

minutes

MEETING HELD ON **TUESDAY, 18 NOVEMBER 2014**

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CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP ON TUESDAY 18 NOVEMBER 2014.**

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.05pm.

ANNOUNCEMENT OF VISITORS

Mayor:

TROY PICKARD

Councillors:

CR KERRY HOLLYWOOD	North Ward
CR TOM McLEAN, JP	North Ward
CR PHILIPPA TAYLOR	North-Central Ward – <i>Deputy Mayor</i>
CR SAM THOMAS	North-Central Ward
CR LIAM GOBBERT	Central Ward
CR GEOFF AMPHLETT, JP	Central Ward
CR MIKE NORMAN	South-West Ward
CR JOHN CHESTER	South-East Ward
CR BRIAN CORR	South-East Ward
CR RUSS FISHWICK, JP	South Ward
CR TERESA RITCHIE, JP	South Ward

Officers:

MR GARRY HUNT	Chief Executive Officer
MR JAMIE PARRY	Director Governance and Strategy
MS DALE PAGE	Director Planning and Community Development <i>Absent from 7.46pm to 7.48pm</i>
MR NICO CLAASSEN	Director Infrastructure Services
MR BRAD SILLENCE	Manager Governance
MR MIKE SMITH	Manager Leisure and Cultural Services
MR JOHN CORBELLINI	Manager Planning Services
MR MARK McCRORY	Manager Marketing and Communications <i>Absent from 7.56pm to 8.03pm</i>
MR JOHN BYRNE	Governance Coordinator
MRS LESLEY TAYLOR	Governance Officer
MRS DAWN ANDERSON	Governance Officer

There were 14 members of the public and one member of the press in attendance.

DECLARATIONS OF INTEREST

Disclosures of Financial / Proximity Interest

Nil.

Disclosures 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	Mayor Troy Pickard.
Item No./Subject	CJ209-11/14 - Retrospective Change Of Use From Warehouse To Showroom And Mezzanine Addition At Lot 1 (25) Winton Road, Joondalup.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard engages the services of Jumbo Party Hire in his capacity as Co-Chair Relay for Life Joondalup Wanneroo.

Name/Position	Cr Philippa Taylor.
Item No./Subject	CJ209-22/14 – Retrospective Change of Use from Warehouse to Showroom and Mezzanine Addition at Lot 1 (25) Winton Road, Joondalup.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The owners of the building are known to Cr Taylor.

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ214-11/14 – Appointment of Strategic Community Reference Group Member.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Some of the nominees are known to Mayor Pickard.

Name/Position	Cr John Chester.
Item No./Subject	CJ214-11/14 – Appointment of Strategic Community Reference Group Member.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	One of the nominees is known to Cr Chester as a fellow member of the Department of Parks and Wildlife Community Advisory Committee for the Yellagonga Regional Park.

Name/Position	Cr Philippa Taylor.
Item No./Subject	CJ214-11/14 – Appointment of Strategic Community Reference Group Member.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	One of the nominees is known to Cr Taylor.

Name/Position	Cr Sam Thomas.
Item No./Subject	CJ214-11/14 – Appointment of Strategic Community Reference Group Member.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Two of the nominees are known to Cr Thomas.

Name/Position	Cr Geoff Amphlett, JP.
Item No./Subject	CJ219-11/14 - Sports Development Program - Round 1 - 2014-15.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Amphlett's brother is the Secretary of ECU Joondalup Soccer Club.

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ222-11/14 – Confidential – Whitford Activity Centre Structure Plan – Mediation.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard was a party to the mediation sessions at the request of the SAT Presiding Member.

Name/Position	Cr Philippa Taylor.
Item No./Subject	CJ222-11/14 – Confidential – Whitford Activity Centre Structure Plan – Mediation.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	An employee of Urbis, Planning Consultants is known to Cr Taylor.

Name/Position	Cr Liam Gobbert.
Item No./Subject	CJ222-11/14 – Confidential – Whitford Activity Centre Structure Plan – Mediation.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Employees of the applicant are known to Cr Gobbert.

Name/Position	Cr Sam Thomas.
Item No./Subject	CJ222-11/14 – Confidential – Whitford Activity Centre Structure Plan – Mediation.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Thomas is the Vice President of the Whitford Senior Citizens Club.

PUBLIC QUESTION TIME

The following questions were submitted prior to the Council meeting on 18 November 2014:

Mrs S Leuzzi, Joondalup:

Re: Residential Parking Permits in the Joondalup City Centre.

Q1 *Could the Council please undertake to review the current arrangement of residents with resident permits in the Joondalup CBD being restricted to a maximum of 24 hours continuous parking in any one bay as this is seen as highly inequitable and unsustainable for residents.*

A1 The City has in its *Parking Local Law 2013*, a clause that restricts all vehicles from parking on the street for longer than 24 hours. This applies equally throughout the City and has been in place for many years. Although the current local law was adopted in 2013 and replaced a 1999 local law, the 24 hour restriction is not new and was in the previous 1999 local law. This restriction is common in the parking local laws of many other local governments. All drivers have equal rights to park on the street where that is allowed. The resident fronting that portion of the street has no

greater claim to use street parking in that location than any other member of the wider community.

The 24 hour restriction is designed to ensure that there is fair and equitable access to what can be a limited parking resource in some locations. Parking conditions which require permits were introduced into parts of the City Centre to assist local residents to protect scarce parking resources, Monday to Friday 9.00am to 5.00pm from the impacts of commuters avoiding paid parking. The permits provide exemptions during these times but were never intended to give exemptions from other provisions in the local law.

Mrs J Rets, Joondalup:

Re: Residential Parking Permits in the Joondalup City Centre.

Q1 On behalf of the Joondalup inner city residents would you research how the City of Vincent has been able to provide their residents with permits that are exempt from timing and then if possible could the City of Joondalup adopt this idea and its criteria to its residents? If not, please explain why this idea could not be implemented?

A1 The City of Vincent permits will exempt drivers from time limited parking in local streets. That is if a parking bay is in a two hour parking area the driver may park longer than two hours. However, clause 8.8 of the City of Vincent Parking and Parking Facilities Local Law 2007 is consistent with the City of Joondalup and many other jurisdictions in that it does not permit parking of a vehicle for longer than 24 hours, after which it is considered to be causing an obstruction.

Mr S Babbie, Joondalup:

Re: Residential Parking Permits in the Joondalup City Centre.

Q1 Would the City of Joondalup now strongly consider amending this older law, by updating to include residential permit holders to be exempt from timing restrictions?

A1 The issue of parking permits was considered when the 1999 local law was updated and gazetted in 2013. Parking permits were first introduced in 2009.

Q2 Taking into account that existing residential permits did not apply back when the 1999 parking law was created, as the parking in this area was not a problem. The parking here is so different now, and it must be extremely evident to the City, the difference in our parking needs. Surely in all fairness would you agree that this is so?

A2 Inner city living has been a feature of Joondalup for many years and the existing resident/visitor parking permit was introduced in 2009 to assist those residents cope with the pressure naturally produced by commuters who may wish to occupy local streets during the day. Those permits have successfully provided a balance of amenity for those residents since that time.

The permits are not intended to provide the equivalent of unlimited private off-street parking on a public road thereby depriving other legitimate users access to publicly available parking opportunities.

Ms J Sims, Joondalup:

Re: Residential Parking Permits in the Joondalup City Centre.

Q1 Where residential parking permits are provided in the Perth City and outer suburbs, is it not also common to provide a time limit exemption for the holders of residential parking permits?

A1 The City of Perth does provide permits that exempt residents from some time limited parking and from some fee paying parking. However, their local law has a blanket approach in clause 3.1(e) to vehicles causing an obstruction on the carriageway, whether or not it is in a parking bay and irrespective of how long it has been in place and irrespective of whether it is displaying a valid permit. It is entirely at the discretion of an authorised person.

The City of Joondalup takes a different approach. The City's requirement to move a vehicle after 24 hours ensures that the vehicle does not become an obstruction. The City has in place time restrictions which are provided for the specific purpose of ensuring fair and equitable access to what is often a limited resource. Exempting one class of driver, that is a permit holder from those restrictions would nullify that fair and equitable access for other drivers.

Mr N Cambridge, Joondalup:

Re: Residential Parking Permits in the Joondalup City Centre.

Q1 What compensation is the City of Joondalup going to offer the residents of Joondalup for the out of pocket expenses incurred as a result of the residents being forced to move their vehicles every 24 hours?

A1 Both the previous *City of Joondalup Parking Local Law 1999* and the current *City of Joondalup Parking Local Law 2013* have a clause requiring vehicles on public streets to be moved every 24 hours. There has been no change in the requirement since at least 1999. No compensation will be offered.

The following questions were submitted verbally at the Council meeting:**Ms J Rets, Joondalup:**

Re: Residential Parking Permits in the Joondalup City Centre.

Q1 How can the City of Joondalup justify labelling a residents vehicle as abandoned due to the fact that it has been parked in the one car bay outside their residence for more than 24 hours, even though the vehicle displays a valid parking permit?

A1 Mayor Pickard stated that the provisions of the *City of Joondalup Parking Local Law 2013* that apply throughout the City of Joondalup are also applied in the suburb of Joondalup, including Lakeside Drive. The City is responding to complaints from local residents and the wider community that vehicles are being parked for an extended length of time in a specific car bay, effectively turning what is a public on-street car bay into a private car bay. The City has concerns regarding the impact on-street parking will have on a range of issues including the availability for residents to park in accordance with the terms of their residents' parking permits and reduced opportunities for visitors to the City, as well as for customers of businesses that operate on Lakeside Drive to locate suitable parking bays.

Mrs S Leuzzi, Joondalup:

Re: Residential Parking Permits in the Joondalup City Centre.

Q1 *As and when it becomes more widely known that residents are now being fined for parking in car bays near their homes for a period of longer than 24 hours, could Council take it into consideration that this public awareness could also affect the sale of residents' homes?*

A1 Mayor Pickard advised the question is noted.

Mr S Babbie, Joondalup:

Re: Residential Parking Permits in the Joondalup City Centre.

Q1 *Is it of concern to the City of Joondalup that because of my recent parking infringement, I and many other residents are now starting to dislike living in your City?*

A1 Mayor Pickard commented that when a person makes a decision to live in an inner City environment they do so knowing it is different than living in a suburban environment in that they do not enjoy for instance extended drive ways, front lawns, verge areas and invariably have a smaller lot. There are other regimes that apply in commercial and business areas such as the paid parking regime and these are all elements that residents must consider prior to moving into a built environment such as the City Centre. It is up to an individual to determine whether or not that is an environment that they wish to reside in. Statistically the evidence demonstrates that property prices in the City of Joondalup are increasing and therefore the City is not concerned that the introduction of paid parking and the implementation of the *City of Joondalup Parking Local Law 2013* is adversely impacting on property prices in the suburb of Joondalup.

Q2 *Could the City of Joondalup research how the City of Vincent can provide residential permits that are exempt from complying with parking time restrictions?*

A2 Mayor Pickard advised that the *City of Vincent Parking and Parking Facilities Local Law 2007* applies the same provisions as the *City of Joondalup Parking Local Law 2013*. There is however a significant difference in the residential parking permits between the City of Vincent and the City of Joondalup. The City of Vincent parking permits apply in a pure residential environment, whereas the area that the City of Joondalup parking permits relate to is specifically the area that interfaces between the residential and business environment whereby there is a road with a paid parking regime. The local law is exactly the same, however, the circumstances and the environment are different between the City of Vincent and the City of Joondalup.

PUBLIC STATEMENT TIME

The following statement was submitted verbally at the Council meeting:

Mrs S Leuzzi, Joondalup:

Re: Residential Parking Permits in the Joondalup City Centre.

Mrs Leuzzi spoke in relation to the timing restrictions where a residents vehicle is not permitted to park in front of their dwelling for a period of longer than 24 hours and requested that the City of Joondalup consider amending the *City of Joondalup Parking Local Law 2013* to allow an exemption from the 24 hour parking restriction.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence Previously Approved:

Cr Christine Hamilton-Prime 5 November to 20 November 2014 inclusive;
Cr Sam Thomas 3 December to 5 December 2014 inclusive;
Cr Christine Hamilton-Prime 6 December 2014 to 5 January 2015 inclusive.

C58/14 REQUEST FOR LEAVE OF ABSENCE – CR BRIAN CORR - [102280]

Cr Brian Corr requested Leave of Absence from Council duties covering the period 2 December to 7 December 2014 inclusive.

MOVED Cr Chester SECONDED Cr McLean that Council APPROVES the request from Cr Brian Corr for Leave of Absence from Council duties covering the period 2 December to 7 December 2014 inclusive.

The Motion was Put and

CARRIED (12/0)

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

CONFIRMATION OF MINUTES

C59-11/14 MINUTES OF COUNCIL MEETING HELD 21 OCTOBER 2014

MOVED Cr McLean, SECONDED Cr Amphlett that the minutes of the Council meeting held on Tuesday 21 October 2014 be CONFIRMED as a true and correct record.

The Motion was Put and

CARRIED (12/0)

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

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Lakeside Joondalup Expansion

Mayor Pickard advised that City of Joondalup's first Myer department store will open its doors this Thursday as part of a \$300 million expansion of Lakeside Joondalup Shopping City.

Mayor Pickard commented that this new two-level 12,000m² store – the first Myer to be built in WA for 20 years – is one of nearly 70 retail outlets added to Lakeside Joondalup, making it the largest shopping centre in WA.

Mayor Pickard stated that the newly expanded shopping centre will further enhance Joondalup's reputation as the CBD for the north-west growth corridor of the Perth metropolitan region and will attract and increase the number of visitors, customers, employment opportunities and businesses to the Joondalup City Centre.

