

# minutes

MEETING HELD ON **TUESDAY 28 JULY 2015**

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## CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON TUESDAY 28 JULY 2015.**

### DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

### 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>	<i>Absent from 8.37pm to 8.39pm</i>
CR SAM THOMAS	North-Central Ward	<i>Absent from 8.40pm to 8.42pm</i>
CR GEOFF AMPHLETT, JP	Central Ward	
CR CHRISTINE HAMILTON-PRIME	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 MIKE TIDY	Director Corporate Services	<i>Absent from 7.11pm to 7.18pm</i>
MR JAMIE PARRY	Director Governance and Strategy	
MS DALE PAGE	Director Planning and Community Development	
MR NICO CLAASSEN	Director Infrastructure Services	
MR BRAD SILLENCE	Manager Governance	
MR JOHN CORBELLINI	Manager Planning Services	<i>from 7.03pm to 8.47pm</i>
MR BLIGNAULT OLIVIER	Manager City Projects	
MR DANIEL DAVINI	Media Advisor	<i>to 8.47pm</i>
MR JOHN BYRNE	Governance Coordinator	
MRS LESLEY TAYLOR	Governance Officer	
MRS ROSE GARLICK	Governance Officer	

There were 32 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.

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No./Subject</b>	CJ115-07/15 – Review of Tennis Court Venue Free Community Use Trial.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr's son is a member of the Warwick-Greenwood Cricket Club that uses Penistone Park.

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No./Subject</b>	CJ118-07/15 - Review of Paramotor Trial at Pinnaroo Point, Hillarys.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	The President of the WA Sky Pirates Paramotor Club is a neighbour of Mayor Pickard.

<b>Name/Position</b>	<b>Cr Teresa Ritchie, JP.</b>
<b>Item No./Subject</b>	CJ119-07/15 - Request for Additional Subsidies – Facility Hire Subsidy Policy.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Members of the Wanneroo Lacrosse Club are personally known to Cr Ritchie.

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No./Subject</b>	CJ119-07/15 – Request for Additional Subsidies – Facility Hire Subsidy Policy.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr's son is a member of the Warwick-Greenwood Cricket Club that uses Penistone Park.

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No./Subject</b>	C39-07/15 - Confidential: Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A director of Probuild Constructions is a friend of Cr McLean.

<b>Name/Position</b>	<b>Ms Dale Page, Director Planning and Community Development.</b>
<b>Item No./Subject</b>	C39-07/15 - Confidential: Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Ms Page's brother is a Director of Probuild Constructions.

<b>Name/Position</b>	<b>Mr Blignault Olivier, Manager City Projects.</b>
<b>Item No./Subject</b>	C39-07/15 - Confidential: Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A director of Probuild Constructions (part of the Devwest Group Pty Ltd team) is a personal friend of Mr Olivier.

*Manager Planning Services entered the Chamber at 7.03pm.*

## **PUBLIC QUESTION TIME**

**The following question was taken on notice at the Council meeting held on 23 June 2015:**

**Mr M Hicks, Burns Beach:**

*Re: CJ087-06/15 - Draft Burns Beach Masterplan and Indicative Coastal Node Concept Design.*

*Q1 Given Peet and Co has indicated a reluctance to continue efforts to have the restrictive covenants extinguished and despite a letter to the developer supporting the continued effort to have them extinguished, can the City confirm what additional action it proposes to take to ensure these restrictive covenants are extinguished prior to 31 December 2020?*

*A1 As the restrictive covenants are the responsibility of Peet Ltd, and have not been imposed by the City, the draft masterplan outlines that the City will ensure that the potential for the development of a local shop on the corner of Grand Ocean Entrance and Whitehaven Square is maintained through the permissibility of land uses in Burns Beach Structure Plan provisions.*

The Western Australian Planning Commission's draft *Local Planning Scheme Regulations 2014*, which will provide the basis for all future local planning schemes, may provide some scope for the consideration of the extinguishment of the restrictive covenant when provisions are included in a new planning scheme. The relevant provisions will be considered in the preparation of the City's new local planning scheme, however, finalisation of the new scheme is likely to be several years away.

**The following questions were submitted prior to the Council meeting on 28 July 2015:**

**Mr R Repke, Kallaroo:**

*Re: Tree Management Guidelines.*

*Q1 Why have these guidelines not been clearly and visibly introduced as many residents are or should be interested in this subject?*

A1 The City's Tree Management Guidelines are a more comprehensive and up-to-date version of the previous Street Tree Guidelines, which have been accessible to the public and available on the City's website since the middle of 2014.

*Q2 Why has the "Significant Tree Register" not been made an independent item and registered as such, visible, on the City of Joondalup website?*

A2 One of the new items included in the Tree Management Guidelines is information relating to the City's Significant Tree process. The Tree Management Guidelines were viewed as the most appropriate document to incorporate this information for any member of the public seeking information relating to trees within the City of Joondalup.

*Q3 Why is it that residents cannot, different from other Cities, register trees on their property as significant?*

A3 The objective of the Significant Tree Register aims to protect significant trees on land owned or managed by the City of Joondalup.

*Q4 Why is it that the Significant Tree Register does not offer any protection to listed trees, therefore what value does the register have for the protection of trees?*

A4 As stated in Q3 the objective of the Significant Tree Register aims to protect significant trees on land owned or managed by the City of Joondalup. This includes verges which interact with private and commercial developments. A development application would be required to include the management/treatment of any significant trees on adjacent public land.

*Q5 Would you not agree that it is time to have a State law to deal with the protection of trees on public and on private land?*

A5 The necessity and implementation of legislation is a matter for the State Government to consider.

**Mr D Blackburn, Kingsley:**

*Re: Tree Management Guidelines.*

*Q1 The Tree management Guidelines section "Significant Trees within the City of Joondalup" mentions the following: "Street trees listed by the National Trust, Heritage Council, Tree Society and/or that are listed on the City's Municipal Inventory". Is the City's Municipal Inventory, including its listing of such trees and their locations, available to the public?*

A1 The City is currently reviewing the Significant Tree inventory and it will be made available to the public upon completion.

Re: *CJ109-07/15 Proposed Initiation of Amendment No. 78 to District Planning Scheme No. 2 Lots 200-202 Kanangra Crescent, Greenwood*

Q2 *Has the City reviewed the tree stock on the three Lots 200-202 Kanangra Crescent, Greenwood for inclusion in the Significant Tree Register?*

A2 The trees on Lots 200-202 have been reviewed for inclusion on the Significant Tree Register and none were considered significant.

Q3 *As the proposed amalgamated Kanangra Crescent, Greenwood site is in housing opportunity area 4, where a dual density code applies, and is over 2000m<sup>2</sup> would a development application to build multiple-dwellings be compliant with Amendment No. 73 ?*

A3 In the event that Amendment No. 78 to District Planning Scheme No. 2 is finalised in its current form, multiple dwellings for 'aged and dependent persons' dwellings' may be considered on the site. As the site would not be dual-coded, Amendment No. 73 does not apply to the site.

Re: *CJ125-07/15 Joondalup Performing Arts and Cultural Facility – Progress Report.*

Q4 *What is the expected annual depreciation expense of the proposed Joondalup Performing Arts and Cultural Facility?*

A4 A depreciation schedule for the Joondalup Performing Arts and Cultural Facility will be developed during the detailed design phase of the project based on its various components. The calculation will be complex but for project estimation purposes an estimate of approximately \$1.47 million is being used based on the current concept design.

Q5 *How does this proposed Facility affect the achievement of the Targets for the Statutory Financial Ratios?*

A5 The costs and operating activities of the Joondalup Performing Arts and Cultural Facility are included in the *20 Year Strategic Financial Plan* that was adopted by Council in June 2014 and the plan sets out the impact on achieving the targets for the statutory financial ratios.

**Mr M Wild, Kingsley:**

Re: *CJ118-07/15 Review of Paramotor Trial at Pinnaroo Point, Hillarys.*

Q1 *During the public consultation period, how many negative replies did the city receive after the misleading letter drop on the 20th May 2015 verses prior the 20th?*

A1 The City received 97 responses that "did not support" the paramotor activity following 20 May 2015. 20 responses were received that "did not support" the activity prior to 20 May 2015.

- Q2 *As paramotors have been operating from Pinnaroo point for almost 30 years how many complaints has the City received from Hillarys residents about paramotors prior to the public consultation?*
- A2 The City is not aware of any paramotor activity taking place from Pinnaroo Point prior to 4 January 2014 as no approval to utilise the site had been given until this date. While the City did not receive any complaints from residents of Hillarys prior to the first consultation period undertaken in February 2014 the City did receive 11 complaints from other residents and beach users in regard to paramotor activities near Burns Beach.

**Mr N Husband, Mullaloo:**

*Re: Rates increase on vacant land.*

- Q1 *Why do I receive a letter in the mail advising me of a 49% rates increase where I have a 100% chance of being informed when the proposal - which can be objected to - is advertised in some obscure publication at some obscure time where I have less than 1% chance of being informed?*
- Q2 *Why weren't blocks such as this included in the rezoning plan like you know they should have been?*
- Q3 *Your rationale for the increase is to force development. Would it not be better to apply the correct zoning to incentivise development?*
- Q4 *If you want to apply a commercial rate of tax why not also apply a commercial/development zoning?*
- Q5 *Isn't this really just a revenue grab which has been slipped through by using demonstrably questionable practices?*

A1-5 These questions were taken on notice.

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

**Mr M Wild, Kingsley:**

*Re: CJ118-07/15 – Review of Paramotor Trial at Pinnaroo Point, Hillarys.*

- Q1 *Is it correct that the City has not received any complaints in relation to paramotors operating in Hillarys for the past 30 years?*
- A1 The Director Corporate Services advised that the City was not aware of any complaints prior to the consultation period that commenced on 4 January 2014. There was no approval given for paramotors to operate from that site prior to that date.

**Mr N Angwin, Hillarys:**

*Re: CJ118-07/15 – Review of Paramotor Trial at Pinnaroo Point, Hillarys.*

*Q1 With the club's Site Management Plan developed with the City of Joondalup, would this not address all the locals concerns about noise and privacy?*

*A1 Mayor Pickard advised that the question needs to be asked of the local community.*

*Q2 The public consultation's negative responses main complaint was noise. How much more noise do paramotors on the ground at Pinnaroo Point produce above local traffic noise at the closest house?*

*A2 Mayor Pickard advised the question would be taken on notice.*

**PUBLIC STATEMENT TIME**

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

**Mr R Repke, Kallaroo:**

*Re: CJ127-07/15 - Draft Perth and Peel @ 3.5 Million Suite Of Documents.*

Mr Repke spoke in relation to the draft North-West sub-regional planning framework.

