the City of Joondalup, which began in 1982 with the Shire leasing accommodation for the group. In 1986 the Spiers Centre received \$60,100 in funding from the Lotteries Commission to build the Granny Spiers Community House on the land at Lot 501 (2) Albatross Court, Heathridge which is held freehold by the City. The building was completed in 1986 and now forms part of the City’s Asset Register. Accordingly, the whole of the premises, comprising land and building is the property of the City.

The original licence to occupy was granted by the City on 1 April 1986 for a period of five years with an option to renew for a further five year period. The option was exercised and the licence expired on 31 March 1996. At its meeting held on 29 May 1996 (TP110-05/96 refers),

the former City of Wanneroo resolved to renew the licence to occupy and advice of the resolution was forwarded to the occupants on 7 June 1996.

Acceptance was never forthcoming and consequently no new licence to occupy was ever drafted or signed with the tenant holding over on the terms and conditions of the expired licence.

At its meeting held on 13 August 2002 (CJ192-08/02 refers), it was resolved that:

“Council approves the leasing of Lot 501 (2) Albatross Court, Heathridge to Granny Spiers Community House Inc., subject to:

- 1 *Lease term be for five years commencing on 1 July 2002.*
- 2 *One option for a further term of five years.*
- 3 *Rental be \$1.00 (Peppercorn) per annum (if and when demanded).*
- 4 *Purpose of the Lease to be “Community Purposes.”*

The lease covered the land and the building with the lessee responsible for maintenance, repairs, outgoings, all insurance policies and legal costs. The lease terms were agreed with the tenant and the document executed, expiring on the 30 June 2012.

Following adoption of the *Property Management Framework* (PMF) lease negotiations between the City and the Spiers Centre commenced in March 2013. City officers met with the Spiers Centre on a number of occasion working through issues the group had regarding the draft lease.

To date both parties have agreed on all the terms and conditions in the draft lease except clause 5.3 which relates to the destruction of the premises and the associated issue of building insurance. Clause 5.3 reads as follows:

“Destruction of the Premises

- (1) *Where t he P remises or any part of t he P remises are at any time dam aged or destroyed by fire, flood, lightning, storm or tempest so as to make them unfit for the occupation and use of the Lessee, then the rent or a p roportionate part of the rent according t o the na ture and ext ent of the da mage su stained w ill ab ate and al l remedies for r ecovery of t he r ent, or su ch p roportionate par t of t he rent w ill be suspended until the Premises are rebuilt or made fit for the occupation and use of the Lessee.*
- (2) *If t he Lesso r does not r ebuild t he P remises or m ake t hem f it f or t he use and occupation of the Lessee within a r easonable time t hen either party may terminate this Lease by one month's notice i n writing to the ot her without r ight or claim for damage by reason of such termination of the Lease but without prejudice to the rights of either party for any prior breach of or failure to comply with a provision of this Lease.”*

The board of the Spiers Centre is concerned that under this clause the lease does not guarantee that they will be re-housed should the building be destroyed. They have requested that either the clause be amended with the City providing a guarantee that the group will be re-housed or that the City allows the Spiers Centre to insure the building and use the proceeds from the insurance, in the event the building is destroyed, to rebuild or re-house themselves. The Spiers Centre has a strong sense of ownership of the building due to the fact that the group procured the funding from the Lotteries Commission to construct the building and have been responsible for non structural maintenance on the property under their lease.

The Spiers Centre has been advised by City officers that under the PMF the City is responsible for arranging appropriate building insurance and as the building is a City Asset in the event of destruction, the City would receive any settlement from the insurers. The building is currently insured with the building insurance premium paid by the City in 2013-14 being \$1,124.

The latest draft lease (version 4) was considered by the Spiers Centre board on 14 April 2014 following which they advised that their position had not on changed on this issue.