Summer Events

Mayor Pickard advised that the City's extensive summer events program is off to a great start with thousands of people attending the first of the 2014-15 Music in the Park Concerts at Mawson Park in Hillarys on Saturday evening.

Mayor Pickard commented that it was great to see so many local families enjoying the sounds of Thelma Plum, Stillwater Giants and Helen Shanahan at one of the City's most picturesque locations.

Mayor Pickard stated that the City is proud to keep delivering innovative cultural events such as Music in the Park that engage and entertain community members of all ages.

Mayor Pickard advised that the free events keep coming this Friday night with the first of the City's Twilight Markets at Central Walk, Joondalup.

Mayor Pickard commented that this year the markets will open from 5.30pm, giving visitors extra time to check out the diverse range of products on offer such as fresh and packaged gourmet food and the best of local arts, crafts and fashion.

Mayor Pickard stated that the Twilight Markets, which enhance the vitality and vibrancy of the Joondalup City Centre, run for five consecutive Friday evenings in the lead-up to Christmas.

Mayor Pickard advised that more details about the City's summer events program could be found at the City's website www.joondalup.wa.gov.au or follow the City on Facebook or Twitter.

Announcement by Mr Garry Hunt, Chief Executive Officer

Mr Hunt announced that Joondalup Mayor Troy Pickard has been appointed Australian Local Government Association (ALGA) President for the next two years, following the ALGA annual general meeting in Tamworth on Wednesday 12 November.

Mr Hunt stated that Mayor Pickard, who becomes the first Western Australian Mayor to hold the position since Peter Kyle in 1984, replaces Mayor Felicity-ann Lewis in the role.

Mr Hunt advised that the current President of the Western Australian Local Government Association, Mayor Pickard has been a director of ALGA since 2007 and a Vice President of the organisation since 2010.

Mr Hunt commented that Mayor Pickard is the City of Joondalup's longest serving Mayor, having first being elected to the position in 2006.

Mr Hunt stated that Mayor Pickard will step down in his role as WALGA President after overseeing a succession plan, allowing him to fulfil his new role while maintaining his energies as Mayor of the City of Joondalup.

Mr Hunt commented that Mayor Pickard has worked tirelessly for the City of Joondalup community and its 167,000 ratepayers for the past eight years.

Mr Hunt went on to say that Mayor Pickard will continue to work with his fellow Elected Members and City staff to ensure that Joondalup remains a national leader in the local government sector – a local government that has been recognised internationally for its innovative and outstanding services, liveability, its engaged and connected community and for providing its ratepayers with various healthy and sustainable lifestyle opportunities.

Mr Hunt stated that as ALGA President, Mayor Pickard will be exposed to a variety of issues facing local government and this will greatly assist him in his role as civic leader of the City.

Mr Hunt advised that Mayor Pickard's appointment is a credit to the City – particularly such a relatively young City like Joondalup - that one of its Elected Members has been appointed to a position as the national voice of local government in this country, representing 560 local governments across Australia.

Mr Hunt stated that the ALGA Presidency will also provide a platform for Mayor Pickard to raise on a national stage the City of Joondalup's many innovative and sustainable policies and strategies and would create opportunities for him to leverage for the benefit of the local community.

Mr Hunt congratulated Mayor Pickard on behalf of the City and its Elected Members.

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

CJ222-11/14 Confidential - Whitford Activity Centre Structure Plan – Mediation.

CJ223-11/14 Confidential - Tenders 033/14 and 034/14 Sale of Freehold Land for Aged Persons' Dwellings.

PETITIONS**C60-11/14 PETITION REQUESTING COUNCIL TO RECONSIDER ALLOWING DOGS ON LEASHES IN CRAIGIE OPEN SPACE – [44236, 05386]**

A 49 signature petition has been received from residents of the City of Joondalup requesting that Council reconsider its previous decision to prohibit dogs from Craigie Open Space (CJ169-09/14 refers) and to now allow dogs on a leash to utilise this area while still conserving the wildlife.

C61-11/14 PETITION IN RELATION TO RESIDENTIAL PARKING PERMITS IN JOONDALUP CBD – [24185]

A 68 signature petition has been received from residents of the City of Joondalup requesting that Council make an adjustment to the City's *Parking Local Law 2013* to allow City of Joondalup residential parking permit vehicles exempt from parking time restrictions in the street adjacent to the premises so issued.

MOVED Cr Amphlett, SECONDED Cr Norman that the following petitions be RECEIVED, referred to the Chief Executive Officer and a subsequent report presented to Council for consideration:

- 1 Petition in relation to requesting Council to reconsider its previous decision to prohibit dogs from Craigie Open Space and to now allow dogs on a leash to utilise this area while still conserving the wildlife;**
- 2 Petition in relation to requesting Council make an adjustment to the City's *Parking Local Law 2013* to allow City of Joondalup residential parking permit vehicles exempt from parking time restrictions in the street adjacent to the premises so issued.**

The Motion was Put and

CARRIED (12/0)

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

REPORTS**CJ208-11/14 DEVELOPMENT, CODE VARIATION AND SUBDIVISION APPLICATIONS - SEPTEMBER 2014**

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

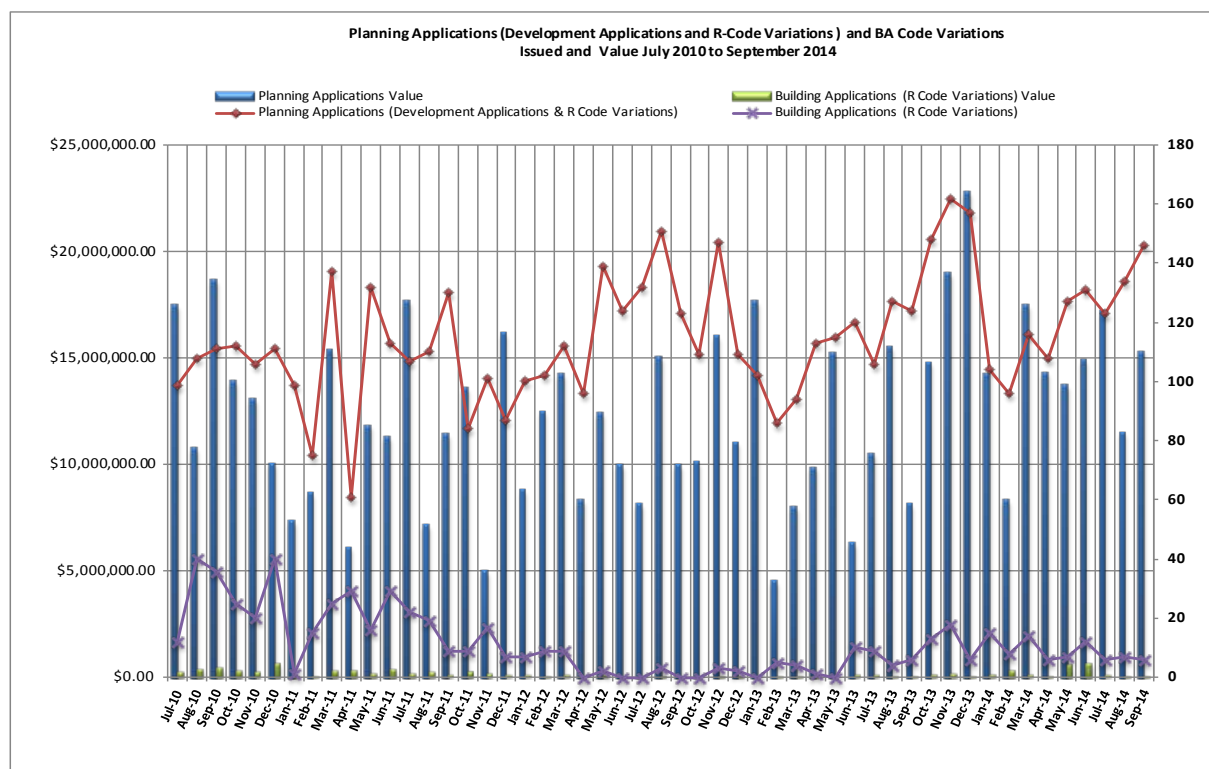
DPS2 requires that delegations be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 21 October 2014 (CJ180-10/14 refers), Council considered and adopted the most recent Town Planning Delegations via its review of the Register of Delegation of Authority manual.

DETAILS

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

Applications determined under delegated authority – September 2014		
Type of Application	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	146	\$ 15,279,926
Building applications (R-Codes applications)	6	\$66,074
TOTAL	152	\$ 15,346,000

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



The number of planning applications received during September was 142. (This figure does not include any applications that may become the subject of an R-Code application as part of the building permit approval process).

The number of planning applications current at the end of September was 294. Of these, 74 were pending additional information from applicants, and 60 were being advertised for public comment.

In addition to the above, 394 building permits were issued during the month of September with an estimated construction value of \$32,403,254.

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

Subdivision referrals processed under delegated authority for September 2014		
Type of referral	Number	Potential additional new lots
Subdivision applications	0	0
Strata subdivision applications	4	4

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 152 applications were determined for the month of September with a total amount of \$64,073 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 146 planning applications determined during September 2014 consultation was undertaken for 67 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 four subdivision applications processed during September 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.

MOVED Cr Hollywood, SECONDED Cr Norman 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 Report CJ208-11/14 during September 2014;**
- 2 Subdivision applications described in Attachment 2 to Report CJ208-11/14 during September 2014;**
- 3 Building Residential Design Code applications described in Attachment 3 to Report CJ208-11/14 during September 2014.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf111114.pdf](#)

Disclosure of interest affecting impartiality.

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ209-22/14 – Retrospective Change of Use from Warehouse to Showroom and Mezzanine Addition at Lot 1 (25) Winton Road, Joondalup.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard engages the services of Jumbo Party Hire in his capacity as Co-Chair Relay for Life Joondalup Wanneroo.

Name/Position	Cr Philippa Taylor.
Item No./Subject	CJ209-22/14 – Retrospective Change of Use from Warehouse to Showroom and Mezzanine Addition at Lot 1 (25) Winton Road, Joondalup.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The owners of the building are known to Cr Taylor.

CJ209-11/14 RETROSPECTIVE CHANGE OF USE FROM WAREHOUSE TO SHOWROOM AND MEZZANINE ADDITION AT LOT 1 (25) WINTON ROAD, JOONDALUP

WARD	North
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	103693
ATTACHMENT	Attachment 1 Location plan Attachment 2 Development plans
AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

PURPOSE

For Council to determine an application for retrospective change of use from 'Warehouse' to 'Showroom' and a mezzanine addition at Lot 1 (25) Winton Road, Joondalup.

EXECUTIVE SUMMARY

An application for retrospective planning approval has been received for a change of use from 'Warehouse' to 'Showroom' and a 136.2m² mezzanine addition at Lot 1 (25) Winton Road, Joondalup.

The site is zoned 'Urban' under the *Metropolitan Region Scheme* (MRS) and 'Service Industrial' under the *City of Joondalup District Planning Scheme No. 2* (DPS2). In addition to the requirements of DPS2, regard is also required to be given to the draft *Joondalup City Centre Structure Plan* (JCCSP), which is a "seriously entertained planning proposal". Under the draft JCCSP, the site is subject to the provisions of the 'Business Support' district.

The tenancy is occupied by Jumbo Party Hire and Marquees, with party hire being included in the definition of 'showroom' under DPS2. The land use is a permitted ("P") use under both DPS2 and the draft JCCSP.

The development meets the requirements of DPS2 and the draft JCCSP with the exception of a proposed parking shortfall of 11 car bays under DPS2. However under the City's Scheme Amendment No. 65 (Amendment No. 65) this shortfall will reduce to four car bays.

For the purposes of understanding the parking arrangements associated with this application it is necessary to differentiate between the change of use component of the application and the mezzanine addition. While the change of use from 'Warehouse' to 'Showroom' would generate an additional parking shortfall if assessed against current standards of DPS2 there would be no increased shortfall if assessed against the standards under Amendment No. 65. By contrast the mezzanine addition of 136.2m² would ordinarily generate additional demand for parking under DPS2 and Amendment No. 65. The increased demand for parking under Amendment No. 65 would be four car bays due to an increase in net lettable area (NLA). However, given that the mezzanine addition is used exclusively for storage purposes it is not considered that there will be any additional car parking demand generated by it. On-site car parking is therefore deemed to be sufficient, subject to the mezzanine addition being utilised for storage purposes only, which can be addressed through a condition of approval.

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

BACKGROUND

Suburb/Location	Lot 1 (25) Winton Road, Joondalup.
Applicant	William and Jennifer McKenna.
Owner	John and Rayma Edith Pikel.
Zoning	DPS Service Industrial.
	MRS Urban.
Site area	2,005m ² .
Structure plan	Draft <i>Joondalup City Centre Structure Plan</i> (JCCSP).

The site is located on the west side of Winton Road, opposite Lincoln Lane, with the Mitchell Freeway road reserve forming the western boundary of the lot (refer Attachment 1). The approved land uses in the immediate vicinity include a recreation centre, showrooms and warehouses.

The subject tenancy is currently occupied by Jumbo's Party Hire and Marquees. In 2008 development approval was granted for a single storey building comprised of three warehouse tenancies, with 21 car bays provided on-site in lieu of 22 car bays required under DPS2. Since this original approval, a number of development applications have also been approved under delegated authority, including:

- a change of use to Recreation Centre for Unit 2 in 2010, maintaining a car parking shortfall of one bay across the site
- a mezzanine addition to Unit 1 in 2011. Given the use of the area as a lunchroom, and other internal changes the net lettable area for the unit did not increase, and therefore maintained the car parking shortfall of one bay across the site
- retrospective approval for a mezzanine addition in Unit 2 in 2012. As there was no increase in the number of patrons as a result of the mezzanine addition, there was no change to the amount of car parking required for the site.