**Mrs K Mau, Greenwood:**

*Re: CJ119-07/15 - Request for Additional Subsidies - Facility Hire Subsidy Policy.*

Mrs Mau representing Wanneroo Lacrosse Club spoke in relation to the club's request for an additional subsidy.

*The Director Corporate Services left the Chamber at 7.11pm.*

**Mr M Wild, Kingsley:**

*Re: CJ118-07/15 – Review of Paramotor Trial at Pinnaroo Point, Hillarys.*

Mr Wild spoke in relation to paramotors operating at Pinnaroo Point, Hillarys.

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

Cr Liam Gobbert 24 July to 29 July 2015 inclusive;  
Cr Mike Norman 22 July to 9 August 2015 inclusive.

**C32-07/15                    REQUESTS FOR LEAVE OF ABSENCE – CRS CHRISTINE HAMILTON-PRIME, GEOFF AMPHLETT, JP, RUSS FISHWICK, JP AND PHILIPPA TAYLOR - [104767]**

Cr Christine Hamilton-Prime requested Leave of Absence from Council duties covering the period 9 August to 16 August and 25 August to 7 September 2015 inclusive.

Cr Geoff Amphlett, JP requested Leave of Absence from Council duties covering the period 18 August to 28 August 2015 inclusive.

Cr Russ Fishwick, JP requested Leave of Absence from Council duties covering the period 25 August to 8 September 2015 inclusive.

Cr Philippa Taylor requested Leave of Absence from Council duties covering the period 25 August to 7 September 2015 inclusive.

**MOVED Cr Hamilton-Prime, SECONDED Cr Amphlett that Council APPROVES the Requests for Leave of Absence from Council Duties covering the following dates:**

- |   |                             |  |
|---|-----------------------------|--|
| 1 | Cr Christine Hamilton-Prime | 9 to 16 August 2015 inclusive;           |
| 2 | Cr Geoff Amphlett, JP       | 18 August to 28 August 2015 inclusive;   |
| 3 | Cr Russ Fishwick, JP        | 25 August to 8 September 2015 inclusive; |
| 4 | Cr Christine Hamilton-Prime | 25 August to 7 September 2015 inclusive; |
| 5 | Cr Philippa Taylor          | 25 August to 7 September 2015 inclusive. |

**The Motion was Put and**

**CARRIED (11/0)**

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

## CONFIRMATION OF MINUTES

C33-07/15

### MINUTES OF COUNCIL MEETING HELD 23 JUNE 2015

**MOVED Cr Chester, SECONDED Cr McLean that the Minutes of the Council Meeting held on 23 June 2015 be CONFIRMED as a true and correct record.**

**The Motion was Put and**

**CARRIED (11/0)**

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

## ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

### Tri-Cities Delegation

Mayor Pickard advised that next month he would be joining CEO Garry Hunt and the Mayors and CEOs of the Cities of Wanneroo and Stirling in a Tri-Cities Alliance delegation to Canberra to meet key Federal Ministers and stakeholders, discussing partnering and funding opportunities for the growing northern corridor.

Mayor Pickard commented this follows a recent State launch of the Tri-Cities Alliance at Parliament House which was attended by Premier Colin Barnett, Local Government Minister Tony Simpson and several members of State Cabinet.

Mayor Pickard believed the Tri-Cities initiative is a very important strategic alliance lobbying state and federal governments to consider the importance of funding vital infrastructure and services in the region.

Mayor Pickard stated the booming northern corridor accounts for 573,000 residents, or about 29% of Perth's entire population.

### Jinan Sister City Relationship

Mayor Pickard advised that in honour of the 10 Year Anniversary of the City's Sister City Relationship with the Jinan Municipal People's Government, he will join CEO Garry Hunt and other representatives from the City next month in visiting China to participate in commemorations of the partnership between the two Cities.

Mayor Pickard commented the delegation will also visit the Australian Trade Commission's office in Shanghai to promote the City's Investment Attraction Prospectus "*Joondalup Has The Edge.*"

Mayor Pickard believed the Sister City Relationship and other links with China have many benefits for the City, including the areas of economic development, education, health, tourism and innovation.

Mayor Pickard felt it is an extremely important strategic link that positions Joondalup as a bold, creative and prosperous City on the Global Stage.

### **Sorrento Football Club in the FFA Cup**

Mayor Pickard advised a big crowd is expected at nib Stadium next Wednesday 5 August 2015 as local Football West club Sorrento takes on A-League powerhouse Sydney FC in the Round of 32 stage of the Football Federation Australia Cup.

Mayor Pickard felt with the match to be telecast live around Australia on Fox Sports, it gives the Sorrento players a chance to show their talents on a national stage.

Mayor Pickard expressed the City's appreciation to the Sorrento Football Club who generously donned the City's logo on their playing strip. Mayor Pickard encouraged residents to get to nib Stadium next Wednesday and show their support for our local football stars or alternatively watch them from the comfort of their lounge and barrack hard.

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

- 1 CJ122-07/15 Confidential – Proposed Disposal of Lot 23 (77) Gibson Avenue, Padbury.
- 2 CJ123-07/15 Confidential – Proposed Disposal of Lot 745 (103) Caridean Street, Heathridge.
- 3 CJ124-07/15 Confidential - Pinnaroo Point Café/Kiosk – Pinnaroo Point Café/Kiosk Project – Interim Status Report.
- 4 C39-07/15 Confidential: Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.

**C34-07/15                    CONSIDERATION OF CHANGE TO ORDER OF BUSINESS – [08122, 02154]**

**MOVED** Cr Hollywood, **SECONDED** Cr Amphlett that Council, in accordance with clause 14.1 of the *City of Joondalup Meeting Procedures Local Law 2013*, suspends the operation of clause 4.3 – Order of Business of the *City of Joondalup Meeting Procedures Local Law 2013*, to enable the following Items to be discussed after Item 12 – Motions of which previous notice has been given:

- 1        **CJ122-07/15        Confidential - Proposed Disposal of Lot 23 (77) Gibson Avenue, Padbury;**
- 2        **CJ123-07/15        Confidential - Proposed Disposal of Lot 745 (103) Caridean Street, Heathridge;**
- 3        **CJ124-07/15        Confidential - Pinnaroo Point Café/Kiosk – Pinnaroo Point Café/Kiosk Project – Interim Status Report;**
- 4        **C39-07/15            Confidential - Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.**

**The Motion was Put and**

**CARRIED (11/0)**

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

*The Director Corporate Services entered the Chamber at 7.18pm.*

**PETITIONS****C35-07/15                    PETITION REJECTING THE DEVELOPMENT OF MULTIPLE DWELLINGS AT 11 ROYAL SCOT LOOP, CURRAMBINE – [25653]**

A 36 signature petition has been received from residents of the City of Joondalup rejecting the development of multiple dwellings at 11 Royal Scot Loop, Currambine due to the negative impact this will place on the neighbourhood with the high increase in traffic.

**MOVED** Cr McLean, **SECONDED** Cr Hollywood that the following petition be **RECEIVED, REFERRED** to the Chief Executive Officer and a subsequent report presented to Council for consideration:

- 1        **Petition rejecting the development of multiple dwellings at 11 Royal Scot Loop, Currambine.**

**The Motion was Put and**

**CARRIED (11/0)**

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

**REPORTS****CJ108-07/15 DEVELOPMENT, CODE VARIATION AND SUBDIVISION APPLICATIONS – MAY 2015**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	07032, 101515
<b>ATTACHMENTS</b>	Attachment 1 Monthly Development Applications Determined – May 2015 Attachment 2 Monthly Subdivision Applications Processed – May 2015 Attachment 3 Monthly Building R-Code Applications Decision – May 2015
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to note the number and nature of applications considered under delegated authority.

**EXECUTIVE SUMMARY**

Clause 8.6 of *District Planning Scheme No. 2 (DPS2)* allows Council to delegate all or some of its development control powers to a committee or an employee of the City.

The purpose of delegation of certain powers by Council, in addition to other town planning matters, is to facilitate timely processing of development applications, *Residential Design Codes (R-Code)* applications and subdivision applications. The framework for the delegation of those powers is set out in resolutions adopted by Council and is reviewed on a two yearly basis, or as required. All decisions made by staff, acting under delegated authority as permitted under the delegation notice, are reported to Council on a monthly basis.

This report identifies the following applications determined by the administration with delegated authority powers during May 2015 (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**

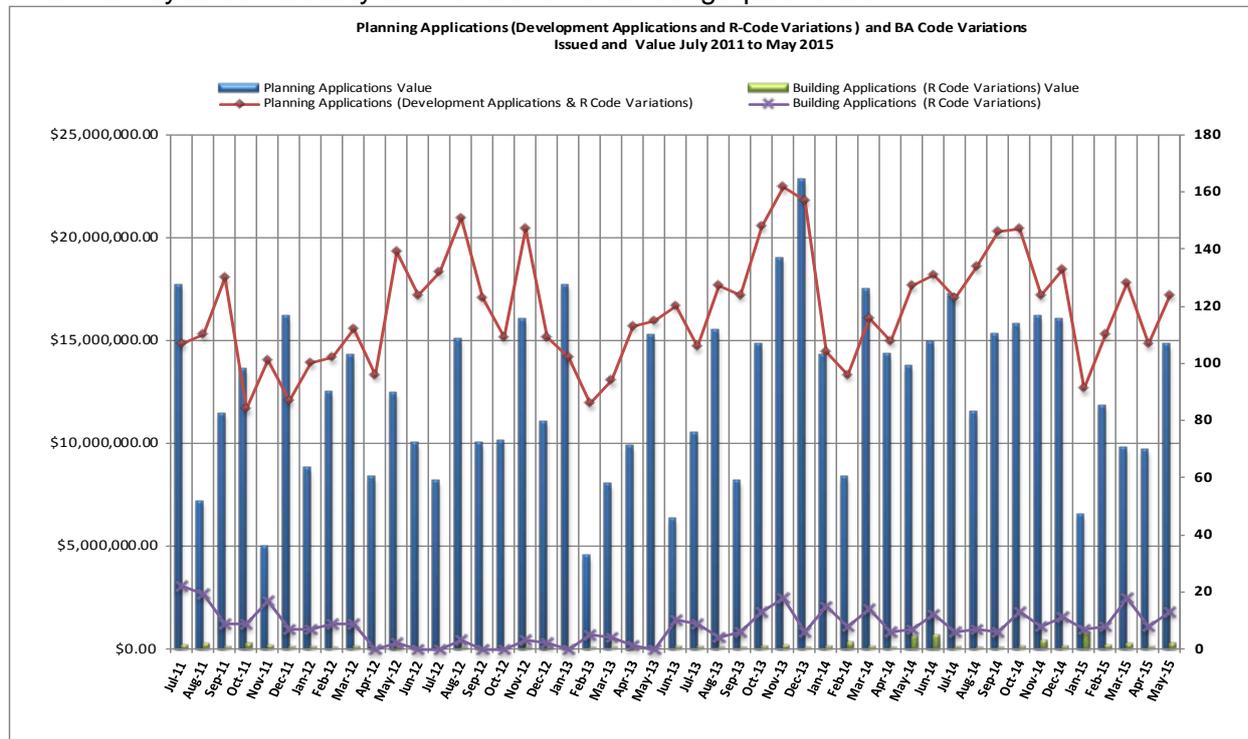
DPS2 requires that delegations be reviewed every two years, unless a greater or lesser period is specified by Council. At its meeting held on 21 October 2014 (CJ180-10/14 refers), Council considered and adopted the most recent Town Planning Delegations via its review of the Register of Delegation of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