The City has sought advice on this issue. The building is legally the City's and the proposed lease has standard clauses that in the event of its destruction it is the City's decision whether to rebuild or not. As a City asset the tenant cannot retain the insurance proceeds in the event the building is destroyed. Advice was also received from the Local Government Insurance Services (LGIS) who also recommended that all local governments protect their own assets (or assets they are responsible to insure, such as vested property) under the self-insurance scheme.

This situation, where external grant/funds or a contribution from a group are used to construct a building on City land, which then becomes a City building with no guarantee of tenancy other than the current lease, is common across many City facilities.

Issues and options considered

The options available to Council are:

- accept the request from the Spiers Centre that they insure the building with agreement that any insurance proceeds will be used to rebuild on the site at Lot 501 (2) Albatross Court, Heathridge and commence a new lease to house the group within the new building
- decline the request from the Spiers Centre and the City insure the building in accordance with the PMF, with no guarantee that the City will use insurance proceeds to rebuild on the site at Lot 501 (2) Albatross Court, Heathridge or rehouse the group at another location within the City. This is the recommended option.

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> .
Strategic Community Plan	
Key theme	Financial Sustainability. Community Wellbeing.
Objective	Effective management. Quality facilities.
Strategic initiative	Manage liabilities and assets through a planned, long-term approach. Understand the demographic context of local communities to support effective facility planning.
Policy	<i>Asset Management Policy</i> .

Risk management considerations

There are a number of risks associated with allowing lessees to be responsible for building insurance including the building being uninsured or under-insured and following any change in personnel at the organisation there being little or no knowledge of lease or insurance arrangements.

LGIS have advised a number of steps could be taken to protect the City if it was to allow a lessee to insure a building of which they are tenants, these include:

- the policy should be in joint names to ensure any claim fund would be in joint names and in the event of a policy lapsing, the City will be notified
- a condition of the lease should be that the lessee provides a certificate of currency within 14 days of renewal of the policy each year
- review the policy to ensure it meets with the City insurance requirements.

There is a risk that if the City rejects the Spiers Centre request on the building insurance and rehousing issue then lease negotiations will stall and reach a deadlock and the lease will not be executed by the tenant.

There is also a risk that if the City agrees to the Spiers Centre's request that it will set a precedent that will be contrary the intentions of the PMF.

Financial / budget implications

Current financial year impact

Account no.	Not applicable.
Budget Item	Not applicable.
Budget amount	\$1,124.
Amount spent to date	Not applicable.
Proposed cost	Not applicable.
Balance	Not applicable.

Future financial year impact

Annual operating cost	\$1,164 (2014-15).
Estimated annual income	Not applicable.
Capital replacement	Not applicable.
20 Year Strategic Financial Plan impact	Not applicable.
Impact year	Not applicable.

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. City officers have met with the Spiers Centre management to work through issues with the draft lease on three occasions and there have been a number of telephone calls and emails.

COMMENT

The PMF aims to support the equitable, efficient and effective management of City owned and managed properties and allows for the management of such properties in a consistent manner.

The Spiers Centre is seeking either a guarantee that the City will re-house or rebuild the property in the event that it is destroyed or that they be responsible for the building insurance and therefore recipients of any insurance settlement if the building is destroyed thereby allowing them to re-house or rebuild.

The proposed lease between the City and the Spiers Centre has standard clauses relating to the destruction of the premises which provide that it is the lessor's decision (the City) to rebuild or not. It is not considered appropriate to change these clauses or provide a guarantee of re-housing or rebuilding as this should be a decision for the City and Council at the time, should such an event occur. The City would make every effort to re-house the group within its property portfolio should the premises be destroyed however no guarantee of re-housing can be offered.

The PMF provides standard tenure arrangements for leases which includes the main responsibilities of the lessees and the lessor. One of the responsibilities of the lessor is to arrange appropriate building insurance.