Amendment No. 65

Scheme Amendment No. 65 proposes to make changes to DPS2. These changes are intended to improve the operation of DPS2 by updating and modernising standards; correcting minor deficiencies and anomalies; and introducing provisions which will provide clarity and certainty for applicants and decision-makers. In relation to this development, it is noted that the car parking standard for a 'Showroom' is proposed to be modified from one car bay per 30m² of NLA to one car bay per 50m² of NLA.

As the amendment has been adopted by Council at its meeting held on 25 June 2013 (CJ088-06/13 refers) and forwarded to the Department of Planning, it has been given due regard during the assessment of this application as a 'seriously entertained planning proposal'.

DETAILS

The applicant is seeking retrospective planning approval for a change of use from 'Warehouse' to 'Showroom' and a mezzanine addition with an area of 136.2m².

The development plans are provided as Attachment 2.

The subject tenancy is occupied by Jumbo's Party Hire and Marquees, with one full-time and four part-time staff members at the property at any given time. Approximately two customers per day visit the premises, with the majority of orders delivered to and collected from the event venues.

The proposal meets all of the requirements of DPS2 and the draft JCCSP with the exception of car parking.

Car parking

Car parking for the site is calculated in accordance with the standards prescribed under DPS2. In addition, regard has also been given to Amendment No. 65 to DPS2, as a 'seriously entertained planning proposal', which is proposed to amend the car parking standard for 'Showroom' from one parking bay per 30m² to one parking bay per 50m² of NLA. The following table sets out the car parking requirement for the site under both DPS2 and Amendment No. 65:

Unit No.	Land use	Car parking standard	
		DPS2	Amendment No. 65
1	Showroom (subject development 494.2m ²)	1 bay per 30m ² NLA = 16.47	1 bay per 50m ² NLA = 9.88
2	Recreation Centre 20 patrons	1:2.5 patrons = 8	1:2.5 patrons = 8
3	Warehouse 341m ²	1 bay per 50m ² NLA = 6.82	1 bay per 50m ² NLA = 6.82
Total car parking required		31.29 (32 bays)	24.7 bays (25 bays)
Total car parking provided		21	21
% parking shortfall		34.38%	16.00%

As demonstrated in the above table, there is a shortfall of 11 car bays (34.38%) under the current standard set out in DPS2 and four car bays (16%) under Amendment No. 65.

Issues and options considered

Council is required to determine if the amount of car parking provided on-site is appropriate or not.

Council has the discretion to:

- approve the application without conditions
- approve the application with conditions
- refuse the application
- or
- defer determination of the application if it is considered that additional information or a more detailed investigation of the proposal is required.

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.

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

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

4.5 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS.

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

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

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

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

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

Clause 4.8 of DPS2 sets out the requirements for the provision of car parking.

4.8 CAR PARKING STANDARDS

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

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

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

6.8 MATTERS TO BE CONSIDERED BY COUNCIL

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

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

Risk management considerations

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

Financial / budget implications

The applicant has paid a fee of \$441 (excluding GST) in accordance with the fees and charges for the retrospective assessment of the application.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The proposal has not been advertised, as the land use 'Showroom' is a permitted ("P") use and does not have any negative impact on the locality.

COMMENT

The application is for retrospective planning approval for a change of use from 'Warehouse' to 'Showroom' including a mezzanine addition at Lot 1 (25) Winton Road, Joondalup. The proposal meets the requirements of DPS2 and the draft JCCSP with the exception of car parking.

Land use

The use of the tenancy for party hire falls within the definition of 'Showroom' under DPS2. The land use is a permitted use in the 'Service Industrial' zone under DPS2 and the 'Business Support' district under the draft JCCSP.

Car parking

The development increases the car parking required across the site to 32 bays under DPS2 and 25 car bays across the site under Scheme Amendment No. 65. A total of 21 car bays are provided.

Council is required to determine whether the 21 car bays provided on-site are sufficient. The options available to Council are:

- determine that the provision of 21 car parking bays is appropriate
- determine that the provision of 21 car parking bays is not appropriate
- or
- determine that a cash-in-lieu payment of \$25,929 per car parking bay is required for the shortfall in car parking being \$285,219 for the eleven bay shortfall as a result of the development.

While the mezzanine addition is required to be considered NLA for the purposes of calculating car parking under DPS2, it is only used for the purpose of storage, and therefore is not considered to generate any additional car parking demand. It is noted that if the additional storage space was provided in the form of storage racking and accessed using a forklift or other equipment it would not constitute NLA.

The manner in which the additional 136.2m² of NLA is being used is characteristic of the current party hire business operating from the tenancy, and it is acknowledged that future businesses may not seek to utilise the mezzanine in the same manner. In order to ensure that the mezzanine does not contribute to an increase in car parking demand for the site, a condition of approval is recommended should the application be supported that the mezzanine shall only be utilised for the storage of goods and materials. Further approvals would be required should a business seek to utilise the mezzanine for other purposes, at which time the impact on car parking could be further assessed.

One full-time and four part-time staff members work at the property. Approximately two customers per day visit the premises. The majority of orders are delivered to and collected from the event venues. Therefore, while the tenancy would require 17 car bays under DPS2 and 10 car bays under Scheme Amendment No. 65, given the nature of the business, it is

unlikely that more than a maximum of seven car bays would be required at any one time. It is also noted that the business operates between 9.00am to 5.00pm Monday to Friday, and 9.00am to 12.00 noon Saturdays, which is generally outside the peak evening trading hours of the recreation centre in the adjoining tenancy and further ensures that there is adequate car parking on-site.

Should the application be approved and a cash-in-lieu payment required, an amount of \$285,219 will be payable, being for the 11 bays required under DPS2 for this development. Any cash funds received must be used to provide for additional parking in the immediate locality. Given the above, it is considered that sufficient car parking is provided on-site to cater for the development, and it is not considered appropriate in this instance to require a cash-in-lieu payment.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Norman that Council:

- 1 EXERCISES discretion under clauses 4.5.1 and 4.8 of the *City of Joondalup District Planning Scheme No. 2* and determines that:**
 - 1.1 Car parking provision of 21 bays in lieu of 32 bays,**
is appropriate in this instance;
- 2 APPROVES under clauses 6.9 and 6.12 of the *City of Joondalup District Planning Scheme No. 2* the application for retrospective planning approval, dated 26 June 2014, submitted by William and Jennifer McKenna on behalf of the owners, John and Rayma Edith Pekel for a change of use from Warehouse to Showroom and a mezzanine addition, at Lot 1 (25) Winton Road, Joondalup subject to the following condition:**
 - 2.1 The mezzanine addition shall be used solely for the storage of goods and materials.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf111114.pdf](#)

CJ210-11/14 COMMUNITY DEVELOPMENT PLAN 2015-2020

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	59011
ATTACHMENT	Attachment 1 <i>Community Development Plan 2015-2020</i> Attachment 2 Community Consultation and Communication 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 endorse the draft *Community Development Plan 2015-2020* for the purposes of public consultation for a period of 21 days between 20 November and 11 December 2014.

EXECUTIVE SUMMARY

The City's *Community Development Strategy 2006-2011* was developed in 2006 to guide community development activities within the City of Joondalup. This strategy has now expired and extensive work has been undertaken over the past 18 months to develop a new *Community Development Plan 2015-2020*.

Following engagement with elected members and the Strategic Community Reference Group (SCRG), four key themes have been developed to inform the structure of the new *Community Development Plan 2015-2020*. These are:

- Community Participation
- Leadership
- Assets and Infrastructure
- Community Capacity Building.

The key themes, objectives, challenges and strategies have been referred to stakeholder forums comprising service providers and key community and sporting organisations within the City for feedback and input.

Following input from elected members, the SCRG and key community stakeholders, the draft *Community Development Plan 2015-2020* has been developed.

It is now proposed that broader public consultation be undertaken on the draft *Community Development Plan 2015-2020* and the results reported back to Council in early 2015.

It is therefore recommended that Council ENDORSES the draft Community Development Plan 2015-2020 being made available for public consultation for a period of 21 days between 20 November and 11 December 2014.

BACKGROUND

The City's *Community Development Strategy 2006-2011* was developed in 2006 to guide community development activities within the City of Joondalup. The strategy provided a number of initiatives (articulated under separate plans) to be implemented over a five-year period. The plans related to specific demographic and service areas that have a strong focus on community wellbeing outcomes.

The specific plans related to the following areas:

- Youth
- Families with children
- Leisure
- Culture
- Seniors
- Access and inclusion.

Many actions were implemented throughout the strategy, which has resulted in several projects and services becoming integral features of the City's annual planning process such as community events, youth and recreational programs, and community subsidy initiatives to name a few.

The strategy has now expired and a new community development plan has been developed to guide the City's community development activities over the next five years.

DETAILS

Development of the new *Community Development Plan 2015-2020* commenced 18 months ago. The development of the new community development plan was dependent on the finalisation of the City's *Strategic Community Plan: Joondalup 2022* to ensure alignment with the City's new vision and aspirational outcomes pertaining to community wellbeing.

The vision for the new *Community Development Plan 2015-2020* is to identify high level objectives pertaining to community development for the City, as articulated within *Joondalup 2022* and to group them more effectively under broad themes. Furthermore, terminology used to describe the new themes is based on more contemporary language utilised within the field of community development, which transcends age-based demographics and applies across the whole community.

Issues and options considered

Following engagement with elected members and the SCRG, four key themes have been developed to inform the structure of the new *Community Development Plan 2015-2020*. These are:

- Community Participation
- Leadership

- Assets and Infrastructure
- Community Capacity Building.

Under each of these themes there are objectives, current challenges, opportunities, existing projects and programs, priorities and strategic responses. The implementation section of the plan identifies the broader projects and programs that address multiple community outcomes.

Following input from the SCRG, the plan also seeks to define what community development is, who the community is and how the plan aligns with the broader integrated planning framework for local government.

A copy of the draft *Community Development Plan 2015-2020* is included as Attachment 1.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Community Wellbeing.

Objectives

- Quality facilities.
- Cultural development.
- Community spirit.
- Community safety.

Strategic initiatives The majority of the strategic initiatives under the above objectives relate to the new *Community Development Plan 2015-2020*.

Policy *Alcohol Management Policy.*
Community Consultation and Engagement Policy.
Community Development Policy.
Facility Hire Subsidy Policy.
Leisure Policy.
Access and Inclusion Plan 2012-2014.

Risk management considerations

The intent of the new *Community Development Plan 2015-2020* is to establish a framework to enable a planned approach to achieve improved social outcomes for the community over the next five years.

This planned approach, together with the alignment to *Joondalup 2022*, will significantly assist in mitigating risks in terms of not addressing community needs, non-delivery of services, not engaging with the community appropriately and incurring unplanned expenditure.

The shared approach to delivery of the community development plan also assists in managing the risk of the City having to take sole responsibility for the achievement of improved social outcomes for the community.

Financial / budget implications

With the draft *Community Development Plan 2015-2020* it is acknowledged that a number of existing projects and activities will be funded from the operational budget of the City.

With regard to new projects, a number are subject to research and investigation to scope the nature and extent of the activities to be undertaken. As such, it is difficult to allocate the preliminary costing for the new projects until the plan has been adopted and implementation commences.

Any new projects and/or activities that emanate from the new community development plan will be encapsulated within the relevant annual business and budgetary planning processes undertaken by the City. This provides for decision-making on resource allocations to be made as part of the overall budget process on an annual basis.

Regional significance

The focus of the draft *Community Development Plan 2015-2020* is on overcoming issues that affect the quality of life of people living, working and visiting the City of Joondalup. It is acknowledged however that some strategies for overcoming these issues may have regional significance.

Sustainability implications

The intent of the new *Community Development Plan 2015-2020* is to deliver sustainable social outcomes for the City's community. Factored into these social outcomes are considerations of both environmental and financial sustainability.

Sustainability is supported by the focus of the new plan on shared responsibility for the development of the City's community and building the capacity of community, sporting and cultural organisations and groups. There is also recognition of other partners such as Commonwealth and State Government agencies as well as the not-for-profit sector.

Consultation

During the course of developing the draft *Community Development Plan 2015-2020* the following consultation and engagement has occurred:

- Elected member input in August 2013.
- Strategic Community Reference Group (SCRG) in December 2013 and June 2014.
- Stakeholder Forums with service providers and key community, sporting and cultural groups in August 2014.

The SCRG was provided with opportunity to provide comment on the draft *Community Development Plan 2015-2020* in late October 2014. The final comments from the SCRG reflected a high level of satisfaction with the direction and content of the draft plan.

Given the extensive consultation and engagement that has already occurred, it is intended that the broader community consultation on the draft plan will involve consultation with identified stakeholders and general public comment via targeted letters and the City's website respectively.

It is proposed that the broader public consultation on the draft *Community Development Plan 2015-2020* take place for a period of 21 days between 20 November and 11 December 2014. A copy of the proposed Community Consultation and Communication Plan is included as Attachment 2.

It should be noted that the final Council meeting for 2014 occurs on 9 December 2014 and the consultation on the draft plan will conclude two days after the December Council meeting. This timeframe allows for the feedback to be collated, changes made if required and the final version of the *Community Development Plan 2015-2020* being presented to Council in early 2015.

COMMENT

The draft *Community Development Plan 2015-2020* has been developed taking account of:

- alignment with *Joondalup 2022*
- a contemporary and holistic approach to community development
- identified current and future challenges facing the City and its community
- recognition of the need for shared responsibility for community development
- extensive engagement with key community stakeholders.

It is intended that the draft *Community Development Plan 2015-2020* will be available for broader public consultation for a period of 21 days between 20 November and 11 December 2014.