**DETAILS**

The number of applications determined under delegated authority during May 2015, is shown in the table below:

Applications determined under delegated authority – May 2015		
Type of Application	Number	Value (\$)
Planning applications (development applications and R-Codes applications)	124	\$ 14,766,905
Building applications (R-Codes applications)	13	\$249,412
<b>TOTAL</b>	<b>137</b>	<b>\$ 15,016,317</b>

The total number and value of planning and building R-Code applications determined between July 2011 and May 2015 is illustrated in the graph below:



The number of planning applications received during May was 106. (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 May was 271. Of these, 74 were pending additional information from applicants, and 16 were being advertised for public comment.

In addition to the above, 269 building permits were issued during the month of May with an estimated construction value of \$24,519,982.

The number of subdivision and strata subdivision referrals processed under delegated authority during May 2015 is shown in the table below:

<b>Subdivision referrals processed under delegated authority for May 2015</b>		
<b>Type of referral</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	4	4
Strata subdivision applications	3	6

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

Not applicable.

#### **Legislation / Strategic Community Plan / policy implications**

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

#### **Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality built outcomes.

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

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

Clause 8.6 of DPS2 permits development control functions to be delegated to persons or committees. All subdivision applications were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

#### **Risk management considerations**

The delegation process includes detailed practices on reporting, checking and cross checking, supported by peer review in an effort to ensure decisions taken are lawful, proper and consistent.

#### **Financial/budget implications**

A total of 137 applications were determined for the month of May with a total amount of \$62,019 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 124 planning applications determined during May 2015 consultation was undertaken for 27 of those applications. R-Codes applications for assessment against the applicable Design Principles, 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 seven subdivision applications processed during May 2015 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 Thomas 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 CJ108-07/15 during May 2015;**
- 2 Subdivision applications described in Attachment 2 to Report CJ108-07/15 during May 2015;**
- 3 Building Residential Design Code applications described in Attachment 3 to Report CJ108-07/15 during May 2015.**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ121-07/15, page 96 refers.**

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

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf140715.pdf](#)*

**CJ109-07/15      PROPOSED INITIATION OF AMENDMENT NO. 78  
TO DISTRICT PLANNING SCHEME NO. 2 LOTS 200-  
202 KANANGRA CRESCENT, GREENWOOD**

<b>WARD</b>	South-East
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	104258, 101515
<b>ATTACHMENTS</b>	Attachment 1      Location plan Attachment 2      Zoning plan (existing and proposed) Attachment 3      Scheme amendment process flowchart Attachment 4      Consultation plan
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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**PURPOSE**

For Council to consider initiating an amendment to *District Planning Scheme No. 2 (DPS2)* to recode Lots 200, 201 and 202 (24, 22, and 20) Kanangra Crescent, Greenwood, from R20 to R40, and restrict the use to 'aged or dependent persons' dwellings'.

**EXECUTIVE SUMMARY**

As part of the rationalisation of City owned freehold land, the subject lots are being considered for disposal. At its meeting held on 31 March 2015 (CJ046-03/15 refers), Council resolved to request the initiation of an amendment to DPS2 to recode Lots 200, 201 and 202 (24, 22, and 20) Kanangra Crescent, Greenwood, from R20 to R40. Council also supported the amalgamation of the lots into one lot.

The subject lots are located in a Housing Opportunity Area as outlined in the City's *Local Housing Strategy* (LHS), and are earmarked to be coded R20/40. Scheme Amendment No. 73, which will implement the increased densities, is with the Western Australian Planning Commission awaiting determination by the Minister for Planning. However, finalisation of this amendment is not expected to occur within the next nine months. The subject scheme amendment, which proposes to recode the subject lots R40, is in line with the higher coding proposed within the LHS and Amendment No. 73 and may reach finalisation ahead of Scheme Amendment No. 73.

Council did not specifically request that the use of the lots be restricted for the purposes of 'aged or dependent persons' dwellings'. However, from a planning perspective, it is considered appropriate to restrict the use of the site to 'aged and dependent persons' dwellings', via wording in the amendment, in order to ensure a precedent is not set for higher density being supported ahead of and contrary to Scheme Amendment No. 73 and to negate any argument of inequity by other land owners who may seek to have their land recoded in the same manner.

The size and location of the subject lots provide an ideal opportunity to provide this form of housing in Greenwood. In addition, the restriction to 'aged or dependent persons' dwellings' is consistent with the rezoning of other City owned land that has been the subject of disposal.

It is therefore recommended that Council proceed with the proposed scheme amendment for the purpose of public advertising for a period of 42 days.

## BACKGROUND

<b>Suburb/Location</b>	Lot 200 (24), Lot 201 (22), Lot 202 (20) Kanangra Crescent, Greenwood.
<b>Applicant</b>	City of Joondalup.
<b>Owner</b>	City of Joondalup.
<b>Zoning</b>	<b>DPS</b> Residential R20.
	<b>MRS</b> Urban.
<b>Site area</b>	Lot 200: 703m <sup>2</sup> , Lot 201: 703m <sup>2</sup> , Lot 202: 1599m <sup>2</sup> (3,005m <sup>2</sup> combined).
<b>Structure plan</b>	Not applicable.

Lots 200-202 are adjoined by existing residential development (R20), with the Coolibah Plaza adjoining Lot 202 to the north-east (Attachment 1 refers). The lots are currently vacant.

The subject and surrounding lots are within Housing Opportunity Area 1 of the LHS, and are proposed to be coded R20/40 under Scheme Amendment No. 73, which seeks to implement the majority of the recommendations of the LHS. At its meeting held on 31 March 2015 (CJ046-03/15 refers), Council endorsed Scheme Amendment No. 73 to DPS2 as final and the amendment is currently with the Western Australian Planning Commission for determination by the Minister for Planning.

In line with the rationalisation of the City's freehold properties, it is anticipated that Council will seek to dispose of these properties.

At its meeting held on 31 March 2015 (CJ046-03/15 refers), Council resolved in part as follows:

- "1 *SUPPORTS the amalgamation of Lots 200, 201 and 202 Kanangra Crescent, Greenwood;*
- 2 *REQUESTS the initiation of an amendment to District Planning Scheme No. 2 for the purpose of public consultation to recode Lots 200, 201 and 202 Kanangra Crescent, Greenwood from R20 to R40;...*"

## DETAILS

It is proposed that Lots 200, 201 and 202 Kanangra Crescent, Greenwood, be recoded from R20 to R40 (Attachment 2 refers) and for the use of the site to be restricted to 'aged or dependent persons' dwellings'. The size and location of the subject lots provide an ideal opportunity to provide this form of housing in Greenwood. In addition, the restriction would be consistent with the restriction placed on other City owned land that is being rationalised.

If a scheme amendment to increase the density of the subject lots is initiated without also restricting the development to 'aged and dependent persons' dwellings', it may create a precedent whereby other landowners in Housing Opportunity Areas will also seek amendments for their properties ahead of gazettal of Amendment No. 73. It will be difficult for the City to justify why expediting the recoding of the City's land ahead of Amendment No.73 is a priority over that of other landowners.

Furthermore, if the sites are recoded to a straight R40 coding via this amendment, instead of being recoded R20/R40 via Amendment 73, the policy provisions that will ultimately apply to other dual-coded lots in the Housing Opportunity Areas, will not apply to these lots. Therefore, other landowners may justifiably be able to argue that the new development provisions/restrictions that will apply to their land under Amendment No. 73 and the City's proposed *Residential Development* policy will not apply to the developer who purchases the City's land.

If this amendment places a restriction on the City's land for development of 'aged and dependent persons' dwellings' only, this will eliminate the risk for precedent and will negate any argument of inequity by other landowners.

In terms of residential dwelling numbers, the following table outlines the maximum potential yield at a density code of R20 and R40 if the sites were amalgamated and developed for single/grouped dwellings or aged or dependent persons' dwellings.

	<b>R20</b>	<b>R40</b>
<b>Single and grouped dwellings</b>	Six dwellings	13 dwellings
<b>Aged or dependent persons' dwellings</b>	10 dwellings	20 dwellings

With respect to the above information, it is important to note the following:

- 1 This reflects maximum development potential only. It is likely that the number of dwellings on site will be less than outlined given the need to also meet open space, height, set back, parking and landscaping requirements.
- 2 It is not possible to determine the number of multiple dwellings that can be developed as no minimum lot sizes are specified in the *Residential Design Codes* for multiple dwellings.

### **Issues and options considered**

The issue to be considered by Council is the suitability of the proposed residential density code.

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

- proceed with the proposed scheme amendment for the purposes of public advertising
- modify and proceed with the proposed scheme amendment for the purposes of public advertising  
or
- not proceed with the proposed scheme amendment and wait for the gazettal of Amendment No. 73 to afford these lots increased development potential via the dual density code of R20/R40.