The building on the leased premises occupied by the Spiers Centre is a City asset and in accordance with the PMF and advice from the LGIS it is recommended that the City should be responsible for the building insurance. This provides a consistent approach across all City buildings and also reduces the risk of the building being uninsured or under insured.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 NOTES the information provided in relation to lease negotiations with the Spiers Centre;**
- 2 DECLINES the Spiers Centre request that they be allowed to insure the building located at Lot 501 (2) Albatross Court, Heathridge;**

- 3 **DECLINES** the Spiers Centre request that *Clause 5.3 “Destruction of the Premises”* of the draft lease agreement be amended to include a guarantee that the Spiers Centre will be re-housed or the insurance proceeds used to rebuild should the building at Lot 501 (2) Albatross Court, Heathridge be destroyed;
- 4 **ENDORSES** the position that all lease agreements for City owned buildings provide that the City is responsible for arranging appropriate building insurance and in the event of destruction, the City would receive any settlement from the insurers.

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf080714.pdf](#)

REPORTS – POLICY COMMITTEE – 30 JUNE 2014

Disclosure of interest affecting impartiality

Name/Position	Cr Brian Corr.
Item No./Subject	Item 17 – Draft Purchasing Policy.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Corr is secretary of the Joondalup Business Association.

ITEM 17 DRAFT PURCHASING POLICY

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	36574, 101515
ATTACHMENT	Attachment 1 Draft Purchasing Policy
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 adopt the City's draft *Purchasing Policy*.

EXECUTIVE SUMMARY

Since 2012 the City has been undertaking a review of its risk profile in order to identify areas where awareness of risk can be enhanced and a positive risk culture promoted that helps embed risk management throughout the City's operations. As part of this review the City has developed a draft *Purchasing Policy*.

It is recommended that Council ADOPTS the Purchasing Policy forming Attachment 1 to this Report.

BACKGROUND

Section 11A of the *Local Government (Functions and General) Regulations 1996* outlines the requirements for purchasing policies for local governments for the supply of goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.

Section 11A(3) of the Regulations states:

A purchasing policy must make provision in respect of —

- (a) the form of quotations acceptable; and*
- (b) the recording and retention of written information, or documents, in respect of:*
 - (i) all quotations received; and*
 - (ii) all purchases made.*

Currently the City has detailed protocols in place for the supply of goods and services in which the abovementioned requirements are described. These protocols include the following:

- Purchasing of Goods and Services.
- Tenders for Providing Goods and Services.
- Quotations for Providing Goods and Services.
- Purchasing Goods and Services Under Panel Contracts.
- Management of Variations to Contracts.

DETAILS

The policy includes:

1 Application

The *Purchasing Policy* and the associated *Purchasing Protocols* will apply to all employees within the City involved in the purchase of goods and services for the City.

2 Statement

The City is committed to developing and maintaining purchasing systems and practices that ensure goods and services are obtained in an equitable and transparent manner that complies with applicable legislation and delivers value for money.

3 Details

3.1 Procurement Principles

A number of principles, standards and behaviours have been identified.

3.2 Value for Money

This principle underlies all procurement activities, which measures the benefits realisable by the City from the whole-of-life costs. Value for money does not mean obtaining the lowest quote but includes taking into account the financial viability of suppliers, past contractor performance, safety and quality standards, timely supply, risk exposure and other relevant service considerations.

3.3 Buying Local

Where possible suppliers operating within the City are to be given the opportunity to quote for goods and services required by the City.

3.4 Purchasing Protocols

The City's purchasing protocols which must be complied with have been identified.

3.5 Quotation Thresholds

The quotation thresholds as detailed in the City's Purchasing Protocols.

3.6 Sustainable Procurement

Where appropriate the City will consider environmental and social impacts along with value for money outcomes when making purchasing decisions.

3.7 Western Australian Disability Enterprises

Where appropriate the City will invite quotations from relevant Western Australian Disability Enterprises for the supply of goods and services.