Once this consultation process has been undertaken, the final *Community Development Plan 2015-2020* will be presented to Council in early 2015 for endorsement.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Norman that Council ENDORSES the draft *Community Development Plan 2015-2020* for public consultation for a period of 21 days between 20 November and 11 December 2014.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf111114.pdf](#)

CJ211-11/14 ANNUAL PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2014

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	20560
ATTACHMENT	Attachment 1 Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2014 Attachment 2 Capital Works Quarterly Report for the period 1 July – 30 September 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 receive the Annual Plan Quarterly Progress Report for the period 1 July to 30 September 2014.

EXECUTIVE SUMMARY

The Annual Plan contains the major projects and priorities which the City proposes to deliver in the 2014-2015 financial year.

The Annual Plan Quarterly Progress Report provides information on the progress of projects and programs documented in the *Annual Plan 2014-2015*. The Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2014 is shown as Attachment 1 to Report CJ211-11/14.

A Capital Works Quarterly Report, which details all projects within the Capital Works Program, is provided as Attachment 2 to Report CJ211-11/14.

It is therefore recommended that Council RECEIVES:

- 1 the Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2014, shown as Attachment 1 to Report CJ211-11/14;*
- 2 the Capital Works Quarterly Report for the period 1 July – 30 September 2014, shown as Attachment 2 to Report CJ211-11/14.*

BACKGROUND

The City's Corporate Reporting Framework requires the development of an Annual Plan to achieve the objectives of the Strategic Community Plan, and the provision of reports against the Annual Plan to be presented to Council on a quarterly basis.

The City's Annual Plan and quarterly reports are in line with the Department of Local Government and Communities' Integrated Planning Framework which requires planning and reporting on local government activities.

DETAILS

Issues and options considered

The Annual Plan contains a brief description of the key projects and programs that the City proposes to deliver in the 2014-15 financial year. Milestones are set for the key projects and programs to be delivered in each quarter.

The Quarterly Progress Report provides information on progress against the milestones and a commentary is provided against each milestone.

The milestones being reported this quarter are the shaded sections of Attachment 1.

Legislation / Strategic Community Plan / policy implications

Legislation

The *Local Government Act 1995* provides a framework for the operations of Local Governments in Western Australia. Section 1.3 (2) states:

"This Act is intended to result in:

- a) better decision making by local governments;*
- b) greater community participation in the decisions and affairs of local governments;*
- c) greater accountability of local governments to their communities; and*
- d) more efficient and effective government."*

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

The City's Governance Framework recognises the importance of effective communication, policies and practices in Section 7.2.4. Section 10.2 further acknowledges the need for accountability to the community through its reporting framework which enables an assessment of performance against the Strategic Community Plan, Strategic Financial Plan, Annual Plan and Annual Budget.

Risk management considerations

The Quarterly Progress Reports against the Annual Plan provide a mechanism for tracking progress against milestones for major projects and programs.

Financial / budget implications

All projects and programs in the *Annual Plan 2014-2015* were included in the *2014-15 Budget*.

Regional significance

Not applicable.

Sustainability implications

The projects and programs in the Annual Plan are aligned to the key themes in Joondalup 2022 which have been developed to ensure the sustainability of the City.

The key themes are:

- Governance and Leadership
- Financial Sustainability
- Quality Urban Environment
- Economic Prosperity, Vibrancy and Growth
- The Natural Environment
- Community Wellbeing.

Consultation

Not applicable.

COMMENT

The *Annual Plan 2014-2015* was received by Council at its meeting held on 19 August 2014 (CJ138-08/14 refers).

A detailed report on progress of the Capital Works Program has been included with the Annual Plan Quarterly Progress Report. This report provides an overview of progress against all of the projects and programs in the *2014-15 Capital Works Program*.

The Capital Works Quarterly Report includes a column which contains the *percent completed on site* and comments regarding the progress of projects. The majority of projects are in the planning stage, and consequently, the *percent complete* may be zero. This is however typical at the first quarter in the capital works program cycle.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Norman that Council RECEIVES:

- 1 the Annual Plan Quarterly Progress Report for the period 1 July – 30 September 2014, shown as Attachment 1 to Report CJ211-11/14;**
- 2 the Capital Works Quarterly Report for the period 1 July – 30 September 2014, shown as Attachment 2 to Report CJ211-11/14.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf111114.pdf](#)

CJ212-11/14 YELLAGONGA INTEGRATED CATCHMENT MANAGEMENT PLAN 2009-2014 FINAL REVIEW AND NEW PLAN

WARD	All	
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy	
FILE NUMBER	72568	
ATTACHMENT	Attachment 1	Final Review of Yellagonga Integrated Catchment Management Plan 2009-2014
	Attachment 2	Draft Yellagonga Integrated Catchment Management Plan 2014-2019
	Attachment 3	Draft YICM Plan Community Consultation and Communication 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 endorse the draft *Yellagonga Integrated Catchment Management Plan 2014-2019* and release the draft plan for community consultation.

EXECUTIVE SUMMARY

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

The *YICM Plan 2009-2014* contained numerous projects to be implemented over a five year period up to June 2014 that aimed to improve the health of the Yellagonga Catchment Area. The plan included seven joint projects with the City of Wanneroo, seven City of Joondalup individual projects and eleven City of Wanneroo individual projects. This Report includes details of the joint City of Joondalup and City of Wanneroo projects and individual City of Joondalup projects only.

As the *YICM Plan 2009-2014* expired in June 2014, a major review was undertaken to provide a progress report on the implementation of projects within the plan, including joint projects with the City of Wanneroo and individual projects managed by the City of Joondalup over the past five years.

Details of the progress to date for projects within the *YICM Plan 2009-2014* are provided in Attachment 1.

The City of Joondalup, in partnership with the City of Wanneroo, has prepared the draft *Yellagonga Integrated Catchment Management Plan 2014-2019* to ensure an ongoing commitment to conservation of the park by the two Cities. The draft *YICM Plan 2014-2019* is included as Attachment 2.

BACKGROUND

The development of the *YICM Plan 2009-2014* was an action of the City's *Environment Plan 2007-2011: Action 2.2 - Develop and implement a Yellagonga Integrated Catchment Management Plan* to ensure the effective overall management of the water body.

In November 2009, the Cities of Joondalup and Wanneroo jointly endorsed the *YICM Plan 2009-2014* (CJ247-11/09 refers). The plan provided recommendations to improve wetland health through an integrated management process, addressing a range of threats and issues associated with land use activities both past and present that are impacting, or may impact detrimentally on the wetlands within the Yellagonga Regional Park.

In 2010-11 a Memorandum of Understanding and a Management Framework were developed and endorsed by the Cities of Joondalup and Wanneroo to ensure continual commitment to resourcing, implementation, monitoring and reviewing of the *YICM Plan 2009-2014*.

The City has worked in partnership with the City of Wanneroo and in liaison with the Department of Parks and Wildlife (formerly Department of Environment and Conservation), Friends of Yellagonga and Edith Cowan University since 2009 to implement projects within the plan.

The Yellagonga Water Quality Monitoring Program is an ongoing project of the *YICM Plan 2009-2014*. A presentation on the Yellagonga Water Quality Monitoring Program was provided to the Elected Members in August 2014 by Associate Professor Mark Lund, Principal of the Mine Water and Environment Research Centre, School of Natural Sciences, Centre for Ecosystem Management of Edith Cowan University. This presentation was based on the four year overall review of the Yellagonga Wetlands Water Quality Monitoring Program with the intent to provide information on the overall monitoring results, key issues and recommendations.

DETAILS

The *YICM Plan 2009-2014* expired at the end of the 2013-14 financial year. Therefore a major review has been undertaken to determine progress made in implementing projects within the plan. The review has also informed the development of a new plan.

Substantial progress has been made in implementing projects in the *YICM Plan 2009-2014* including the highlights listed below:

Joint Projects (City of Joondalup and City of Wanneroo)

- Management Framework and Memorandum of Understanding
 - A Memorandum of Understanding and Management Framework were developed at the commencement of the YICM Plan to ensure commitment from both Cities to deliver the plan.

- Water Quality Mapping and Monitoring Program
 - Surface water of the Yellagonga Wetlands has been sampled on a monthly basis to determine nutrient and metal levels since 2010 to collate regular water quality data and assess the condition.
 - Further groundwater bores were installed by the City of Joondalup to enable the commencement of the groundwater monitoring program in 2012.
 - Recommendations to research further major pollutant source points and to improve water quality have been investigated or implemented to determine nutrient and metal levels.
 - A four year review was completed of all the research undertaken for the Water Quality Mapping and Monitoring Program.
- Scientific Investigations
 - A research project to further examine source points of nutrient enrichment associated with Beenyup Swamp was completed.
 - The Midge Steering Group in partnership with external stakeholders undertook investigations regarding the installation of 'floating vegetated islands' at Lake Goollelal as a potential water quality improvement initiative.
- Yellagonga Resource Allocation Strategy
 - A gap analysis and Resource Allocation Strategy schedule was prepared in liaison with the Department of Parks and Wildlife. A Yellagonga Catchment Working Group was formed consisting of officers from the Cities of Joondalup and Wanneroo and Department of Parks and Wildlife to progress the delivery of joint initiatives.

City of Joondalup Individual Projects

- Yellagonga Community Awareness Program
 - The Yellagonga Community Awareness Program has been implemented on an annual basis and has included initiatives to raise community awareness of the major issues affecting the Yellagonga Catchment; these have included the Yellagonga School Program, World Wetlands Week initiatives, Fauna Awareness Program, Water Quality Awareness Program, Prevention of Wildlife Feeding Program, Responsible Pet Ownership and Sustainable Gardening Workshops.

- Yellagonga Ecotourism
 - The Yellagonga Ecotourism Program has been implemented on an annual basis and has included initiatives that raise the awareness of cultural and environmental values of the area including fauna spotting, bird watching and Aboriginal cultural heritage tours for community and school groups.
 - Installation of the Yellagonga Interpretive Signage at Neil Hawkins Park and Picnic Cove.
- Stormwater Management Plans
 - Sump upgrades have been undertaken at Neil Hawkins Park and Lakeway Drive (all outfalls within the City's boundaries that discharged directly into the Yellagonga Wetlands have been upgraded).
- Conservation Maintenance Schedule
 - Conservation maintenance of Neil Hawkins Park (including bushland south) and Picnic Cove included weed mapping, ongoing weeding, planting, fencing and litter removal and nesting box installation for Carnaby's Black Cockatoos.
- Water Plan
 - The City has continued to monitor and report monthly on its groundwater use to ensure allocations set by the Department of Water and the targets outlined in the City Water Plan are met. Further water efficiency projects that benefit the Yellagonga Wetlands include soil moisture monitoring, a bore maintenance program, a rain sensor program and irrigation upgrades.

Full details of the progress of projects implemented from the *YICM Plan 2009-2014* have been provided in Attachment 1.

In order to further enhance the conservation of the Yellagonga Catchment Area, the draft *YICM Plan 2014-2019* has been developed. The draft plan provides a holistic and strategic direction for the Cities of Joondalup and Wanneroo to continue to implement a wide range of initiatives aimed to conserve the ecological values of the Yellagonga Regional Park.

A range of threats to the long-term viability of Yellagonga Regional Park are addressed within the plan including the drying climate trend, poor water quality, invasive flora and fauna species, wildfires, disease spread, urban encroachment, remaining traditional stormwater drainage, habitat degradation and fragmentation.

The *Yellagonga Integrated Catchment Management Plan 2014-2019* proposes projects to be implemented over the next five years in order to improve the health of the wetlands and vegetated areas.

Key projects that have been incorporated into the draft *Yellagonga Integrated Catchment Management Plan 2014-2019* include the following:

- Water conservation – investigation of minimum levels of water required in Lake Joondalup and Lake Goollelal to determine if artificial water maintenance is required. Artificial water maintenance could prevent acid sulphate soil exposure and contamination, reduce nutrient enrichment and midge outbreaks. This project would

be implemented in conjunction with Department of Water, Department of Parks and Wildlife and City of Wanneroo.

- Water quality monitoring – continue monitoring of surface and groundwater quality to enhance the understanding of the movements and concentrations of contaminants and recommend actions to improve water quality in Yellagonga Regional Park. This project would be implemented with the City of Wanneroo and Edith Cowan University.
- Vegetated bund – a constructed wetland was previously recommended but this has now been considered unnecessary and has been revised to a vegetated bund in the lake south of Ocean Reef Road to absorb nutrients from drain water entering the lake. A vegetated bund could be made of compacted and bound sand and soil with local native plants on it. The project would be implemented in conjunction with the Department of Parks and Wildlife, City of Wanneroo and Friends of Yellagonga Regional Park.
- Acid sulphate soils management - development of an Acid Sulphate Soils Management Plan to address the confirmed presence of acid sulphate soils in Yellagonga Regional Park. An Acid Sulphate Soils Management Plan is required as per the Department of Environment Regulation guidelines. This project would be implemented with the Department of Parks and Wildlife and the City of Wanneroo.
- Midge nuisance problems – investigate alternatives to short term chemical treatments to control midges and reduce reliance on the current pesticide used, reduce non-target impacts and increase effectiveness. The Midge Steering Group Partnership consists of the City of Joondalup, City of Wanneroo and Department of Parks and Wildlife and there is a formal agreement for managing midge within the wetlands of the Yellagonga Regional Park. The scope of the agreement includes evaluation of alternative intervention strategies for control of midge to reduce the requirement for short term chemical treatments. This agreement is due to reviewed by June 2015.
- Strategic Partnerships Project – enhancing opportunities to work collaboratively with key stakeholders including government and non-government groups (such as Friends of Yellagonga Regional Park) and educational and research organisations. This project also aims to build capacity and gain information relating to best practice approaches to integrated catchment management planning.