**Legislation / Strategic Community Plan / policy implications**

**Legislation** *Planning and Development Act 2005.  
Town Planning Regulations 1967.*

**Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality built outcomes.

**Strategic initiative**

- Buildings and landscaping is suitable for the immediate environment and reflect community values.
- The community is able to effectively age-in-place through a diverse mix of facilities and appropriate urban landscapes.

**Policy** Not applicable.

*Planning and Development Act 2005 and Town Planning Regulations 1967*

Part 5 of the *Planning and Development Act 2005* along with the *Town Planning Regulations 1967* enables local governments to amend a local planning scheme and sets out the process to be followed.

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

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

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

**Risk management considerations**

If a scheme amendment to increase the density of the subject lots is initiated without also restricting the development to 'aged and dependent persons' dwellings', it may create a precedent whereby other landowners in Housing Opportunity Areas will also seek amendments for their properties ahead of gazettal of Amendment No. 73.

Furthermore, if the sites are recoded to a straight R40 coding via this amendment, instead of being recoded R20/R40 via Amendment No. 73, the policy provisions that will ultimately apply to other dual-coded lots in the Housing Opportunity Areas, will not apply to these lots.

### **Financial / budget implications**

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

### **Regional significance**

Not applicable.

### **Sustainability implications**

Being within a Housing Opportunity Area as identified by the LHS, the sites are considered appropriate for higher density residential development, including 'aged or dependent persons' dwellings', given their location close to facilities and services.

### **Consultation**

Should Council initiate the proposed amendment, it is required to be advertised for public comment for a period of 42 days. It is proposed that advertising will occur as follows:

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

### **COMMENT**

#### Suitability of the proposed residential density coding and rezoning

The lots are already zoned for 'Residential', with a density code of R20. This scheme amendment proposes to increase the residential density code from R20 to R40. The sites are located with Housing Opportunity Area 1 and therefore the proposed R40 code aligns with the higher densities anticipated within this area in the future.

In line with the rationalisation of City owned freehold properties, the City is proposing to amalgamate the three sites. This will create a 3,005m<sup>2</sup> lot, which will result in a lot that is larger and of a regular shape, lending itself to be readily developable at a higher density code.

Council did not specifically request that the use of the lots be restricted for the purposes of 'aged or dependent persons' dwellings'. However, from a planning point of view, it is considered necessary and appropriate to also restrict the use of the site to 'aged or dependent persons' dwellings' via wording in the amendment in order to ensure the sites get developed specifically for this purpose.

This would create an opportunity to provide a greater diversity of housing in the area, allowing for aging in place given the location and size of the subject land. In addition, this restriction is consistent with the restrictions placed on other City owned land that has been, or is in the process of being, disposed of.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Chester, **SECONDED** Mayor Pickard that Council pursuant to Part 5 of the *Planning and Development Act 2005* and Regulations 13 and 25 of the *Town Planning Regulations 1967*, **PROCEEDS** with proposed Amendment No. 78 to the *City of Joondalup District Planning Scheme No. 2* to:

- 1 Amend the Residential Density Code Map to recode Lot 200 (24), Lot 201 (22), and Lot 202 (20) Kanangra Crescent, Greenwood from 'R20' to 'R40';
- 2 Include Lot 200 (24), Lot 201 (22), and Lot 202 (20) Kanangra Crescent, Greenwood, in Schedule 2 – Section 2 - Restricted Uses as follows:

NO	STREET/LOCALITY	PARTICULARS OF LAND	RESTRICTED USE
2-8	20 Kanangra Crescent, Greenwood	Lot 202	Aged or Dependent Persons' Dwelling.
	22 Kanangra Crescent, Greenwood	Lot 201	
	24 Kanangra Crescent, Greenwood	Lot 200	

- 3 Amend the Scheme Map to depict 'Restricted Use: 2-8' over Lot 200 (24), Lot 201 (22), and Lot 202 (20) Kanangra Crescent, Greenwood,

as depicted at Attachment 2 to Report CJ109-07/15, for the purposes of public advertising for a period of 42 days.

The Motion was Put and

**CARRIED (9/2)**

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

**Against the Motion:** Crs Corr and Ritchie.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf140715.pdf](#)

**CJ110-07/15      PROPOSED INITIATION OF AMENDMENT NO. 82  
TO DISTRICT PLANNING SCHEME NO. 2 - LOTS  
642 AND 643 MARRI ROAD, DUNCRAIG**

<b>WARD</b>	South
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	105015, 101515
<b>ATTACHMENTS</b>	Attachment 1      Location plan Attachment 2      Zoning plan (existing and proposed) Attachment 3      Scheme amendment process flowchart Attachment 4      Consultation plan
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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**PURPOSE**

For Council to consider initiating an amendment to *District Planning Scheme No. 2 (DPS2)* to recode Lots 642 and 643 (57-59) Marri Road, Duncraig, from R20 to R40, and restrict the use to 'aged or dependent persons' dwellings'.

**EXECUTIVE SUMMARY**

As part of the rationalisation of City owned freehold land, the subject lots are being considered for disposal. At its meeting held on 31 March 2015 (CJ047-03/15 refers), Council resolved to request a report on the initiation of an amendment to DPS2 to recode Lots 642 and 643 (57-59) Marri Road, Duncraig, from R20 to R40.

Council did not specifically request that the use of the lots be restricted for the purposes of 'aged or dependent persons' dwellings'. However, it is considered necessary and appropriate to restrict the use of the site to 'aged and dependent persons' dwellings', via wording in the amendment, in order to ensure a precedent is not set for higher density outside of a Housing Opportunity Area and to negate any argument of inequity by other land owners who may seek to have their land recoded in the same manner.

It is considered that the size and location of the lots will create an ideal opportunity to provide this form of housing in Duncraig near existing services, including the Duncraig Shopping Centre. In addition, the restriction to 'aged or dependent persons' dwellings' is consistent with the rezoning and recoding of other City owned land that has been the subject of disposal.

It is therefore recommended that Council proceed with the proposed scheme amendment for the purpose of public advertising for a period of 42 days.

## BACKGROUND

<b>Suburb/Location</b>	Lot 642 (57) and Lot 643 (59) Marri Road, Duncraig.
<b>Applicant</b>	City of Joondalup.
<b>Owner</b>	City of Joondalup.
<b>Zoning</b>	<b>DPS</b> Residential R20.
	<b>MRS</b> Urban.
<b>Site area</b>	Lot 642: 683m <sup>2</sup> , Lot 643 683m <sup>2</sup> (1,366m <sup>2</sup> combined).
<b>Structure plan</b>	Not applicable.

Lots 642 and 643 are adjoined by existing residential development (R20) to the north, with a veterinary hospital immediately to the west. To the east of the site is Marri Park. To the south of the subject lots is a 'Residential' (R40) zoned lot which has been developed for 'aged or dependent persons' dwellings'. The Duncraig Shopping Centre is also located diagonally opposite and an as of yet undeveloped 'Commercial' (R60) zoned site located on the corner of Marri Road and Cassinia Road (Attachment 1 refers).

The current building located on Lots 642 and 643 is leased to the Department of Education (DoE), with an area of approximately 58m<sup>2</sup> of the facility being utilised by the Department of Health as a child health centre. It is intended that once the DoE has vacated the premises, the child health centre will be relocated to the Carine Child Health Centre at Lot 159 (487L) Beach Road, Duncraig, once refurbished.

In line with the rationalisation of the City owned freehold properties, the City has been granted conditional approval from the Western Australian Planning Commission (WAPC) to amalgamate the subject lots to create a 1,366m<sup>2</sup> lot. This will allow for a greater development potential than what could be achieved on the lots individually.

The subject lots are not located within a Housing Opportunity Area (HOA) as identified in the City's *Local Housing Strategy* (LHS) and Scheme Amendment No. 73 which proposes to implement the recommendations of the LHS, including the increase to residential densities, will not apply to these lots.

Notwithstanding this, if a scheme amendment to increase the density of the subject lots is initiated without also restricting the development to 'aged and dependent persons' dwellings', it may create a precedent whereby other landowners, who may feel they missed out by not being located in a Housing Opportunity Area and will not benefit from the increased development potential afforded, may seek to have their land recoded in the same manner.

If this amendment places a restriction on the City's land for development of 'aged and dependent persons' dwellings' only, this will eliminate the risk for precedent.

In line with the rationalisation of the City's freehold properties, it is anticipated that Council will seek to dispose of these lots.

At its meeting held on 31 March 2015 (CJ047-03/15 refers), Council resolved, in part as follows:

"4 *REQUESTS the initiation of an amendment to District Planning Scheme No. 2 for the purpose of public consultation to recode Lots 642 and 643 Marri Road, Duncraig from R20 to R40;...*"

## DETAILS

It is proposed that Lots 642 and 643 Marri Road, Duncraig, be recoded from R20 to R40 (Attachment 2 refers). It is also considered appropriate for the use of the site to be restricted to 'aged or dependent persons' dwellings'. The size and location of the subject sites creates an ideal opportunity to provide this form of housing in Duncraig. In addition, the restriction would be consistent with the restriction placed on other City owned land that is being rationalised.

In terms of residential dwelling numbers, the following table outlines the maximum potential yield at a density code of R20 and R40 if the sites were amalgamated and developed for single/grouped dwellings or aged and dependent persons' dwellings.

	<b>R20</b>	<b>R40</b>
<b>Single and grouped dwellings</b>	Three dwellings	Six dwellings
<b>Aged or dependent persons' dwellings</b>	Five dwellings	Nine dwellings

With respect to the above information, it is important to note the following:

- 1 This reflects maximum development potential only. It is likely that the number of dwellings on site will be less than outlined given the need to also meet open space, height, set back, parking and landscaping requirements.
- 2 It is not possible to determine the number of multiple dwellings that can be developed as no minimum lot sizes are specified in the *Residential Design Codes* for multiple dwellings.

### Issues and options considered

The issue to be considered by Council is:

- the suitability of the proposed residential density code
- the suitability of restricting the use of the land to 'aged or dependent persons' dwellings' via this scheme amendment.

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

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

## Legislation / Strategic Community Plan / policy implications

### Legislation

*Planning and Development Act 2005.*  
*Town Planning Regulations 1967.*

### Strategic Community Plan

#### Key theme

Quality Urban Environment.

#### Objective

Quality built outcomes.