3.8 Record Keeping of Information

Requirements for retaining and storing of information in accordance with the City's *Recordkeeping Plan*.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government (Functions and General) Regulations 1996.

Section 11A(3)

A purchasing policy must make provision in respect of —

(a) the form of quotations acceptable; and

(b) the recording and retention of written information, or documents, in respect of —

(i) all quotations received; and

(ii) all purchases made.

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	This report seeks to create a <i>Purchasing Policy</i> .

Risk management considerations

The introduction of a *Purchasing Policy* will provide evidence of the appropriateness and effectiveness of systems and procedures in regard to risk management, internal control and legislative compliance, as required by the *Local Government (Audit) Regulations 1996*.

Financial/budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The introduction of a *Purchasing Policy* will make a statement on the City's commitment and approach to risk management principles, systems and processes which can be made visible to the community.

WALGA updated the Model Local Government Purchasing Policy which was reviewed by the Department of Local Government and Communities prior to its release to the sector in February 2014. The new Model Policy was used as the basis for the development of the City's *Purchasing Policy*.

At the Policy Committee meeting on 2 September 2013 a request for a report was made in relation to the use of the WALGA e-quotes system and whether that, or something similar, would assist with a buy local strategy and enable local suppliers to gain access to the City's buying. This matter will be reported on separately.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 30 June 2014.

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

RECOMMENDATION

That Council ADOPTS the *Purchasing Policy* forming Attachment 1 to this Report.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf080714.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Cr Brian Corr.
Item No./Subject	Item 18 – Revocation of the Economic Development Policy.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Corr is secretary of the Joondalup Business Association.

ITEM 18 REVOCATION OF THE ECONOMIC DEVELOPMENT POLICY

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	101268, 101515
ATTACHMENT	Attachment 1 Economic Development Policy
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 revoke the *Economic Development Policy* as part of the ongoing Policy Manual Review.

EXECUTIVE SUMMARY

The *Economic Development Policy* was first established in 2006 to provide context and clarity to economic development activities delivered by the City, based on previous direction from the Commissioners in 2005 and the newly elected Council in 2006. Prior to the introduction of the policy there was limited strategic direction provided in this area, which has since become enshrined within economic development plans, strategic position statements and ongoing programs implemented by the City.

Due to the out-dated context of the policy and the incorporation of economic development practices into *Joondalup 2022* and the new *Economic Development Strategy*, the current *Economic Development Policy* is recommended for revocation in order to consolidate the City's Policy Manual and reduce duplication across policy and planning frameworks at the City.

It is therefore recommended that Council:

- 1 *NOTES that the objectives and the strategic intent of the Economic Development Policy have been superseded by other documents within the City's policy and planning framework;*
- 2 *REVOKES the Economic Development Policy as shown in Attachment 1 to this Report.*

BACKGROUND

As part of the ongoing review of the City's Policy Manual, the current *Economic Development Policy* (Attachment 1 refers) has been reviewed against the following criteria:

- 1 Consistency – with regard to language, style and format.
- 2 Relevance – in terms of new plans and strategies that now supersede previously endorsed positions with existing policies.
- 3 Duplication – identified sections of policies that duplicate other policies, City plans and strategies, local laws, and/or state legislation.
- 4 Operational content – identified sections of policies deemed as being 'too operational' and therefore more appropriate to be incorporated into a City protocol or operational plan.

Due to the recent adoption of the City's new *Economic Development Strategy*, the policy is considered out-of-date and superseded by more relevant strategic documents. As such, it is being recommended for revocation to consolidate the Policy Manual and remove duplication across the City's policy and planning frameworks.

DETAILS

The *Economic Development Policy* was first adopted by Council at its meeting held on 19 September 2006 (CJ156-09/06 refers). Its development was initiated by the Commissioners in 2005 to align with the key focus areas of the City's new Strategic Plan and intended to outline the Council's strategic intent with regard to:

- regional development and cooperation
- local employment
- support for the business sector, infrastructure and major events.