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

Risk management considerations

A range of impacts threaten the long-term viability of Yellagonga Regional Park including the drying climate trend, poor water quality, invasive flora and fauna species, wildfires, disease spread, urban encroachment, remaining traditional stormwater drainage, habitat degradation and fragmentation.

The development and implementation of the *YICM Plan 2014-2019* will provide ongoing guidance for the City and its key stakeholders in delivering initiatives that address the threats to the Yellagonga Regional Park and aim to improve the health of the Yellagonga Catchment Area.

Financial / budget implications

Implementation of the *YICM 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 budgets.

A number of new projects within the *YICM Plan 2014-2019* have no additional requirements beyond existing staff resources. New projects that are dependent on outcomes of studies or investigations, such as the vegetated bund construction project will be subject to detailed costing and the City's budget approval process prior to being implemented.

Regional significance

The *YICM Plan 2014-2019* is a joint initiative of the Cities of Joondalup and Wanneroo with projects to be delivered both jointly and individually to protect the wetlands of the Yellagonga Regional Park. Liaison will continue with the third park co-manager, the Department of Parks and Wildlife, and key stakeholders including the Yellagonga Regional Park Community Advisory Committee, Friends of Yellagonga Regional Park and Edith Cowan University.

Sustainability implications

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

Consultation

Following Council endorsement of the draft plan from both of the Cities of Joondalup and Wanneroo, the *Draft YICM Plan 2014-2019* will be released for community consultation for a period of 26 days from 20 November 2014, which is consistent with the City's *Community Consultation and Engagement Policy*. Community consultation will be undertaken in accordance with the Community Consultation and Communication Plan provided in Attachment 3.

COMMENT

The City has made significant progress in implementing projects in the *YICM Plan 2009-2014* including the delivery of a wide range of community awareness and ecotourism

initiatives as well as scientific research to better understand the context of water quality issues within the Yellagonga Catchment. The implementation of these projects has led to increased awareness within the community of the importance of the Yellagonga Catchment Area.

The continuation of water quality monitoring programs has ensured that accurate and consistent water quality data is collected and is available to inform management decisions regarding the Yellagonga Wetlands.

Despite the progress made in implementing the *YICM Plan 2009-2014*, a number of threats and issues remain which pose a serious risk to the health of the Yellagonga Catchment Area. In order to provide ongoing conservation gains across the Yellagonga Catchment Area, further long term management strategies are required as well as commitment and collaboration from the Cities of Joondalup and Wanneroo and the Department of Parks and Wildlife.

The *Yellagonga Integrated Catchment Management Plan 2014-2019* provides the park's co-managers with the strategic direction required to manage the catchment area in a sustainable manner to ensure the long term protection of the park for future generations.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Chester, SECONDED Cr Corr that Council ENDORSES the release of the draft *Yellagonga Integrated Catchment Management Plan 2014-2019*, included as Attachment 2 to Report CJ212-11/14, for a period of 26 days community consultation commencing 20 November 2014 and extending to 16 December 2014.

The Motion was Put and

CARRIED (12/0)

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

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf111114.pdf](#)

CJ213-11/14 FENCING LOCAL LAW 2014 - ADOPTION

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	08475
ATTACHMENT	Attachment 1 Summary of submissions Attachment 2 <i>City of Joondalup Fencing Local Law 2014</i> (official version without notes) Attachment 3 <i>City of Joondalup Fencing Local Law 2014</i> (unofficial version with notes) Attachment 4 Comparison matrix
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to note the submissions received and the City's responses on the proposed *City of Joondalup Fencing Local Law 2014*, and resolve to make the local law.

EXECUTIVE SUMMARY

At its meeting held on 19 August 2014 (CJ133-08/14 refers), Council resolved to commence the local law-making process and that the proposed *City of Joondalup Fencing Local Law 2014* be advertised for public consultation.

In accordance with section 3.12(3) of the *Local Government Act 1995* the City publicly advertised the proposed local law for a period of six weeks and forwarded a copy of the local law to the Minister for Local Government, as well as a copy to the Minister for Commerce.

At the close of the public consultation period the City had received one submission, from the Department of Local Government and Communities.

It is therefore recommended that Council:

- 1 *NOTES the submission received for the proposed City of Joondalup Fencing Local Law 2014, as detailed in Attachment 1 to Report CJ213-11/14;*
- 2 *BY AN ABSOLUTE MAJORITY MAKES the City of Joondalup Fencing Local Law 2014 as detailed in Attachment 2 to Report CJ213-11/14;*
- 3 *NOTES the progression of the remaining actions to finalise the local law adoption process as detailed in sections 3.12 and 3.15 of the Local Government Act 1995.*

BACKGROUND

At its meeting held on 9 February 1999 (CJ02-02/99 refers), the Joint Commissioners adopted the *City of Joondalup Private Property Local Law 1998*. The local law contained provisions relating to the regulation, control and management of fencing (among other things) within the district. The current local law was published in the *Government Gazette* on 8 March 1999 and has been in operation since 22 March 1999 (14 days after its publication in the *Government Gazette*).

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

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

At its meeting held on 19 August 2014 (CJ133-08/14 refers), Council resolved to make the *City of Joondalup Fencing Local Law 2014* for the purposes of public advertising.

DETAILS

The purpose of the *City of Joondalup Fencing Local Law 2014* is to prescribe a sufficient fence and the standard for the construction of fences throughout the district.

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

The comments received from the Department of Local Government and Communities, and the City's responses to those comments are provided in Attachment 1. Where changes have been supported they have been included in the local law submitted to Council for adoption (Attachment 2 refers).

The majority of the comments related to formatting and were not considered material to the outcome of the application of the local law.

Issues and options considered

Council can either:

- make the *City of Joondalup Fencing Local Law 2014* as presented
- make the *City of Joondalup Fencing Local Law 2014* as proposed with amendments
or
- decline to make the *City of Joondalup Fencing Local Law 2014* and retain the existing local law.

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

Legislation / Strategic Community Plan / policy implications

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

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Not applicable.

Policy *Subdivision and Dwelling Development Adjoining Areas of Public Space Policy.*

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

Risk management considerations

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

Financial / budget implications

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

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The development of local laws requires statutory advertising and consultation with member of the public throughout the local law-making process. Consultation in respect of making this local law included:

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

COMMENT

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

Following the public comment period and consideration of those matters identified, the local law has been amended slightly to that which was adopted by Council for the purposes of public advertising. Notwithstanding, the changes to the local law are not considered significant to require the City to recommence the local law-making process.

In view of this, it is recommended that Council makes the local law and undertakes the required action under the *Local Government Act 1995* to enable the local law to come into effect.

VOTING REQUIREMENTS

Absolute Majority.

MOVED Cr Fishwick, SECONDED Cr Amphlett that Council:

- 1** NOTES the submission received for the proposed *City of Joondalup Fencing Local Law 2014*, as detailed in Attachment 1 to Report CJ213-11/14;
- 2** BY AN ABSOLUTE MAJORITY MAKES the *City of Joondalup Fencing Local Law 2014* as detailed in Attachment 2 to Report CJ213-11/14;
- 3** NOTES the progression of the remaining actions to finalise the local law adoption process as detailed in sections 3.12 and 3.15 of the *Local Government Act 1995*.

The Motion was Put and

CARRIED (12/0)

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

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf111114.pdf](#)

Disclosure of interest affecting impartiality.

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ214-11/14 – Appointment of Strategic Community Reference Group Member.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Some of the nominees are known to Mayor Pickard.

Name/Position	Cr John Chester.
Item No./Subject	CJ214-11/14 – Appointment of Strategic Community Reference Group Member.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	One of the nominees is known to Cr Chester as a fellow member of the Department of Parks and Wildlife Community Advisory Committee for the Yellagonga Regional Park.

Name/Position	Cr Philippa Taylor.
Item No./Subject	CJ214-11/14 – Appointment of Strategic Community Reference Group Member.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	One of the nominees is known to Cr Taylor.

Name/Position	Cr Sam Thomas.
Item No./Subject	CJ214-11/14 – Appointment of Strategic Community Reference Group Member.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Two of the nominees are known to Cr Thomas.

CJ214-11/14 APPOINTMENT OF STRATEGIC COMMUNITY REFERENCE GROUP MEMBER

WARD	North-Central
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	102605
ATTACHMENT	Attachment 1 Terms of Reference Attachment 2 (Confidential) Nominations <i>(Please Note: This attachment is confidential and will appear in the official Minute Book only)</i>
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 appoint a community representative to the Strategic Community Reference Group, representing the North-Central Ward.

EXECUTIVE SUMMARY

At its meeting held on 16 September 2014 (CJ160-09/14 refers), Council adopted a new 2014-15 Work Plan for the Strategic Community Reference Group and authorised advertising of an expression of interest process to fill the vacant North-Central Ward position.

All resident/ratepayer associations located within the suburbs of Ocean Reef, Mullaloo, Heathridge and Edgewater were invited to nominate for the Strategic Community Reference Group. Advertisements were also placed in the local community paper and on the City's website to seek interest from the broader North-Central Ward community.

The nomination period was open for two weeks throughout the month of October, in which three nominations were received. Council is now requested to give consideration to the nominations provided at Attachment 2 of Report CJ214-11/14 and subsequently appoint one community representative to fill the vacant North-Central Ward position on the Strategic Community Reference Group.

BACKGROUND

In 2012, Council established a Strategic Community Reference Group as a new participation mechanism for the external provision of advice to Council. The group consists of appointed community representatives from each ward, Elected Members and seconded experts utilised on an as-needs basis.

In August 2014, the City received a resignation from the North-Central Ward community representative. At its meeting held on 16 September 2014 (CJ160-09/14 refers), Council adopted a new 2014-15 Work Plan for the Strategic Community Reference Group and authorised advertising of an expression of interest process to fill the vacant North-Central Ward position.

This report presents the nominations received from the expression of interest process in order for Council to appoint a new community representative to the reference group.

DETAILS

Public advertising of the expression of interest process commenced on 26 September 2014 and closed on 13 October 2014. Notices were placed on the City's website and in the local newspaper. A letter of invitation was also sent directly to all North-Central Ward-based resident/ratepayer associations, providing an opportunity for active community members to offer their nomination on the Strategic Community Reference Group.

A total of three nominations were received from community representatives. These nominations have been forwarded to Elected Members under separate cover.

Issues and options considered

The Council is requested to assess the nominations and appoint one community representative for the North-Central Ward.

The following options are available to the Council:

- accept all nominations to date and appoint a North-Central Ward community representative from that pool of nominations
or
- not accept the nominations and re-commence the expression of interest process.

Option 1 is the recommended option based on the quality of the nominations received in the expression of interest process recently completed.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Active democracy.

Strategic initiative

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

Policy Not applicable.

Risk management considerations

Should Council choose not to appoint a community representative from the nominations received, there is a risk that extending the period for nominations may elicit low levels of interest and potentially disenfranchise those that have already submitted an application.

Financial / budget implications

Public advertising for the expression of interest process was absorbed within existing operational costs.

Regional significance

Not applicable.

Sustainability implications

The Strategic Community Reference Group provides advice to the Council on a variety of strategic matters, with the aim of influencing and contributing to increased sustainable outcomes for the City. To date, the group has considered planning reviews pertaining to environmental, crime and community safety and community development matters.

Consultation

The Strategic Community Reference Group is a mechanism for community engagement on strategic issues.

COMMENT

There have been no enquiries received by the City regarding further nomination opportunities and it is considered that a satisfactory number and suitable quality of nominations has been received to enable Council to appoint community representative members to the Strategic Community Reference Group.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council APPOINTS one community representative for the North-Central Ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 2 to Report CJ214-11/14.

MOVED Cr Taylor, SECONDED Cr Thomas that Council APPOINTS Mr Wes Buzza as the community representative for the north-central ward from the list of persons who nominated for the Strategic Community Reference Group as detailed in Attachment 2 to Report CJ214-11/14.

The Motion was Put and

CARRIED (12/0)

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

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf111114.pdf](#)

CJ215-11/14 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	15876
ATTACHMENT	Attachment 1 Documents executed by affixing the Common Seal for the period 2 October 2014 to 8 October 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 2 October 2014 to 8 October 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 2 October 2014 to 8 October 2014 executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ215-11/14.

BACKGROUND

During the period 2 October 2014 to 8 October 2014, six documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
District Planning Scheme No. 2 Amendment No. 74	1
Withdrawal of Caveat	1
Surrender of Easement	2
Grant of Easement	2

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

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

Policy Not applicable.

Risk management considerations

Not applicable.

Financial/budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Norman that Council NOTES the Schedule Of Documents covering the period 2 October 2014 to 8 October 2014, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ215-11/14.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf111114.pdf](#)

CJ216-11/14 LIST OF PAYMENTS DURING THE MONTH OF SEPTEMBER 2014

WARD	All	
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services	
FILE NUMBER	09882	
ATTACHMENT	Attachment 1	Chief Executive Officer's Delegated Municipal Payment List for the month of September 2014
	Attachment 2	Chief Executive Officer's Delegated Trust Payment List for the month of September 2014
	Attachment 3	Municipal and Trust Fund Vouchers for the month of September 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 September 2014.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of September 2014 totalling \$19,622,621.93.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for September 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 Report CJ216-11/14, totalling \$19,622,621.93.

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 September 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 99269 –99468 & EF042670 –EF043371 Net of cancelled payments	\$12,980,831.96
	Vouchers 1331A -1336A & 1338A & 1342A -1343A	\$6,606,038.97
Trust Account	Trust Cheques & EFT Payments 206521–206561&TEF00003– TEF00015 Net of cancelled payments	\$35,751.00
Total		\$19,622,621.93

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 *2014-15 Annual Budget* as adopted by Council at its meeting held on 24 June 2014 (CJ080-06/14 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Norman that Council NOTES the Chief Executive Officer's list of accounts for September 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 Report CJ216-11/14, totalling \$19,622,621.93.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf111114.pdf](#)

CJ217-11/14 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2014

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

PURPOSE

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

EXECUTIVE SUMMARY

At its meeting held on 24 June 2014 (CJ080-06/14 refers), Council adopted the Annual Budget for the 2014-15 Financial Year. The figures in this report are compared to the Adopted Budget.