#### Strategic initiative

- Buildings and landscaping is suitable for the immediate environment and reflect community values.
- The community is able to effectively age-in-place through a diverse mix of facilities and appropriate urban landscapes.

### Policy

Not applicable.

### *Planning and Development Act 2005 and Town Planning Regulations 1967*

Part 5 of the *Planning and Development Act 2005* along with the *Town Planning Regulations 1967* enables local governments to amend a local planning scheme and sets out the process to be followed.

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

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

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

### Risk management considerations

If a scheme amendment to increase the density of the subject lots is initiated without also restricting the development to 'aged and dependent persons' dwellings' there is a significant risk that other scheme amendments proposing density increases similar to the subject proposal, will be lodged with the City.

### Financial / budget implications

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

## Regional significance

Not applicable.

## Sustainability implications

The increase in density to a residential density coding of R40 and restriction to 'aged or dependent persons' dwelling' will create the opportunity to provide alternative housing choice to assist the community to age-in-place, with public transport, housing, shopping and recreation facilities within close proximity.

## Consultation

Should Council initiate the proposed amendment, it is required to be advertised for public comment for a period of 42 days. It is proposed that advertising will occur as follows:

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

## COMMENT

### Suitability of the proposed residential density coding

The subject lots are located in close proximity to an existing residential lot that has been developed for 'aged or dependent persons' dwellings' at the residential density of R40 (No. 52 Marri Road, Attachment 1 refers). A 'Commercial' zoned site with a residential density of R60 and the Duncraig Shopping Centre are located diagonally opposite the site, which can provide daily services for nearby residents. The development of Lots 642 and 643 for the purpose of 'aged and dependent persons' dwellings' will contribute to the mix of land uses and housing product in the area.

Although it was not requested by Council that the use of the lots be restricted for the purposes of 'aged or dependent persons' dwellings', it is considered, from a planning perspective, appropriate to apply this restriction via wording in the amendment in order to ensure the sites get developed specifically for this purpose. If a scheme amendment to increase the density of the subject lots is initiated without also restricting the development to 'aged and dependent persons' dwellings', it may create a precedent whereby other landowners, who may feel they missed out by not being located in a Housing Opportunity Area and will not benefit from the increased development potential afforded, may seek to have their land recoded in the same manner.

If this amendment places a restriction on the City's land for development of 'aged and dependent persons' dwellings' only, this will eliminate the risk for precedent.

The facilitation of 'aged and dependent persons' dwellings' in close proximity to existing services, as well as the opportunity for affordable housing is consistent with the objectives of the 'Residential' zone under DPS2 as well as the City's *Strategic Community Plan 2012-2022*. It is also consistent with the restrictions placed on other City owned land that has been, or is in the process of being, disposed of.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Fishwick, **SECONDED** Cr Ritchie that Council pursuant to Part 5 of the *Planning and Development Act 2005* and Regulations 13 and 25 of the *Town Planning Regulations 1967*, **PROCEEDS** with proposed Amendment No. 82 to the *City of Joondalup District Planning Scheme No. 2* to:

- 1 Amend the Residential Density Code Map to recode Lot 642 (57) and Lot 643 (59) Marri Road, Duncraig from 'R20' to 'R40';
- 2 Include Lot 642 (57) and Lot 643 (59) Marri Road, Duncraig in Schedule 2- Section 2 - Restricted Uses as follows:

NO	STREET/LOCALITY	PARTICULARS OF LAND	RESTRICTED USE
2-10	57 Marri Road, Duncraig	Lot 642	Aged or Dependent Persons' Dwelling.
	59 Marri Road, Duncraig	Lot 643	

- 3 Amend the Scheme Map to depict 'Restricted Use: 2-10' over Lot 642 (57) and Lot 643 (59) Marri Road,

as depicted at Attachment 2 to Report CJ110-07/15, for the purposes of public advertising for a period of 42 days.

The Motion was Put and

**CARRIED (10/1)**

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

**Against the Motion:** Cr Corr.

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf140715.pdf](#)

## CJ111-07/15 EXECUTION OF DOCUMENTS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	15876, 101515
<b>ATTACHMENT</b>	Attachment 1 Documents executed by affixing the Common Seal for the period 2 June 2015 to 23 June 2015.
<b>AUTHORITY / DISCRETION</b>	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 June 2015 to 23 June 2015 (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 June 2015 to 23 June 2015 executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ111-07/15.*

### BACKGROUND

During the period 2 June 2015 to 23 June 2015, nine documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Deed of Extension of Lease.	1
Contract for Sale.	2
Restrictive Covenant	2
Removal of Section 70A Notification.	1
Transfer of Land.	1
Application to Amend Easement.	1
Licence Agreement.	1

**Issues and options considered**

Not applicable.

**Legislation / Strategic Community Plan / policy implications**

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

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

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

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Hollywood, SECONDED Cr Thomas that Council NOTES the Schedule of Documents covering the period 2 June 2015 to 23 June 2015, executed by means of affixing the Common Seal, as detailed in Attachment 1 to Report CJ111-07/15.**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ121-07/15, page 96 refers.**

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

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf140715.pdf](#)*

**CJ112-07/15 MINUTES OF EXTERNAL COMMITTEES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	60514, 101515
<b>ATTACHMENT</b>	Attachment 1 Minutes of the meeting of the Western Australian Local Government Association North Metropolitan Zone held on 25 June 2015.  <i>(Please Note: The minutes are only available electronically).</i>
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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**PURPOSE**

For Council to note the minutes of Western Australian Local Government Association (WALGA) North Metropolitan Zone meeting held on 25 June 2015 on which the City has current representation.

**EXECUTIVE SUMMARY**

The minutes of the meeting of the WALGA North Metropolitan Zone held on 25 June 2015 are provided.

**DETAILS****Western Australian Local Government Association North Metropolitan Zone – 25 June 2015.**

A meeting of the WALGA North Metropolitan Zone was held on 25 June 2015.

The Council's representatives on the WALGA North Metropolitan Zone are Crs Geoff Amphlett, Russ Fishwick, Sam Thomas and Philippa Taylor. On this occasion Cr Philippa Taylor was an apology.

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

- 8.1 Department of Local Government and Communities and Joint Standing Committee on Delegated Legislation.

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

*“That the WALGA State Council be requested to engage with the Department of Local Government and Communities and Joint Standing Committee on Delegated Legislation to:*

- *Seek clarity on behalf of all Local Governments as to the correct procedures and protocols required when dealing with the Delegated Legislation Committee; and*
- *Improve the processes, guidelines and protocols of the Delegated Legislation Committee in order that Local Governments, and the Committee, ensure they act appropriately and comply with Parliamentary requirements in the best interests of good government.”*

### **Legislation / Strategic Community Plan / policy implications**

**Legislation** Not applicable.

### **Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Strong leadership.

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

**Policy** Not applicable.

### **Risk management considerations**

Not applicable.

### **Financial / budget implications**

Not applicable.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

Not applicable.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr Hollywood, **SECONDED** Cr Thomas that Council **NOTES** the minutes of the Western Australian Local Government Association North Metropolitan Zone meeting held on 25 June 2015 forming Attachment 1 to Report CJ112-07/15.

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ121-07/15, page 96 refers.**

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

*To access this attachment on electronic document, click here: [ExternalMinutes140715.pdf](#)*

## **CJ113-07/15 LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2015**

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER</b>	09882, 101515	
<b>ATTACHMENTS</b>	Attachment 1	Chief Executive Officer's Delegated Municipal Payment List for the month of May 2015
	Attachment 2	Chief Executive Officer's Delegated Trust Payment List for the month of May 2015
	Attachment 3	Municipal and Trust Fund Vouchers for the month of May 2015
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').	

### **PURPOSE**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of May 2015.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of May 2015 totalling \$13,524,138.46.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for May 2015 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 CJ113-07/15, totalling \$13,524,138.46.*

### **BACKGROUND**

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

## DETAILS

The table below summarises the payments drawn on the funds during the month of May 2015. 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 101188 - 101466 & EF047677 – EF048339. Net of cancelled payments.	\$9,186,497.85
	Vouchers 1448A -1455A.	\$4,298,817.96
Trust Account	Trust Cheques & EFT Payments 206759 206785 & TEF000227 – TEF000256. Net of cancelled payments.	\$38,822.65
<b>Total</b>		<b>\$13,524,138.46</b>

### 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

<b>Key theme</b>	Financial Sustainability.
<b>Objective</b>	Effective management.
<b>Strategic initiative</b>	Not applicable.
<b>Policy</b>	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 Thomas that Council **NOTES** the Chief Executive Officer's list of accounts for May 2015 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 CJ113-07/15, totalling \$13,524,138.46.

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ121-07/15, page 96 refers.**

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

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf140715.pdf](#)

## **CJ114-07/15 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2015**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	07882, 101515
<b>ATTACHMENTS</b>	Attachment 1 Financial Activity Statement for the period ended 31 May 2015
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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### **PURPOSE**

For Council to note the Financial Activity Statement for the period ended 31 May 2015.

### **EXECUTIVE SUMMARY**

At its meeting held on 17 February 2015 (CJ027-02/15 refers), Council adopted the Mid Year Budget Review for the 2014-15 Financial Year. The figures in this report are compared to the Revised Budget.

The May 2015 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$17,701,488 for the period when compared to the Revised Budget. This variance does not represent an end of year projection. It represents the year to date position to 31 May 2015. There are a number of factors influencing the favourable variance but it is predominantly due to the timing of revenue and expenditure compared to the revised budget estimate. The notes in Appendix 3 to Attachment 1 identify and provide commentary on the individual key material revenue and expenditure variances to date.

The variance can be summarised as follows:

The operating surplus is \$8,629,098 higher than budget, made up of higher operating revenue \$3,064,191 and lower operating expenditure of \$5,564,907.

Operating revenue is higher than budget on Profit on Asset Disposals \$2,122,682, Fees and Charges \$177,084, Rates \$387,165, Interest earnings \$168,408, Contributions, Reimbursements and Donations \$147,075, Grants & Subsidies \$26,996, Other Revenue \$32,509 and Specified Area Rates \$2,272.

Operating Expenditure is lower than budget on Materials and Contracts \$4,093,671, Employee Costs \$957,550, Utilities \$327,030, Depreciation and Amortisation \$218,463 and Interest expenses \$24,615. These are partly offset by higher than budget expenditure on Loss on Asset disposals \$32,369 and Insurance \$24,053.