Following the establishment of a new Policy Committee by the Commissioners in April 2005, the newly elected Council continued with any outstanding policy items in 2006, including the development and adoption of a new *Economic Development Policy*. This was finalised in September 2006 (CJ156-09/06 refers).

After its adoption, the *Economic Development Policy* guided the development and implementation of the City's first *Economic Development Plan 2007-2011*. Following the expiration of this plan a significant review process was undertaken, which took into consideration relevant aspirations and objectives contained within the City's *Strategic Community Plan 2012-2022: "Joondalup 2022"* and the state government's planning strategy, *Directions 2031 and Beyond*.

The review process led to the development of the City's recently adopted *Economic Development Strategy* (CJ069-05/14 refers). The new strategy outlines the overall role of the City in relation to economic development and provides specific actions and strategies to respond to local and regional economic challenges, with the aim of attracting new investment, encouraging innovation and to support job creation activities within the City of Joondalup. The City also has an adopted Strategic Position Statement regarding a *Regional Governance Framework* (for the Metropolitan North–West Corridor) and has developed a draft *Regional Economic Development Framework* in partnership with the City of Wanneroo.

Due to the development of more detailed and relevant strategic documents and statements pertaining to economic development activities for the City, the current *Economic Development Policy* is recommended for revocation.

Issues and options considered

Council may choose to:

- support the revocation of the *Economic Development Policy*
or
- not support the revocation of the *Economic Development Policy*.

As there are no significant risks identified in revoking the policy, option one is the preferred option in order to reduce duplication across the City's policy and planning frameworks.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Economic Prosperity, Vibrancy and Growth.

Objective The *Economic Development Strategy* is predominantly aligned to all objectives contained under Economic Prosperity, Vibrancy and Growth.

Strategic initiative The *Economic Development Strategy* is predominantly aligned to all strategic initiatives contained under Economic Prosperity, Vibrancy and Growth.

Policy *Economic Development Policy*.

Risk management considerations

There are no significant risks associated with revoking the *Economic Development Policy*, given the adoption of the *Economic Development Strategy* to outline the City's position in relation to economic development activities. The strategy identifies short, medium and long term actions and objectives that align more effectively with the City's overarching strategic document, *Joondalup 2022*.

Financial / budget implications

Not applicable.

Regional significance

The *Economic Development Policy* promotes regional approaches through partnership development and engagement activities, while the *Economic Development Strategy* and Strategic Position Statement on the *Regional Governance Framework* (for the Metropolitan North–West Corridor) continue to promote regional approaches.

Sustainability implications

Not applicable.

Consultation

The *Economic Development Strategy* was developed in consultation with regional partners and considerable feedback was sought from the community on the final draft strategy prior to Council approval. Responses to the strategy indicated significant support for the themes and strategies contained within the document and as such, it is recommended that consultation is not required to revoke the *Economic Development Policy*.

COMMENT

The ongoing review of the Policy Manual has been comprehensive in addressing the issues of consistency, relevance, duplication and the operational nature of some policies. When the *Economic Development Policy* was introduced, it sought to fill a policy and/or strategic gap across the City's policy and planning framework. Since 2006, the City has further developed its position on economic development and embedded many of these activities, aims and values into the City's *Economic Development Strategy*, *Joondalup 2022* and Strategic Position Statement on *Regional Governance Framework* (for the Metropolitan North–West Corridor).

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 30 June 2014.

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

RECOMMENDATION

That Council:

- 1 **NOTES that the objectives and strategic intent of the *Economic Development Policy* have been superseded by other documents within the City's policy and planning framework;**
- 2 **REVOKES the *Economic Development Policy* as detailed in Attachment 1 to this Report.**

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf080714.pdf](#)

ITEM 19 LEGAL REPRESENTATION FOR ELECTED MEMBERS AND EMPLOYEES POLICY – MAJOR REVIEW

WARD	All	
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy	
FILE NUMBER	13562, 101515	
ATTACHMEN	Attachment 1	DLGC Local Government Operational Guidelines No.14
	Attachment 2	Revised Legal Representation for Elected Members and Employees Policy
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 revised *Legal Representation for Elected Members and Employees Policy* as part of the ongoing Policy Manual review process.