The September 2014 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$7,096,446 for the period when compared to the 2014-15 Adopted Budget.

The variance can be summarised as follows:

The operating surplus is \$635,173 higher than budget, made up of higher operating revenue \$387,025 and lower operating expenditure of \$248,148.

Operating revenue is higher than budget on Contributions, Reimbursements and Donations \$219,960, Interest Earnings \$158,256, Grants and Subsidies \$6,632, Profit on Asset Disposals \$100,815 and Other Revenue \$11,097 offset by lower revenue for Rates \$46,767 and Fees and Charges \$62,966.

Operating Expenditure is higher than budget on Employee Costs \$207,906 and Depreciation and Amortisation \$2,064,586. These are offset by lower than budget expenditure on Materials and Contracts \$2,324,925, Insurance Expenses \$34,787, Utilities \$159,219, Loss on Asset Disposals \$1,345 and Interest Expenses \$364.

The Capital Surplus is \$4,583,501 higher than budget primarily owing to lower than budgeted expenditure on Capital Works \$3,226,403 and Capital Projects \$600,286 as well as higher revenue from Capital Grants and Subsidies \$951,459 and Capital Contributions

\$5,000. These are partially offset by higher expenditure on Motor Vehicle Replacements \$62,332 and unbudgeted Tamala Park Development Costs \$137,314.

Further details of the material variances are contained in Appendix 3 of the Attachment to Report CJ217-11/14.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 30 September 2014 forming Attachment 1 to Report CJ217-11/14.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* requires a monthly Financial Activity Statement. At its meeting held on 11 October 2005 (CJ211-10/05 refers), Council approved to accept the monthly Financial Activity Statement according to nature and type classification.

DETAILS

Issues and options considered

The Financial Activity Statement for the period ended 30 September 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

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

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

Consultation

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

COMMENT

All expenditure included in the Financial Activity Statement are incurred in accordance with the provisions of the 2014-15 Adopted Budget or have been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, **SECONDED** Cr Norman that Council **NOTES** the Financial Activity Statement for the period ended 30 September 2014 forming Attachment 1 to Report CJ217-11/14.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf111114.pdf](#)

CJ218-11/14 TENDER 029/14 - CLEANING OF STORMWATER DRAINAGE PIPES AND STRUCTURES

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	104367
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 Drainflow Services Pty Ltd for the cleaning of stormwater drainage pipes and structures.

EXECUTIVE SUMMARY

Tenders were advertised on 13 September 2014 through statewide public notice for the cleaning of stormwater drainage pipes and structures for a period of three years. Tenders closed on 1 October 2014. A submission was received from each of the following:

- Riverjet Pty Ltd trading as Riverjet Pipeline Solutions.
- The Trustee for Rico Family Trust trading as Solo Resource Recovery.
- Drainflow Services Pty Ltd.
- Transpacific Industrial Solutions Pty Ltd.
- Western Maze Pty Ltd trading as Western Educting Services.

The submission from Drainflow Services Pty Ltd represents best value to the City. The company demonstrated a thorough understanding of the required tasks. It has been providing similar services to local governments including the Cities of Wanneroo, Gosnells, Stirling and Belmont. Drainflow Services has sufficient capacity and industry experience to undertake the works for the City.

It is therefore recommended that Council ACCEPTS the tender submitted by Drainflow Services Pty Ltd for the cleaning of stormwater drainage pipes and structures as specified in Tender 029/14 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).

BACKGROUND

The City has a requirement for the cleaning of stormwater drainage pipes and structures including stormwater pollutant traps and pits of sand, silt and other deleterious materials.

The City currently has a single contract for the cleaning of stormwater drainage pipes and structures with Riverjet Pty Ltd trading as Riverjet Pipeline Solutions which expires on 23 November 2014.

Tender assessment is based on the best value for money concept. Best value is determined after considering whole of life costs, fitness for purpose, respondents' experience and performance history, productive use of City resources and other environmental or local economic factors.

DETAILS

Tenders were advertised on 13 September 2014, through statewide public notice, for the cleaning of stormwater drainage pipes and structures for a period of three years. The tender period was for two weeks and tenders closed on 1 October 2014.

Tender Submissions

A submission was received from each of the following:

- Riverjet Pty Ltd trading as Riverjet Pipeline Solutions.
- The Trustee for Rico Family Trust trading as Solo Resource Recovery.
- Drainflow Services Pty Ltd.
- Transpacific Industrial Solutions Pty Ltd.
- Western Maze Pty Ltd trading as Western Educting Services.

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.

Evaluation Method and Weighting

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	50%
2	Demonstrated experience in providing similar services	25%
3	Demonstrated understanding of the required tasks	20%
4	Social and economic effects on the local community	5%

Compliance Assessment

The following submissions were assessed as compliant:

- Riverjet Pty Ltd trading as Riverjet Pipeline Solutions.
- The Trustee for Rico Family Trust trading as Solo Resource Recovery.
- Drainflow Services Pty Ltd.
- Transpacific Industrial Solutions Pty Ltd.

The submission from Western Maze Pty Ltd trading as Western Educting Services was assessed as partially compliant. Western Educting Services did not have the level of insurance coverage required for public liability. The submission was included for further assessment on the basis that clarifications could be sought from Western Educting Services, if shortlisted for consideration.

Qualitative Assessment

Western Educting Services scored 40.5% and was ranked fifth in the qualitative assessment. It demonstrated an understanding of the required tasks. It submitted limited information to demonstrate experience and the capacity to provide the services. It stated it has over the years done work for local governments including the Cities of South Perth and Melville and the Shire of Mundaring but did not provide sufficient information on scope of works and dates of when works were carried out for these organisations.

Transpacific Industrial Solutions scored 41.5% and was ranked fourth in the qualitative assessment. The company has demonstrated experience in providing similar services for various clients including Downer Mouchel, Chevron, Alcoa and the City of South Perth. However, only two of these works were of a similar nature of which one was a small project for a one month period. It did not submit sufficient information to demonstrate its understanding of the required tasks. The panel is not confident Transpacific Industrial Solutions has the capacity required to provide the services. The company provided details of two key personnel only and limited information on its structure of business in WA.

Drainflow Services Pty Ltd scored 60.6% and was ranked third in the qualitative assessment. The company has sufficient capacity and industry experience to undertake the works for the City. It has been providing similar services to local governments including the Cities of Wanneroo, Gosnells, Stirling and Belmont. It demonstrated a thorough understanding of the required tasks.

Solo Resource Recovery scored 72% and was ranked second in the qualitative assessment. It has demonstrated experience in providing similar services. Examples of works were provided and these included drainage cleaning for the Cities of South Perth and Stirling, Cleartech and Water Corporation of WA. It demonstrated a sound understanding of the required tasks. Solo Resource Recovery has the capacity to provide the services.

Riverjet Pipeline Solutions scored 77.6% and was ranked first in the qualitative assessment. The company has the capacity and industry experience to provide the services. It is currently undertaking similar services for local governments including the Cities of Cockburn, Canning, Stirling and Joondalup. It demonstrated a thorough understanding and appreciation of the City's requirements.

Given the minimum acceptable qualitative score of 60%, Riverjet Pipeline Solutions, Solo Resource Recovery and Drainflow Services Pty Ltd qualified for stage two of the assessment.

Price Assessment

The panel carried out a comparison of the submitted rates offered by those that passed the stage one evaluation 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. Any future requirements will be based on demand and subject to change in accordance with the operational needs of the City.

The rates are fixed for the first year of the contract, but are subject to a price variation in years two and three of the contract to a maximum of the CPI for the preceding year. For estimation purposes, a 3.5% CPI increase was applied to the rates in years two and three.

Tenderer	Year 1	Year 2	Year 3	Total
Riverjet Pipeline Solutions	\$174,585	\$180,695	\$187,020	\$542,300
Solo Resource Recovery	\$251,326	\$260,122	\$269,226	\$780,674
Drainflow Services Pty Ltd	\$141,072	\$146,010	\$151,120	\$438,201

During 2013-14, the City incurred \$189,167 for the cleaning of stormwater drainage pipes and structures.

Evaluation Summary

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

Tenderer	Price Ranking	Estimated Total Contract Price	Qualitative Ranking	Weighted Percentage Score
Riverjet Pipeline Solutions	2	\$542,300	1	77.6%
Solo Resource Recovery	3	\$780,674	2	72.0%
Drainflow Services Pty Ltd	1	\$438,201	3	60.6%
Transpacific Industrial Solutions Pty Ltd	Not Assessed - Failed to meet the acceptable qualitative score			41.5%
Western Educting Services	Not Assessed - Failed to meet the acceptable qualitative score			40.5%

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

While Riverjet Pipeline Solutions and Solo Resource Recovery scored 77.6% and 72% and were ranked first and second in the qualitative assessment, both were more expensive by 24% (\$104,099) and 78% (\$342,473), respectively, when compared to Drainflow Services.

Issues and options considered

The City has a requirement for the cleaning of stormwater drainage pipes and structures including stormwater pollutant traps and pits of sand, silt and other deleterious materials. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

Legislation / Strategic Community Plan / policy implications

Legislation A statewide public tender was advertised, opened and evaluated in accordance with clauses 11(1) and 18(4) 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 The Natural Environment.

Objective Environmental resilience.

Strategic initiative Demonstrate current best practice in environmental management for local water, waste, biodiversity and energy resources.

Policy *Stormwater Management Policy.*

Risk management considerations

Should the contract not proceed, the risk to the City will be high as the City will not be able to maintain the drainage pipes and structures cleaning program.

It is considered that the contract will represent a low risk to the City as the recommended tenderer has industry experience and sufficient capacity to provide the services to the City.

Financial / budget implications

Account no.	Various accounts.
Budget Item	Cleaning of stormwater drainage pipes and structures.
Budget amount	\$195,788
Amount spent to date	\$ 23,925
Proposed cost	\$ 82,292
Balance	\$ 89,571

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

The services are an integral component in maintaining the City's storm water drainage systems and reducing the risk of flooding.

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 Drainflow Services Pty Ltd represents best value to the City.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Norman that Council that Council ACCEPTS the tender submitted by Drainflow Services Pty Ltd for the cleaning of stormwater drainage pipes and structures as specified in Tender 029/14 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf111114.pdf](#)

Disclosure of interest affecting impartiality.

Name/Position	Cr Geoff Amphlett, JP.
Item No./Subject	CJ219-11/14 - Sports Development Program - Round 1 - 2014-15.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Amphlett's brother is the Secretary of ECU Joondalup Soccer Club.

CJ219-11/14 SPORTS DEVELOPMENT PROGRAM - ROUND 1 - 2014-15

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	58536
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 consider funding applications for the City's 2014-15 Sports Development Program – Round One.

EXECUTIVE SUMMARY

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

The City received two applications in round one of the *2014-15 Sports Development Program* from the Stirling Senators Basketball Club (Churches of Christ) and the ECU Joondalup Soccer Club.

A panel convened to assess the application has recommended that both the Stirling Senators Basketball Club and ECU Joondalup Soccer Club projects be supported.

It is therefore recommended that Council APPROVES:

- 1 *a grant of \$20,000 to the Stirling Senators Basketball Club for their Elite Pathways Development program, subject to the club entering into a formal funding agreement with the City of Joondalup;*
- 2 *a grant of \$20,000 to the ECU Joondalup Soccer Club for their Pathway to Soccer Success program subject to:*
 - 2.1 *The club completing the acquittal for their 2011-12 Sports Development Program funding grant by 31 December 2014;*
 - 2.2 *The club entering into a formal funding agreement with the City of Joondalup.*

BACKGROUND

At its meeting held on 11 June 2002 (CJ136-06/02 refers), Council resolved to establish a sporting club support scheme whereby assistance can, upon application, be made available to district level clubs in lieu of individual sponsorship support. The City's *Community Funding Policy* was amended by Council at its meeting held on 21 August 2012 (CJ170-08/12 refers).

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

DETAILS

The City received two applications for round one of the 2014-15 Sports Development Program. The applications were from the Stirling Senators Basketball Club and the ECU Joondalup Soccer Club.

Stirling Senators Basketball Club

The Stirling Senators Basketball Club submitted an application that sought support for an Elite Pathways Development program which the club intends to run from November 2014 to November 2016. The proposed project will create and implement direct pathways for players to be identified at the domestic level enabling progression to the elite level.

Stirling Senators Basketball Club has over 2,000 members (majority are junior members) and provides domestic basketball competitions and elite teams. The club operates from Warwick Leisure Centre, Warwick.

The key outcomes of the Elite Pathways Development program include the following:

- Establish connection between community school coaching and domestic competition.
- Grow in competitive nature and increase numbers of domestic competition.
- Establish clear pathways from domestic competition to elite levels of basketball.
- WABL elite play program.
- Coaching development program.

A panel of City officers met on 18 September 2014 to assess this application and determined that while the Elite Pathways Development program met the criteria of the funding program, further information was required to fully assess the application.

Further clarity regarding the project budget, missing quotes, a letter of support from Basketball WA and additional information on the objectives and outcomes of the project was sought. The club was provided additional time beyond the closing date to provide this information. The further information was submitted by the club and met the requirements of the funding program.