The Capital Deficit is \$11,666,178 lower than budget primarily owing to lower than budgeted expenditure on Capital Works \$10,772,010, Capital Projects \$1,430,225 and Vehicle and Plant Replacements \$450,791 partly offset by lower than budgeted revenue for Capital Grants and Subsidies \$987,733.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 May 2015 forming Attachment 1 to Report CJ114-07/15.*

## **BACKGROUND**

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

## **DETAILS**

### **Issues and options considered**

The Financial Activity Statement for the period ended 31 May 2015 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 revised budget was prepared having regard to the Strategic Financial Plan, prepared under Section 5.56 of the *Local Government Act 1995*, which was made available for public comment.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Hollywood, SECONDED Cr Thomas that Council NOTES the Financial Activity Statement for the period ended 31 May 2015 forming Attachment 1 to Report CJ114-07/15.**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ121-07/15, page 96 refers.**

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

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf140715.pdf](#)*

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No./Subject</b>	CJ115-07/15 – Review of Tennis Court Venue Free Community Use Trial.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr's son is a member of the Warwick-Greenwood Cricket Club that uses Penistone Park.

## CJ115-07/15      REVIEW OF TENNIS COURT VENUE FREE COMMUNITY USE TRIAL

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	19860, 101515
<b>ATTACHMENT</b>	Nil.
<b>AUTHORITY / DISCRETION</b>	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 review the tennis court free community use trial and provide direction for the ongoing management of tennis courts within the City of Joondalup.

**EXECUTIVE SUMMARY**

The City has recently undertaken a trial of offering City managed tennis court venues for free community use as approved by Council at its meeting held on 20 May 2014 (CJ024-05/14 refers). Throughout the trial the annual average occupancy rate increased by 50% to 31.5%. There was little reported damage to the courts and the City received six emails supporting the trial with only one email requesting a return to hire and pay.

Options for the ongoing management of the tennis court venues include:

*Option 1 – Maintain free use status quo*

No change to current set up with all City managed courts operating as free community use with those courts that are linked to a tennis club remaining under a Tennis Court Booking Officer (TCBO) agreement with no charge levied on community casual users.

*Option 2 – Return to pay per use.*

Return the nine courts currently under free use to pay per use.

*It is therefore recommended that Council:*

- 1 **AGREES** to allow free community use of the following tennis court venues:
  - 1.1 *Emerald Park, Edgewater (two courts);*
  - 1.2 *Glengarry Park, Duncraig (two courts);*
  - 1.3 *Harbour Rise, Hillarys (two courts);*
  - 1.4 *Kingsley Park, Kingsley (two courts);*
  - 1.5 *Camberwarra Park, Craigie (two courts);*
  - 1.6 *Penistone Park, Greenwood (two courts);*
  - 1.7 *Blackboy Park, Mullaloo (two courts);*
  - 1.8 *Kinross College, Kinross (two courts);*
  - 1.9 *James Cook Park, Hillarys (two courts);*
  
- 2 **AGREES** that clubs, commercial groups and any other groups requiring exclusive use are still required to pay the appropriate fee for use of the City's tennis courts and are required to book through the City's Community Facilities Bookings Office.

## **BACKGROUND**

The City oversees 13 tennis court venues available for public use. The booking arrangements for these venues are coordinated by the City, except for the courts at Percy Doyle Reserve, which are leased from the City by the Sorrento Tennis Club who manage these bookings.

The City managed venues were traditionally managed by Tennis Court Booking Officers (TCBO) who were recruited from the local community to manage the community bookings of the courts on behalf of the City. The TCBO's receive bookings for the courts and payments from the community and then forward these through to the City on a regular basis. The TCBO's remuneration is a monthly stipend of \$50 a month or 20% of the court booking income, whichever is the greatest. Tennis clubs, commercial operators (such as tennis coaches) and groups who require exclusive and/or regular use are required to book through the City's Community Facilities Bookings Office who coordinates the bookings with the TCBO.

In early 2013 the City agreed to an initial trial of five tennis court venues for free community use throughout the City of Joondalup between 1 March 2013 and 31 December 2013. This initial trial was seen as a success and therefore Council at its meeting held on 20 May 2014 (CJ074-05/14 refers) extended the trial through to 30 June 2015 and expanded the number of venues available by four.

## **DETAILS**

During the trial period (1 June 2014 – 30 June 2015) nine tennis court venues were offered to the community for free use:

- Courts offered throughout both trial periods:
  - Emerald Park, Edgewater (two courts)
  - Glengarry Park, Duncraig (two courts)
  - Harbour Rise, Hillarys (two courts)
  - Kingsley Park, Kingsley (two courts)
  - Camberwarra Park, Craigie (two courts).

- Courts offered throughout second trial period only (1 June 2014 – 30 June 2015):
  - Penistone Park, Greenwood (two courts)
  - Blackboy Park, Mullaloo (two courts)
  - Kinross College, Kinross (two courts)
  - James Cook Park, Hillarys (two courts).

To facilitate the trial, these courts had their padlocks removed, TCBO contracts terminated, floodlights altered to allow manual (timed) operation and signage installed to inform the public of the trial. Group and commercial users were still required to book and pay for tennis court usage through the City and these booked times were placed on signage at the courts. The City has received feedback from residents regarding the free use trial, six emails of support were received from residents regarding the free use of the tennis courts. These emails listed positive impacts including:

- an increase in physical activity
- increased family time
- new people playing tennis.

The City also received one email not supporting the concept of free community use based on their existing weekly booking being interrupted by the trial and the casual use of others.

Throughout the trial period, the City placed CCTV cameras on five venues to assess the usage of the courts.

	Average utilisation rate		
	2012 (TCBO)	2013 (1 <sup>st</sup> trial)	2014-15 (2 <sup>nd</sup> trial)
Emerald Park	0.9 %	20 %	39.5 %
Harbour Rise	53 %	50 %	49.4 %
Camberwarra Park	0.9 %	14 %	No Data
Kingsley Park	No Data	No Data	17 %
Penistone Park	11%	8.5% (TCBO)	20 %
Average	16 %	23 %	31.5 %

The figures above indicate that the trial has had a positive effect on the utilisation of the courts.

The CCTV footage from the second trial showed the four courts were used for a total of 316.5 hours, comprising 243.5 hours (77%) for community tennis, 68 hours (21.5%) for commercial coaching and five hours (1.5%) for incidental use, such as scooters, skateboarding and other games.

Throughout the trial, the following three tennis court venues continued to be managed by a TCBO due to their heavy usage by adjacent tennis clubs:

- Heathridge Park, Heathridge (10 courts).
- Warwick Regional Open Space, Warwick (12 courts).
- Timberlane Park, Woodvale (12 courts).

There was some damage to the courts that occurred during the trial period. The table below represents the maintenance costs of each of the free use trial courts over the past four years (2011-12 being the full 12 month period with no free use trial, for comparison).

	2014-15	2013-14	2012-13	2011-12
Camberwarra Park	\$224	\$3,399*		
Emerald Park	\$559	\$229		
Penistone Park	\$336			
Harbour Rise	\$224			
Glengarry Park		\$229		
Multiple Sites			\$1,450	\$2,477
<b>Total</b>	<b>\$1,343</b>	<b>\$3,857</b>	<b>\$1,450</b>	<b>\$2,477</b>

\*Works included replacement of tennis net posts.

The average cost of annual tennis court maintenance has not changed significantly since the inception of the free use trial.

Should vandalism increase substantially there are anti-vandal options for tennis nets. These are not ideal as they are generally made from rigid materials (steel) that do not react in the same way as the nylon nets that are currently used.

### Issues and options considered

Two options are provided for the ongoing management of the tennis courts within the City of Joondalup.

#### Option 1 – Maintain free use status quo

No change to current set up with all City managed courts operating as free community use with those courts that are linked to a tennis club remaining under a Tennis Court Booking Officer (TCBO) agreement with no charge levied on community casual users.

#### Option 2 – Return to pay per use.

Return the nine courts currently under free use to pay per use.

This would require the TCBO's to be reinstated, locks on the courts to be re-installed, signs replaced and website amended.

The reinstatement of the TCBO structure would provide considerable challenges to source and retrain the TCBO's should the previous TCBO's not be willing to return to the role.

A return to pay per use could create some negative publicity for the City with the courts regularly utilised and some community expectation for the courts to be now made available.

### 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**

Should the courts be continued as free use there is a possibility of the courts being used in a manner for which they were not designed for. These uses could cause damage to the courts and the associated infrastructure increasing the maintenance required, however such damage is possible at any other sporting infrastructure that the City provides, such as cricket nets, centre wickets and goal posts.

### **Financial/budget implications**

It is estimated that over the 2014-15 financial year, the conversion of all City managed tennis courts to free community use had a net cost to the City of approximately \$33,165. This comprises a loss of approximately \$31,844 in income and an increase of \$1,321 in expenditure for the cost of works to the courts to prepare for free community use.

	Budget 2014-15	Estimated 2014-15 (YTD and expected)
Community Income	\$29,974	\$0
Club/Commercial Income	\$29,710	\$27,840
Total Income	\$59,684	\$27,840
Expenditure (TCBO)	\$3,881	\$600
Expenditure (Signage)	\$330	\$1,280
Expenditure (Printing)	\$100	\$0
Expenditure (conversion to Free Use)	\$0	\$3,752
Total Expenditure	\$4,311	\$5,632
Operating Result	\$55,373	\$22,208

The ongoing annual financial impact should the free use continue would be similar to the above table from 2014-15, however expenditure would be significantly less as the conversion to free use and the signage requirements have already been completed.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

No formal consultation was undertaken during the trial however the City did receive several responses from the community which have been addressed within this report.

Tennis Clubs have not been consulted about the free community use arrangement as their locations are not affected at this stage. However if their locations are involved in future arrangements the City would consult with them prior to those arrangements being implemented.

The City is planning a redevelopment of the Penistone Park site and this includes options for removing or relocating the two public tennis courts. The City has received a petition supporting retaining the tennis courts and this petition will be addressed in a future Council report regarding a Community Sporting and Recreation Facilities Fund grant for the Penistone Park redevelopment.

## **COMMENT**

Throughout the trial the City received positive feedback from community members regarding the availability of the tennis courts under the free use trial. Feedback received formally through emails and also informally through numerous site visits showed that use of the courts increased significantly throughout the trial and that the community valued the increased access granted to these assets through the trial.