EXECUTIVE SUMMARY

Since the City's establishment in 1999, a policy has been in place to provide guidance on the provision of legal representation for Elected Members and employees, within the context of executing their duties and responsibilities at the City.

The policy has been the subject of several reviews over this period and was last amended in 2008 to increase the limit for legal representation costs per application from \$5,000 to \$6,000, (having remained unchanged since 2001). In 2010 the Policy Committee recommended against proposed amendments to exempt employees (other than the CEO) to seek Council approval for legal representation costs, following an incident whereby an employee was the subject of a vexatious legal claim.

This most recent review is within the context of the ongoing Policy Manual review process and seeks to align the policy more closely to the Department of Local Government and Communities' current model policy (Attachment 1 refers) and the City's standardised policy template.

To ensure the policy remains relevant and current, it is proposed that Council adopts the amended *Legal Representation for Elected Members and Employees Policy*, as outlined in Attachment 2 of this Report.

BACKGROUND

Prior to the establishment of the City of Joondalup, a policy was endorsed by the former City of Wanneroo to provide guidance on the provision of legal representation for Elected Members and employees within the context of executing their duties and responsibilities at the City. The City of Joondalup inherited the policy in 1999, when its new Corporate Policy Manual was adopted by the Commissioners at the time (CJ2013-06/99 refers).

In 2001, the *Legal Representation for Present and Former Elected Members and Staff of the City Policy* was subject to its first review by the City of Joondalup Council, in which the ceiling on financial assistance was increased from \$3,000 to \$5,000 within the policy (CJ001-02/01 refers).

In June 2004, the policy underwent further review by the Joint Commissioners following the initiation of the McIntyre Inquiry, in which several applications for legal representation were anticipated to be presented to Council for consideration (CJ136–06/04 refers). In light of the inquiry, the Commissioners sought to closely align the policy to the Department of Local Government and Regional Development's draft model policy. The policy was subsequently adopted with further amendments, most notably, precluding requests for financial assistance where legal proceedings are commenced by an Elected Member or employee, except for extenuating circumstances where they are the subject of threatening behaviour by another person (CJ136–06/04 refers).

In June 2008, a report was presented to Council on a matter raised at a Western Australian Local Government Association North Metropolitan Zone Committee Meeting by the City of Stirling (CJ100–06/08 refers). Council chose not to support the City of Stirling's proposal to lobby the state government for an amendment to the *Local Government Act 1995*, due to existing guidelines and policies being effective instruments for dealing with such issues.

In the lead up to the decision made in June, it was also noted that the financial limit for legal representation would not cover advice being sought, particularly if the matter was of a complex nature. As such in September 2008, Council amended the policy to increase the maximum payment for legal representation costs for Elected Members from \$5,000 to \$6,000 and to increase the maximum payment that could be approved by the Chief Executive Officer from \$2,000 to \$6,000 (CJ199–09/08 refers).

At its meeting held on 27 April 2010, the Policy Committee considered a request to amend the policy to distinguish the manner in which Elected Members, the Chief Executive Officer and employees were able to seek payment for legal representation costs. The request followed an incident in 2008, whereby a City employee was the subject of a vexatious legal claim and required approval from Council to obtain financial assistance for legal costs. The Policy Committee did not endorse the request to amend the approval process for employees under the policy and as such, it has remained unchanged since 2008.

DETAILS

As part of the ongoing review of the City's Policy Manual, the current *Legal Representation for Elected Members and Employees Policy* has been reviewed against the following criteria:

- 1 Consistency — with regard to language, style and format.
- 2 Relevance — in terms of new plans and strategies that now supersede previously endorsed positions within existing policies.
- 3 Duplication — identified sections of policies that duplicate other policies, City plans and strategies, local laws, and/or State legislation.