The costs of the program are itemised in the following table:

	Amount Requested from the City	Amount Recommended by the City
• Coaching Level 1 courses	\$4,000	\$4,000
• Elite Saturday Morning Coaching & Player development training Court Hire	\$2,750	\$2,750
• Elite Saturday Morning Coaching Payment – SBL Coach and guest coaches	\$3,663	\$3,663
• Basketballs	\$5,500	\$5,500
• Implementation and design online coaching resources	\$1,049	\$1,049
• Design and Implementation of marketing strategy and resources for effective pathways for coaching	\$1,038	\$1,038
• Administration	\$2,000	\$2,000
Total	\$ 20,000	\$20,000

The Stirling Senators Basketball Club has previously received a Sports Development Program grant from the City in 2011-12 and 2009-10. These grants have been acquitted.

ECU Joondalup Soccer Club

The ECU Joondalup Soccer Club submitted an application that sought support for their Pathway to Soccer Success program which the club intends to run from January 2015 to September 2017. The proposed project will appoint qualified coaching directors to improve player development by providing specialised clinics for juniors in the Joondalup community.

ECU Joondalup Soccer Club has over 600 members (111 junior members) and provides elite teams in the National Premier League divisions for juniors and seniors. The club operates from ECU Sports Centre, Joondalup.

The key outcomes of the Pathway to Soccer Success program include the following:

- Provide community soccer clinics.
- ECU Elite Player coaching program.
- Employ Technical Director and qualified coaches.
- Purchase equipment to undertake the clinics.

A panel of City officers met on 18 September 2014 to assess this application and determined that the Pathways to Soccer Success concept was supported, however, there was significant information missing from the application.

Further clarity regarding the project budget, missing quotes, strategic plan, authorised financial statements, a letter of support from Football West and additional information on the objectives and outcomes of the project was sought. The club was provided additional time beyond the closing date to provide this information. The further information was submitted by the club and the panel determined the application met the criteria of the funding program.

The costs of the program are itemised in the following table:

	Amount Requested from the City	Amount Recommended by the City
• COJ Community clinics	\$5,000	\$5,000
• Technical Director Salary	\$5,000	\$5,000
• Equipment for clinics	\$5,000	\$5,000
• Elite Player Program	\$5,000	\$5,000
Total	\$ 20,000	\$20,000

The ECU Joondalup Soccer Club has previously received a Sports Development Program grant from the City in 2011-12 and 2006-07. The 2006-07 grant has been acquitted.

The acquittal of the 2011-12 grant was submitted prior to the current grant application and City officers are working with the club to finalise the acquittal. It is suggested that approval for this current funding application is subject to the club completing the 2011-12 acquittal prior to 31 December 2014.

Issues and options considered

The Council may:

- approve each application for the Sports Development Program separately
or
- not approve each application for the Sports Development Program separately.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Community spirit.

Strategic initiative

- Support and encourage opportunities for local volunteering.
- Promote the sustainable management of local organisations and community groups.
- Support and facilitate the development of community leaders.

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

Risk management considerations

Due to the transient nature of sporting club committees it is possible that a club would find it difficult to maintain and provide reasonable information to complete an acquittal to the standard required in the funding agreement.

This risk is managed by the City being proactive in maintaining contact with sporting clubs who have outstanding grant acquittals to ensure they are completed on time and with the relevant evidence and information.

Financial / budget implicationsCurrent financial year impact

Account no.	1.443.A4409.3293.4023
Budget Item	Sponsorship.
Budget amount	\$90,000
Amount spent to date	\$ 0
Proposed cost	\$40,000
Balance	\$50,000

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

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

Consultation

Not applicable.

COMMENT

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Norman that Council that Council APPROVES:

- 1 a grant of \$20,000 to the Stirling Senators Basketball Club for their Elite Pathways Development program, subject to the club entering into a formal funding agreement with the City of Joondalup;**
- 2 a grant of \$20,000 to the ECU Joondalup Soccer Club for their Pathway to Soccer Success program subject to:**
 - 2.1 the club completing the acquittal for their 2011-12 Sports Development Program funding grant by 31 December 2014;**
 - 2.2 the club entering into a formal funding agreement with the City of Joondalup.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

CJ220-11/14 ADOPTION OF COMMUNITY SAFETY AND CRIME PREVENTION PLAN 2014 – 2018

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	63511
ATTACHMENT	Attachment 1 Draft <i>Community Safety and Crime Prevention Plan 2014-2018</i> Attachment 2 Community Consultation 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 adopt the City's draft *Community Safety and Crime Prevention Plan 2014-2018*, following the completion of a public consultation process.

EXECUTIVE SUMMARY

In September 2014 (*CJ168-09/14 refers*), Council approved the release of the revised draft *Community Safety and Crime Prevention Plan 2014-2018*, as shown in Attachment 1, for public comment. The City has received no feedback as a result of this process.

It is therefore recommended that Council ADOPTS the draft Community Safety and Crime Prevention Plan 2014-2018, as shown in Attachment 1 to Report CJ220-11/14.

BACKGROUND

At its meeting held on 19 November 2013 (*CJ222-11/13 refers*), Council considered the draft *Community Safety and Crime Prevention Plan 2014-2018* following its development on the advice of the City's Strategic Community Reference Group (SCRG).

Council subsequently referred the draft plan back to the Chief Executive Officer to re-engage the SCRG on the incorporation of an overarching 'towards zero' crime prevention philosophy within the document. Amendments were subsequently made to the draft plan that aligned with a 'towards zero' philosophy, which the SCRG considered and endorsed.

At its meeting held on 16 September 2014 (*CJ168-09/14*), Council approved release of the draft *Community Safety and Crime Prevention Plan 2014-2018* for community consultation.

DETAILS

The public consultation process was conducted between 26 September and 20 October 2014. It was undertaken in accordance with the approved Community Consultation Plan, as shown in Attachment 2.

Advertising of the draft plan was provided in the *Joondalup Voice* and on the City's website throughout the duration of the consultation period.

The City received no submissions as a result of the community consultation process.

Issues and options considered

Council can either:

- adopt the draft *Community Safety and Crime Prevention Plan 2014-2018* as presented
- adopt the draft *Community Safety and Crime Prevention Plan 2014-2018* as presented with amendments
or
- not adopt the draft *Community Safety and Crime Prevention Plan 2014-2018* as presented.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective

- Community safety.
- Community spirit.

Strategic initiative

- Deliver a program of community-based events and education that encourage social interaction within local neighbourhoods.
- Build a community that works in partnership with government and non-government organisations to achieve real and long-lasting improvement in safety and wellbeing.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Many of the strategies listed in the draft *Community Safety and Crime Prevention Plan 2014-2018* are existing projects that are already funded annually or if identified as new, would likely be delivered through existing operational resources.

Where further investigations into the implementation of new strategies are required, consideration of costs will be determined through the annual *Corporate Business Plan* review process and submitted to Council for consideration.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The draft *Community Safety and Crime Prevention Plan 2014-2018* has previously been considered by Council and the SCRG. A public consultation process was undertaken between 26 September and 20 October 2014.

COMMENT

The City is satisfied that the advice and input received from the SCRG in the development of the draft *Community Safety and Crime Prevention Plan 2014-2018* was of a high standard and reflective of the expert knowledge and experience of the group members.

Attempts to further engage the broader community on the draft plan did not result in any submissions being received by the City. As such, it is considered appropriate that Council adopts the draft *Community Safety and Crime Prevention Plan 2014-2018* to enable its integration into future business planning process and effective implementation.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, **SECONDED** Cr Norman that Council that Council **ADOPTS** the Draft *Community Safety And Crime Prevention Plan 2014-2018*, as shown in Attachment 1 to Report CJ220-11/14.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ221-11/14, page 81 refers.

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

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf111114.pdf](#)

CJ221-11/14 PETITION OF ELECTORS REQUESTING SHADE SAILS TO BE ERECTED OVER THE PLAY SPACE ON MAWSON PARK, HILLARYS

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	06098
ATTACHMENT	Attachment 1 Mawson Park aerial map Attachment 2 Option 2 Attachment 3 Option 3 Attachment 4 Option 4
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 petition requesting the installation of shade sails over the original large play space located to the south west of the lake on Mawson Park, Hillarys.

EXECUTIVE SUMMARY

A petition of electors was received by Council at its meeting held on 20 May 2014 (C19-05/14 refers). The petition requested that the Council erect shade sails over the larger of the two playground areas at Mawson Park, Hillarys.

Mawson Park, Hillarys is located within the south-west ward with approximately 89,119m² (8.9ha) of irrigated parkland. Features within Mawson Park include a natural lake, two separate play grounds, BBQ and picnic facilities, toilet and change rooms, a lit sporting oval and connecting path network (Attachment 1 refers).

The original play space covers an area of 965m² comprising 781m² of rubber soft fall. The play equipment installed in 2008 includes:

- agility combination unit
- play station
- action zone
- drums
- micro spida net
- amazon combination unit
- three bay swings
- double rocker
- spring horse.

The City has maintained a preference for natural shade over built shade structures and implemented the Playground Tree Planting City Wide program to provide shade in play spaces in 2010-11. All new and replacement play equipment installations are located under existing shade trees where possible.

The current *Parks and Public Open Spaces Classification Framework* (PPOSCF) makes no mention of artificial shade installation. The revised PPOSCF, adopted as a management guideline to assist in the planning and provision of park and public open space assets, does not support artificial shade installations. It lists them as optional and the circumstances in which artificial shade structures should be considered within parks is to cover large play spaces that cannot be effectively shaded naturally, or are spaces which experience frequent, ongoing use from community groups and organisations.

Since completion of the original large play space on Mawson Park in 2008, many requests have been received from the public for a built shade structure over the equipment and large expanse of rubber soft fall.

Current bookings for informal and formal use confirm high patronage of Mawson Park and it can be demonstrated that the Mawson Park large play space would benefit from additional shade for both users and longevity of the play space infrastructure.

The existing layout of the large play space lends itself to modification by relocating existing play equipment to take advantage of the existing shade trees plus undertake further tree planting in strategic locations within and around the play space. Option 2 (Attachment 2 refers), is considered a viable solution in Mawson Park where there is considerable existing shade and other play options available.

It is therefore recommended that Council:

- 1 *DOES NOT SUPPORT the installation of a built shade structure on the large play space in Mawson Park, Hillarys;*
- 2 *SUPPORTS Option 2, the relocation of existing items of play equipment, into the existing sand play area under existing shade and undertake tree planting in strategic locations;*
- 3 *APPROVES listing for consideration in the 2015-16 Capital Works Program, the relocation of existing play equipment and associated works estimated at \$40,000;*
- 4 *ADVISES the lead petitioner of Council's decision.*

BACKGROUND

A petition of electors, including 192 eligible signatures, was received by Council at its meeting held on 20 May 2014 (C19-05/14 refers). The petition requested that the Council erect shade sails over the larger of the two playground areas at Mawson Park in Hillarys.

In support of the request, the lead petitioner has suggested that Mawson Park regularly hosts community events and the play space is one of the biggest and most popular within the City of Joondalup. The play equipment and rubber soft fall gets too hot for use for the majority of the day during summer months and adequate protection is not provided by the existing mature trees.

The City issued a media release on 26 May 2014 acknowledging that Mawson Park is one of the City's busiest parks enjoyed by families all year round and notwithstanding the City's position on the provision of natural shade in preference to artificial shade, the viability of providing shade structures at some of the bigger regional playgrounds would be investigated.

Mawson Park, Hillarys is located within the south-west ward with approximately 89,119m² (8.9ha) of irrigated parkland. Features within Mawson Park include a natural lake, two separate play grounds, BBQ and picnic facilities, toilet and change rooms, a lighted sporting oval and connecting path network (Attachment 1 refers).

The original play space covers an area of 965m² comprising 781m² of rubber soft fall. The play equipment installed in 2008 includes:

- agility combination unit
- play station
- action zone
- drums
- micro spida net
- amazon combination unit
- three bay swings
- double rocker
- spring horse.

In the City's current PPOSCF Mawson Park is classified as an active reserve / local park and in the revised PPOSCF, adopted as a management guideline to assist in the planning and provision of park and public open space assets, it is classified as a local mixed use park. To maintain the natural amenity of parks and public open spaces the City's preference is to support the use of natural shade over artificial options. Artificial shade installations are not supported but are listed as optional and the circumstances in which artificial shade structures should be considered within parks is to cover large play spaces that cannot be effectively shaded naturally, or are spaces which experience frequent, ongoing use from community groups and organisations.

After the installation of the large play space on Mawson Park in 2008, requests for additional shade over the play space were received by the City and continue to be received on a regular basis.

The Playground Tree Planting City Wide program was included in the *Five Year Capital Works Program* commencing in 2010-11 for the provision of natural shade to play spaces. This program is now amalgamated into the Tree Planting Program for provision of shade trees inclusive of residential verges, City open spaces, parks (play spaces), verges and medians. The most recent shade sail installation undertaken by the City was in 2012 over the existing northern play space at Tom Simpson Park, Mullaloo.

Mawson Park was the subject of a *Landscape Master Plan* (LMP) upgrade undertaken in two stages during 2012-13 and 2013-14 respectively which included the installation of a new nature play space located under existing trees to the north-east of the lake.

DETAILS

The Mawson Park original play space is the largest in the City of Joondalup and located in one of the most popular parks for recreation. There is considerable shade provided by existing mature trees throughout the park but the large expanse of the play space restricts the existing trees from effectively shading the whole area throughout the day.

The original rubber soft fall installation was undertaken with the play equipment in 2008 and major repairs were required on the soft fall in 2012. Most parts of Western Australia, including the Perth metropolitan area have ultraviolet radiation (UV) readings that are extreme during summer presenting not only health risks but also contributes to the untimely deterioration of the rubber soft fall surfaces.

Ongoing bookings for junior football and softball clubs are made for the oval on Mawson Park and various functions such as Music in the Park and school sporting carnivals are regularly booked throughout the year. The LMP upgrades undertaken on Mawson Park during 2012-13 and 2013-14 have increased the parks amenity value and added to the parks popularity.