## **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr Corr that Council:**

**1 AGREES to allow free community use of the following tennis court venues:**

- 1.1 Emerald Park, Edgewater (two courts);**
- 1.2 Glengarry Park, Duncraig (two courts);**
- 1.3 Harbour Rise, Hillarys (two courts);**
- 1.4 Kingsley Park, Kingsley (two courts);**
- 1.5 Camberwarra Park, Craigie (two courts);**
- 1.6 Penistone Park, Greenwood (two courts);**
- 1.7 Blackboy Park, Mullaloo (two courts);**
- 1.8 Kinross College, Kinross (two courts);**
- 1.9 James Cook Park, Hillarys (two courts);**

**2 AGREES that clubs, commercial groups and any other groups requiring exclusive use are still required to pay the appropriate fee for use of the City's tennis courts and are required to book through the City's Community Facilities Bookings Office.**

**The Motion was Put and**

**CARRIED (11/0)**

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

**CJ116-07/15 COMMUNITY SPORTING AND RECREATION FACILITIES FUND 2015-16 SUMMER FUNDING ROUND**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	09631, 101515
<b>ATTACHMENTS</b>	Attachment 1      Site layout – Sorrento Tennis Club
<b>AUTHORITY / DISCRETION</b>	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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**PURPOSE**

For Council to consider an application to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund summer small grant round for the Sorrento Tennis Club Court Refurbishment project.

**EXECUTIVE SUMMARY**

The Department of Sport and Recreation (DSR) allocates approximately \$1.5 million annually for the Community Sporting and Recreation Facilities Fund (CSRFF) small grant round (projects \$7,500 to \$200,000 in value).

The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity through the provision of funding that assists the development of well planned and designed infrastructure. The City of Joondalup is required to assess and rank all applications received from sport and recreation clubs located within the City as well as any City projects, prior to their submission.

The Sorrento Tennis Club (STC) submitted an expression of interest to the City in February 2015 for consideration within the 2015-16 summer CSRFF small grants round. The STC is requesting that the City undertake a court refurbishment project at their leased tennis courts within Percy Doyle Reserve, Duncraig. The project is expected to cost \$148,590 with the City seeking a CSRFF grant of \$49,530, as well as a contribution from the club of \$49,530. CSRFF applications must be received by the DSR by 4.00pm on Monday 31 August 2015.

*It is therefore recommended that Council:*

- 1 *ENDORSES an application to Department of Sport and Recreation's CSRFF program for \$49,530 (ex GST) to part fund the refurbishment of the tennis courts at Percy Doyle Reserve, Duncraig;*
- 2 *ENDORSES the ranking and rating of CSRFF applications below:*

<i>Applicant's Rank</i>		<i>Applicant's Rating</i>
<i>1</i>	<i>Sorrento Tennis Club – refurbishment of tennis courts at Percy Doyle Reserve, Duncraig.</i>	<i>Well planned and needed by the applicant.</i>

## **BACKGROUND**

The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity through the provision of funding that assists the development of well planned and designed infrastructure.

The CSRFF program represents a partnership opportunity for community organisations to work with local governments and the DSR. Applications for funding may be submitted by a community organisation or a local government. A CSRFF grant will not exceed one third of the total completed cost of the project, with the remaining funds to be contributed by the applicant's own cash or 'in-kind' contribution, and/or the local government.

In 2013 the City made the decision to project manage all CSRFF projects itself whether they be City or club submitted projects. This was decided to ensure all projects met the City's purchasing protocols as well as the standards of construction and fit out that the City upholds.

The state government allocates funds across three grant categories. A total of \$750,000 is allocated for each of the two small grant rounds. Small grants are awarded for projects between \$7,500 and \$200,000 in total value.

The City of Joondalup is required to place a priority ranking (where there are multiple applications) and rating on applications for projects that fall within its boundaries based on the following criteria:

- Well planned and needed by the local government.
- Well planned and needed by the applicant.
- Needed by the local government, more planning required.
- Needed by the applicant, more planning required.
- Idea has merit, more preliminary work needed.
- Not recommended.

The DSR places a strong emphasis on a planned approach towards CSRFF applications.

### Sorrento Tennis Club

The Sorrento Tennis Club has previously received funding from the City for court resurfacing projects.

At its meeting held on 16 October 2007 (CJ222-10/07 refers), Council agreed to two payments of \$28,138 and \$22,400 to the STC for the resurfacing of eight courts including 5, 6, 9 and 10 (other four courts not identified).

At its meeting held on 15 March 2011 (CJ037-03/11 refers), Council supported a CSRFF project from the STC to resurface courts 13-18 and to replace the external perimeter fencing on courts 1-12 at a cost to the City of \$36,333. Council also noted that the City would not contribute financially to the re-surfacing of courts 13-18 again prior to the 2019 financial year. This eight year period reflects the normal lifecycle of a synthetic tennis court surface.

### **DETAILS**

The City received one sporting club application for the 2015-16 CSRFF summer small grant round.

The City assessed the application, and developed a project summary and recommendation as part of the assessment process.

### Sorrento Tennis Club – Proposed Tennis Court Refurbishment Project

Sorrento Tennis Club is located within Percy Doyle Reserve, Duncraig. Percy Doyle Reserve is approximately 19 hectares in size and is classified as a 'Regional Park' within the City's *Parks and Public Open Spaces Classification Framework*. The park has a number of active sporting fields, clubrooms and other community buildings.

The STC holds a lease over their clubrooms and 20 tennis courts which commenced on 1 October 2013 and expires on 30 September 2023 with two further terms of five years. The lease requires the lessee to "keep and maintain every part of the premises" and that "the lessee need not carry out repairs of a structural nature". The City has however undertaken minor refurbishment projects at the club in the past to assist in the general upkeep of the facility.

The STC provides opportunities for both competitive and social tennis players throughout the northern metropolitan region. The club has approximately 360 members of which 66% are identified as City of Joondalup residents. The court refurbishment project has been proposed by the club to ensure it can continue to provide safe and suitable infrastructure for their members and visitors.

As the club holds a lease over the tennis courts as well as the clubrooms the courts are not available for free community use as other courts in the City are under the current free use trial (CJ074-05/14 refers). The club manages their courts and charges a fee for use.

The project has the potential to positively impact on the community's ability to participate in physical activity and provides increased opportunities for the safe use of the sporting venues within the City.

The STC court refurbishment project includes:

- resurfacing of courts one and two
- replacement of court perimeter fencing to courts 13-20
- replacement of internal court division fencing between courts 2-3, 6-7 and 10-11
- replacement of damaged sun shelters between courts 2-3, 6-7, 10-11 and 14-15
- installation of new sun shelters for courts 1, 4, 5, 8, 9, 12, 13 and 16.

The total budget for this project is \$148,590. The City is proposing to seek funding assistance through the CSRFF grant for one-third contribution of this amount (\$49,530) with the STC contributing one third (\$49,530) also.

**Total Project Cost: \$148,590 (ex GST)**

**Income \$99,060 (ex GST)**

- STC contribution \$49,530 (ex GST)
- CSRFF Grant requested \$49,530 (ex GST)

**Net Cost to the City \$49,530 (ex GST)**

The total project cost listed above includes figures for construction contingency and planning contingency as assessed by the City. The total project cost also includes consideration through March 2016 for cost escalation.

The STC has provided a letter of support for the project signed by the President and Treasurer. The letter also agrees to a payment structure of a 50% payment of their contribution once a contractor has been appointed with the balance payable on project completion.

#### Assessment Summary

Assessment Criteria	Evidence Provided		
	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity	✓		
Sustainability	✓		

#### Recommendation Summary

Ranking: 1 (of 1).  
 Rating: Well planned and needed by the applicant.  
 Funding request: \$49,530 (ex GST).  
 Funding type: Small Grant (Summer Round) – funded in 2015-16.

### Issues and options considered

The assessment and ranking of these applications is important in terms of the City's strategic approach to these projects.

Council may choose to endorse or not to endorse any CSRFF applications being submitted for consideration.

Should Council choose not to endorse this application an application will not be prepared for consideration by DSR and the City would notify the club of Council's decision.

### Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	Not applicable.
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Community Wellbeing.
<b>Objective</b>	Quality facilities.
<b>Strategic initiative</b>	Support a long-term approach to significant facility upgrades and improvements.
<b>Policy</b>	The assessment process undertaken for the CSRFF program is in line with the following: <ul style="list-style-type: none"> <li>• <i>Community Funding Policy.</i></li> <li>• <i>Community Consultation and Engagement Policy.</i></li> <li>• <i>Asset Management Policy.</i></li> <li>• <i>Leisure Policy.</i></li> </ul>

### Risk management considerations

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

### Financial / budget implications

The City currently has no funds budgeted specifically to support this grant application.

Within the annual *Capital Works Program* an amount of \$100,000 is listed within 2015-16 for a Tennis Court Re-surfacing Program. The locations of these works are subject to consideration within the *Tennis Court Management Strategy* which identifies courts for re-surfacing and possible de-commissioning. This strategy is considered using information including utilisation rates, age of courts and infrastructure and condition assessments. The STC courts (courts 1-12) have been identified as high priority site for tennis court re-surfacing and will be considered for re-surfacing in 2015-16. In addition to the courts at Sorrento Tennis Club, it was proposed to resurface the two courts at James Cook Park, Hillarys.

Should the CSRFF application be successful it is recommended that the City's contribution to the project be identified within the existing \$100,000 budget allocation for tennis court re-surfacing, with the balance of the budget amount being used to undertake additional court re-surfacing as required.

The City will be notified of the success of the grant application in November 2015. If successful the project would be due to be completed and acquitted to the DSR by mid June 2016.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

The state sporting association for tennis in Western Australia, Tennis West, has provided a letter of support for the STC project. They have noted that the STC is the regional tennis centre for the north metropolitan area.

### **Sustainability implications**

Not applicable.

### **Consultation**

The City has consulted heavily with the STC in the preparation of this project and the grant application.

No community consultation has taken place as the project is not expected to impact on the public amenity of the area or to their access to the courts.

### **COMMENT**

The DSR, through the CSRFF, aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities. The CSRFF provides the City with an excellent opportunity to upgrade community facilities and City infrastructure with the support of the state government (Department of Sport and Recreation) and the community organisations that will directly benefit from the upgrades.