- 4 Operational content — identified sections of policies deemed as being too operational and therefore more appropriate to be incorporated into a City protocol or operational plan.

In order to adjust the policy to the City's current standardised policy template and the Department of Local Government and Communities' model policy, Attachment 2 outlines recommended amendments to the current *Legal Representation for Elected Members and Employees Policy*.

Proposed Amendments

As a result of the ongoing Policy Manual review, and in accordance with the Department of Local Government and Communities' model policy, the following amendments to the *Legal Representation for Elected Members and Employees Policy* are recommended:

- Align the policy to the new standardised policy template by including new “Application” and “Statement” clauses.
- Align the policy to the Department of Local Government and Communities' model policy by the following:
 - Expanding the definition of “Approved Lawyer” to include lawyers that are from a firm on the City's panel of legal service providers or approved in writing by the CEO under delegated authority.
 - Expanding the definition of “Elected Member” or “Employee” to include non-elected members of a Council Committee, (note: this would only apply to Committees with external members that are established by an absolute majority decision of Council, namely, the Audit Committee and Joondalup Performing Arts and Cultural Facility Steering Committee).
 - Inclusion of clause 4.1(d), to ensure that legal representation costs do not relate to a matter that is of a personal or private nature.
 - Inclusion of clause 4.2.1(c) and (d) to replace the existing clause 2.2, relating to exceptional circumstances for approval (for instance where threatening behaviour is apparent and adverse comments against the person or organisation is being made publicly).
 - Inclusion of clause 4.3.2(b)(vi) to require the application to Council to cover why it is in the interests of the City for the payment to be made.
 - Inclusion of clause 4.3.4 to require an applicant to sign a document acknowledging that any necessary repayments back to the City is in accordance with the policy and the City's stated terms.
- Amend minor grammatical and formatting improvements to improve the readability of the policy.

All suggested amendments are outlined in Attachment 2 of this report, with commentary highlighted throughout the document as to relationship of the amendments to the Department's model policy.

Issues and options considered

Council can either:

- adopt the proposed amendments to the *Legal Representation for Elected Members and Employees Policy*, as outlined in Attachment 2
- further modify the *Legal Representation for Elected Members and Employees Policy* or
- retain the *Legal Representation for Elected Members and Employees Policy* in its current format.

It is recommended that Option 1 is adopted due to its close alignment with the Department of Local Government and Communities' model policy and the City's standardised policy template.

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 This report outlines the outcome of a review of the *Legal Representation for Elected Members and Employees Policy*.

Risk management considerations

There are no major risks identified in amending the *Legal Representation for Elected Members and Employees Policy*, (as shown in Attachment 2), due to its close alignment with the Department of Local Government and Communities' model policy.

Furthermore, the suggested amendments do not overtly change the manner in which the policy is applied, rather, they seek to provide clarification on procedural matters that would likely be applied in practice. (For example, utilising panel contractors for legal services and not having costs relate to matters of a personal or private nature, amongst others).

Financial / budget implications

The policy relates to City payments for legal services to Elected Members and employees during the course of their employment and execution of duties and responsibilities relating to their positions.

Since the completion of the McIntyre Inquiry in 2005, few applications have been brought before the Council for approval with an estimated expenditure of \$31,500 between the years of 2008-2013. With an average annual expenditure of \$4,500, the expense to the City is considered to be only minor.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Given the relatively minor amendments suggested to the policy to align with the Department of Local Government and Communities' model policy, consultation with the community is not recommended.

COMMENT

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 30 June 2014.

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

RECOMMENDATION

That Council ADOPTS the amended *Legal Representation for Elected Members and Employees Policy* as outlined in Attachment 2 of this Report.

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16brf080714.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
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Name/ Position	
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