The large play space on Mawson Park has been the subject of requests for a built shade structure since its installation in 2008 and it has been argued that a built shade structure would benefit the park users and assist in prolonging the life of the play space infrastructure.

Notwithstanding the potential benefits gained from a built shade structure, the existing layout of the large play space lends itself to modification by relocating existing play equipment to take advantage of the existing shade trees plus undertake further tree planting in strategic locations within and around the play space.

Mawson Park built shade structure

A preliminary site assessment of the original large play space at Mawson Park has been undertaken and due to the height and locations of the play equipment fixed span shades are not recommended and would incur a substantially higher cost. Shade sails are the recommended option for a built shade structure.

Shade sails can be placed at varying heights to suit the equipment below reaching from four and a half metres to five and a half metres in height. Strategic placement of poles is required to ensure soft fall zone distances meet Australian Standards. Indicative costing for shade sails for Mawson Park is between \$100,000 and \$120,000.

Existing built shade structures

There are currently 18 locations within the City which have built shade structures over play spaces and one proposed in 2014 for POS 7, Burns Beach, by the developer Peet Limited. Four built shade structures are on Parks (including POS 7) and the remainder are at community facilities such as kindergartens.

The four parks in the City of Joondalup with built shade structures over play spaces will be:

- Tom Simpson Park, Mullaloo (northern play space)
- Harbour View Park, Hillarys
- Blackall Park, Greenwood
- POS 7, McIntyre Ave, Burns Beach (to be installed by developer in 2014).

Issues and options considered

Issues

Providing natural shade is a high priority for the City. Additional tree planting around play spaces has been in progress since 2010 and play spaces are relocated to existing shady locations where possible. Issues encountered with the provision of shade in general and specifically for Mawson Park are as follows:

- In some cases, for example regional parks with high patronage, a combination of both natural and artificial shade solutions would deliver functional shading of play spaces.
- The capital cost of installing built shade is high. A large play space the size of Mawson Park can be up to \$120,000 while medium size play spaces can be up to \$50,000.
- Data for Perth, provided by the Cancer Council Australia, shows that on an average there is only two months out of the calendar year (June and July) where the UV Index is less than 3 and sun protection may not be required. Temperature is not an indicator of UV radiation levels.
- Mawson Park was the recipient of a new nature play space completed in 2013 offering an alternative shaded play venue.
- The large play space on Mawson Park does provide opportunity for relocation of selected items of existing play equipment under existing shade.

Options

Options available in response to the petition request are:

Option One

Do not support the provision of a built shade structure for the large play space on Mawson Park Hillarys.

Option Two (Attachment 2 refers)

Do not support the provision of a built shade structure but relocate existing items of play equipment into the existing sand play area under existing shade and undertake tree planting in strategic locations at an estimated cost of \$40,000.

Option Three (Attachment 3 refers)

Relocate existing items of play equipment into the existing sand play area under existing shade, provide partial built shade and undertake tree planting in strategic locations at an estimated cost of \$100,000.

Option Four (Attachment 4 refers)

Support the provision of a built shade structure for the entire large play space on Mawson Park at an estimated cost of \$120,000.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality open spaces.

Strategic initiative Employ quality and enduring infrastructure designs that encourage high utilisation and increased outdoor activity.

Policy Not applicable.

Risk management considerations

The provision of shade will reduce ultraviolet (UV) radiation exposure and the risk of sunburn and skin cancer to patrons using the park.

Financial / budget implications

There is no budget allocation in the current *Five Year Capital Works Program* for the installation of shade sails or other works proposed for Mawson Park, Hillarys.

Capital cost Indicative costs for the recommended works on the Mawson Park large play space is \$40,000.

Annual operating cost No additional maintenance costs will be incurred on completion of the recommended works.

Current financial year impact

There is no impact in the current 2014-15 financial year.

Future financial year impact

Annual operating cost The annual operating cost is covered as part of the *Parks Operational Budget* for the specific park and no additional ongoing costs will be incurred.

Capital replacement The relocated play equipment will remain part of the play equipment replacement program with indicative date for replacement in 2027-28.

20 Year Strategic Financial Plan impact The capital cost for replacement play equipment is included in the *20 Year Strategic Financial Plan*.

Impact year Proposed for 2015-16.

Regional significance

Not applicable.

Sustainability implications

Environmental

A balance is required between avoiding an increase in the risk of skin cancer by excessive sun exposure and achieving enough sun exposure to maintain adequate vitamin D levels for healthy bone development. Outdoor activity is encouraged and the provision of shaded play spaces combined with other sun protection practices contributes to a healthier environment for children.

Social

The inclusion of a built shade structure or relocation of play equipment under shade in the large play space in Mawson Park Hillarys will enhance the amenity of public open space by increasing accessibility of outdoor play equipment for a longer period during daylight hours.

Economic

Capital and ongoing maintenance costs for built shade structures are high and have the potential to be a large financial impact to the City.

Consultation

Not applicable.

COMMENT

Requests for built shade structures over play equipment will continue to be received and may present an ongoing issue for the City.

VOTING REQUIREMENTS

Simple Majority.

The Director Planning and Community Development left the Chamber at 7.46pm and returned at 7.48pm.

MOVED Cr Norman, SECONDED Cr Chester that Council:

- 1 DOES NOT SUPPORT the installation of a built shade structure on the large play space in Mawson Park, Hillarys;
- 2 SUPPORTS Option 2, the relocation of existing items of play equipment, into the existing sand play area under existing shade and undertake tree planting in strategic locations;
- 3 APPROVES the listing for consideration in the *2015-16 Capital Works Program*, the relocation of existing play equipment and associated works estimated at \$40,000;
- 4 ADVISES the lead petitioner of Council's decision.

The Motion was Put and

LOST (12/0)

Against the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

MOVED Cr Norman, SECONDED Mayor Pickard that Council:

- 1 **REQUESTS the Policy Committee consider the adoption of a City Playground Shade Policy;**
- 2 **ADVISES the lead petitioner that a decision in relation to the provision of shade sails at Mawson Park, Hillarys will not be made until such time that Council has made a decision based on the Policy Committee's recommendation on part 1 above.**

The Motion was Put and

CARRIED (12/0)

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

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf111114.pdf](#)

C62-11/14

**COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION -
[02154, 08122]**

MOVED Cr Hollywood, **SECONDED** Cr Norman that pursuant to the *Meeting Procedures Local Law 2013* – Clause 4.8 – Adoption by exception resolution, Council **ADOPTS** the following items:

CJ208-11/14, CJ209-11/14, CJ210-11/14, CJ211-11/14, CJ215-11/14, CJ216-11/14, CJ217-11/14, CJ218-11/14, CJ219-11/14 and CJ220-11/14.

The Motion was Put and

CARRIED (12/0)

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

C63-11/14 MOTION TO GO BEHIND CLOSED DOORS – [02154, 08122]

MOVED Cr Ritchie, SECONDED Cr Amphlett that Council:

- 1** in accordance with Sections 5.23(2)(c) and (d) of the *Local Government Act 1995* and clause 5.2(2) of the *City's Meeting Procedures Local Law 2013*, **RESOLVES** to close the meeting to members of the public to consider the following Items:
 - 1.1** **CJ222-11/14 Confidential - Whitford Activity Centre Structure Plan – Mediation;**
 - 1.2** **CJ223-11/14 Confidential - Tenders 033/14 and 034/14 Sale of Freehold Land for Aged Persons' Dwellings;**

- 2** **PERMITS** the following employees to remain in the Chamber during discussion on Items CJ222-11/14 and CJ223-11/14, while the meeting is sitting behind closed doors as detailed in Parts 1.1 and 1.2 above:
 - 2.1** **Chief Executive Officer, Mr Garry Hunt;**
 - 2.2** **Director Governance and Strategy, Mr Jamie Parry;**
 - 2.3** **Director Planning and Community Development, Ms Dale Page;**
 - 2.4** **Director Infrastructure Services, Mr Nico Claassen;**
 - 2.5** **Manager Governance, Mr Brad Sillence;**
 - 2.6** **Manager Leisure and Cultural Services, Mr Mike Smith;**
 - 2.7** **Manager Planning Services, Mr John Corbellini;**
 - 2.8** **Governance Coordinator, Mr John Byrne;**
 - 2.9** **Governance Officer, Mrs Lesley Taylor;**
 - 2.10** **Governance Officer, Mrs Dawn Anderson.**

The Motion was Put and

CARRIED (12/0)

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

Members of the staff (with the exception of the Chief Executive Officer, Director Governance and Strategy, Director Planning and Community Development, Director Infrastructure Services, Manager Governance, Manager Leisure and Cultural Services, Manager Planning Services, Governance Coordinator and two Governance Officers) and members of the public and press left the Chambers at this point; the time being 7.56pm.

Disclosures of Interests affecting impartiality.

Name/Position	Mayor Troy Pickard.
Item No./Subject	CJ222-11/14 - Confidential - Whitford Activity Centre Structure Plan – Mediation.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard was a party to the mediation sessions at the request of the SAT Presiding Member.

Name/Position	Cr Philippa Taylor.
Item No./Subject	CJ222-11/14 – Confidential – Whitford Activity Centre Structure Plan – Mediation.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	An employee of Urbis, Planning Consultants is known to Cr Taylor.

Name/Position	Cr Liam Gobbert.
Item No./Subject	CJ222-11/14 – Confidential – Whitford Activity Centre Structure Plan – Mediation.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Employees of the applicant are known to Cr Gobbert.

Name/Position	Cr Sam Thomas.
Item No./Subject	CJ222-11/14 – Confidential – Whitford Activity Centre Structure Plan – Mediation.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Thomas is the Vice President of the Whitford Senior Citizens Club.

CJ222-11/14 CONFIDENTIAL - WHITFORD ACTIVITY CENTRE STRUCTURE PLAN - MEDIATION

WARD	South-West	
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development	
FILE NUMBER	102910	
ATTACHMENT	Attachment 1	Draft Whitford Activity Centre Structure Plan map
	Attachment 2	Draft Heads of Agreement document
	Attachment 3	Review of the revised Retail Sustainability Assessment

(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only).

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.
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This report is confidential in accordance with Section 5.23(2)(d) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

A full report was provided to Elected Members under separate cover. The report is not for publication.

MOVED Cr Amphlett, SECONDED Cr McLean that Council ADVISES Westfield Management Ltd of its position in relation to the draft 'Heads of Agreement' document submitted to the City as part of the State Administrative Tribunal mediation process, as detailed in the recommendation of confidential report CJ222-11/14.

The Motion was Put and

CARRIED (12/0)

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

**CJ223-11/14 CONFIDENTIAL - TENDERS 033/14 AND 034/14
SALE OF FREEHOLD LAND FOR AGED PERSONS'
DWELLINGS**

WARD	North-Central, South-West
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	104431, 104432
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.

This Report is confidential in accordance with section 5.23(2)(h) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

The determination by the local government of a price for the sale or purchase of property by the local government.

A full report was provided to Elected Members under separate cover. The report is not for publication.

MOVED Cr Thomas, SECONDED Cr Taylor that Council:

- 1 DECLINES all tenders received for Tender 033/14 for the sale of freehold land – Lot 23 (77) Gibson Avenue, Padbury;**
- 2 NOTES that no tenders were received for tender 034/14 for the sale of freehold land – Lot 745 (103) Caridean Street, Heathridge;**
- 3 AUTHORISES the Chief Executive Officer to dispose of the properties by public auction or private treaty.**

It was requested that Part 3 of the Motion be voted upon separately. Mayor Pickard indicated he would put Parts 1 and 2 to the vote followed by Part 3.

MOVED Cr Thomas, SECONDED Cr Taylor that Council:

- 1 **DECLINES all tenders received for Tender 033/14 for the sale of freehold land – Lot 23 (77) Gibson Avenue, Padbury;**
- 2 **NOTES that no tenders were received for tender 034/14 for the sale of freehold land – Lot 745 (103) Caridean Street, Heathridge;**

The Motion was Put and

CARRIED (12/0)

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

MOVED Cr Thomas, SECONDED Cr Taylor that Council:

- 3 **AUTHORISES the Chief Executive Officer to dispose of the properties by public auction or private treaty.**

The Motion was Put and

CARRIED (11/1)

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Fishwick, Gobbert, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

Against the Motion: Cr Corr.

C64-11/14

MOTION TO OPEN MEETING TO MEMBERS OF THE PUBLIC – [02154, 08122]

MOVED Cr Taylor, SECONDED Cr Chester that in accordance with clause 5.2(3)(b) of the *City of Joondalup Meeting Procedures Local Law 2013*, the Council meeting be REOPENED TO THE PUBLIC.

The Motion was Put and

CARRIED (12/0)

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

The Manager Marketing and Communications entered the Chambers at this point; the time being 8.03pm.

There were no members of the public and one member of the press present.

In accordance with the Clause 5.2(6)(b) of the City's *Meeting Procedures Local Law 2013*, Mayor Pickard read aloud the motions in relation to:

CJ222-11/14 Confidential - Whitford Activity Centre Structure Plan – Mediation.

CJ223-11/14 Confidential - Tenders 033/14 and 034/14 Sale of Freehold Land for Aged Persons' Dwellings.

REPORT OF THE CHIEF EXECUTIVE OFFICER

Nil.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 8.05pm the following Elected Members being present at that time:

MAYOR TROY PICKARD
CR KERRY HOLLYWOOD
CR TOM MCLEAN, JP
CR PHILIPPA TAYLOR
CR SAM THOMAS
CR LIAM GOBBERT
CR GEOFF AMPHLETT, JP
CR MIKE NORMAN
CR JOHN CHESTER
CR BRIAN CORR
CR RUSS FISHWICK, JP
CR TERESA RITCHIE, JP