At its meeting held on 21 April 2015 (CJ061-04/15 refers), Council listed \$604,605 within the *Five Year Capital Works Program* for consideration in the 2016-17 financial year to re-furbish the STC facility. The works being considered include refurbishing the toilets, change rooms, paving, storeroom, foyer/player area and render and paint internals.

### **VOTING REQUIREMENTS**

Simple Majority.

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

- 1 ENDORSES an application to Department of Sport and Recreation's CSRFF program for \$49,530 (ex GST) to part fund the refurbishment of the tennis courts at Percy Doyle Reserve, Duncraig;**
- 2 ENDORSES the ranking and rating of CSRFF applications below:**

<b>Applicant's Rank</b>		<b>Applicant's Rating</b>
<b>1</b>	<b>Sorrento Tennis Club – refurbishment of tennis courts at Percy Doyle Reserve, Duncraig.</b>	<b>Well planned and needed by the applicant.</b>

**The Motion was Put and**

**CARRIED (11/0)**

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

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf140715.pdf](#)

## **CJ117-07/15 TENDER 024/15 - PROVISION OF IRRIGATION ELECTRICAL SERVICES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	105135, 101515
<b>ATTACHMENTS</b>	Attachment 1      Schedule of Items Attachment 2      Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	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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### **PURPOSE**

For Council to accept the tender submitted by Triton Electrical Contractors Pty Ltd for the provision of irrigation electrical services.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 9 May 2015 through statewide public notice for the provision of irrigation electrical services for a period of three years. Tenders closed on 26 May 2015. A submission was received from each of the following:

- Triton Electrical Contractors Pty Ltd.
- Northlake Electrical Pty Ltd.
- The Trustee for the Aspect Trust t/as Aspect Group.
- Greenstar Group WA Pty Ltd trading as Greenstar Electrical Services WA.
- BRE Services Company Pty Ltd.
- Barhams Electronics Pty Ltd trading as James Reid Electrical Controls.

The submission from Triton Electrical Contractors Pty Ltd represents best value to the City. The company has considerable experience in providing similar services to local governments including the Town of Victoria Park and the Cities of Wanneroo and Belmont. It demonstrated a thorough understanding of the City's requirements and is well resourced to undertake the work. Triton Electrical Contractors Pty Ltd is the City's current contractor for irrigation electrical services and has provided a high level of service.

*It is therefore recommended that Council ACCEPTS the tender submitted by Triton Electrical Contractors Pty Ltd for the provision of irrigation electrical services as specified in Tender 024/15 for a period of three years at the submitted schedule of rates with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).*

## **BACKGROUND**

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

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

The City currently has a single contract for the provision of irrigation electrical services with Triton Electrical Contractors Pty Ltd which will expire on 2 August 2015.

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**

The tender for the provision of irrigation electrical services was advertised through statewide public notice on 9 May 2015. The tender period was for two weeks and tenders closed on 26 May 2015.

### **Tender Submissions**

Six submissions were received from:

- Triton Electrical Contractors Pty Ltd.
- Northlake Electrical Pty Ltd.
- The Trustee for the Aspect Trust t/as Aspect Group.
- Greenstar Group WA Pty Ltd trading as Greenstar Electrical Services WA.
- BRE Services Company Pty Ltd.
- Barhams Electronics Pty Ltd trading as James Reid Electrical Controls.

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

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

### **Evaluation Panel**

The evaluation panel comprised four members:

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

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

## Compliance Assessment

All offers received were assessed as compliant and remained for further consideration.

## Qualitative Assessment

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. The minimum acceptable score was set at 60%.

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

Qualitative Criteria		Weighting
1	Demonstrated understanding of the required tasks	35%
2	Demonstrated experience in providing similar services	30%
3	Capacity	30%
4	Social and economic effects on the local community	5%

Greenstar Electrical scored 33.5% and was ranked sixth in the qualitative assessment. The company did not demonstrate its understanding of the required tasks. The company is a new division of the Greenstar Group WA. It did not provide after hours contacts, its ability to provide additional resources or safety statistics. Greenstar Electrical did not demonstrate experience providing irrigation electrical services. It provided the previous project examples of its Electrical Services Manager, but did not supply any project examples completed by the company.

James Reid Electrical Controls scored 42.4% and was ranked fifth in the qualitative assessment. The company demonstrated some understanding of the requirements. It demonstrated limited experience providing irrigation electrical services. Five project examples were provided for minor irrigation contracts (bore pump repair, pump station maintenance and bore cubicle manufacture and installation) ranging from \$11,000 to \$30,000 in value. No period and dates of the contracts was supplied. James Reid Electrical Controls is an established company but did not provide after-hour contacts for emergency requirements or a copy of its safety policy.

BRE Services scored 44.8% and was ranked fourth in the qualitative assessment. The company has the capacity to provide the services. It demonstrated some understanding of the required tasks. The company did not demonstrate experience providing irrigation electrical services. It provided a list of its customers, a general scope of works undertaken and only one example of work (facility management at Iplex Pipelines) where the scope was clearly outlined. Neither the submitted scope of works nor the example provided was in the field of irrigation electrical services.

Aspect Group scored 47.8% and was ranked third in the qualitative assessment. It demonstrated an understanding of the required tasks and appreciation of the City's need for irrigation electrical services to parks and active reserves. The company has the capacity to provide the services, however the response did not include after-hours contacts and none of the nominated key personnel indicated experience in irrigation electrical services. Aspect Group did not demonstrate experience in providing irrigation electrical services. It provided only one example of work (general electrical maintenance at Belrose Aged Care).

Northlake Electrical scored 61.8% and was ranked second in the qualitative assessment. The company is well established and has the capacity to provide the services. It has extensive experience providing irrigation electrical maintenance to state and local governments including Burswood Park Board, Metropolitan Cemetery Board, Botanical Parks and Gardens, Western Irrigation Pty Ltd, Elliotts Irrigation, Rond Drilling and the Cities of Cockburn, Melville, Kwinana and Rockingham. It demonstrated an understanding of the required tasks.

Triton Electrical Contractors scored 74.2% and was ranked first in the qualitative assessment. The company demonstrated a thorough understanding of the required tasks. It also demonstrated considerable experience providing similar services for local governments and private organisations including Penrhos College, Aquinas College, Kingsway Reserve, Brighton Estate Butler, Carramar Golf Course, Marangaroo Golf Course, Benara Nursery, Rainbird Australia, LD Total, Hydroquip Pumps, the Town of Victoria Park and the Cities of Wanneroo and Belmont. The company is well resourced to undertake the works for the City.

Based on the minimum acceptable score (60%), Triton Electrical Contractors Pty Ltd and Northlake Electrical Pty Ltd qualified for stage 2 (price) assessment.

### Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted rates offered by two qualified tenderers for stage 2 to assess value for money to the City.

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

To provide a comparison of the rates offered by each tenderer, all 10 scheduled items were used in the calculation. The following table provides a summary of the comparison of the estimated expenditure of each tenderer. Any future mix of requirements will be based on demand and subject to change in accordance with operational needs of the City. The estimated comparative like for like costs for each tenderer is as follows:

Tenderer	Year 1	Year 2	Year 3	Total
Triton Electrical Contractors Pty Ltd	\$441,234	\$454,471	\$468,105	<b>\$1,363,810</b>
Northlake Electrical Pty Ltd	\$514,970	\$530,419	\$546,332	<b>\$1,591,721</b>

During the financial year 2014-15, the City incurred \$204,793 for the provision of irrigation electrical services. The total contract expenditure for the current contract is \$1,095,743 over a three year period. Expenditure under this contract can be unpredictable year on year due to breakdowns of existing irrigation systems and their supporting electrical infrastructure.

## Evaluation Summary

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

Tenderer	Estimated Total Contract Price	Price Rank	Weighted Percentage Score	Qualitative Rank
Triton Electrical Contractors Pty Ltd	\$1,363,810	1	74.2%	1
Northlake Electrical Pty Ltd	\$1,591,721	2	61.8%	2

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

### Issues and options considered:

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

### Legislation/Strategic Plan/Policy Implications

**Legislation** A 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** Not applicable.

### Risk Management Considerations

Should the contract not proceed, the risk to the City will be high. The City constructs on average three to five irrigation systems per year which require the installation of new pumps, cubicles, cabling and electrical equipment. The City also has a large number of older electrical cabinets with continuing need for repair and modification to ensure effective operation of the City's irrigation systems. Failure to maintain the irrigation infrastructure will result in the parks and reserves not being maintained at the required service level.

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

### **Financial/Budget Implications**

<b>Account No:</b>	Various Parks Cost Centres and Capital Works.
<b>Budget Item:</b>	Irrigation Electrical Services.
<b>Estimated Budget Amount:</b>	\$517,374*
<b>Estimated Expenditure 1 July 2015 to 2 August 2015 (Current Contract):</b>	\$25,600
<b>Proposed Contract Cost 3 August 2015 to 30 June 2016 (New Contract):</b>	\$404,464
<b>Balance:</b>	\$87,310

All figures quoted in this report are exclusive of GST.

\* is inclusive of this contract cost plus additional contractors who provide irrigation services to the City.

### **Regional Significance:**

Not applicable.

### **Sustainability Implications:**

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

### **Consultation:**

Not applicable.

### **COMMENT**

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

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Hollywood, SECONDED Cr Thomas that Council ACCEPTS the tender submitted by Triton Electrical Contractors Pty Ltd for the provision of irrigation electrical services as specified in Tender 024/15 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).**

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ121-07/15, page 96 refers.**

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

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf140715.pdf](#)*

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mayor Troy Pickard.</b>
<b>Item No/Subject</b>	CJ118-07/15 - Review of Paramotor Trial at Pinnaroo Point, Hillarys.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	The President of the WA Sky Pirates Paramotor Club is a neighbour of Mayor Pickard.

## CJ118-07/15      REVIEW OF PARAMOTOR TRIAL AT PINNAROO POINT, HILLARYS

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	02093, 101515
<b>ATTACHMENTS</b>	Attachment 1      Site Layout Pinnaroo Point, Hillarys
<b>AUTHORITY / DISCRETION</b>	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 results of the paramotor trial undertaken at Pinnaroo Point, Hillarys and provide direction for the on-going management of the paramotor activity within the City of Joondalup.

**EXECUTIVE SUMMARY**

At its meeting held on 19 August 2014 (CJ142-08/14 refers), Council approved an extension of the trial for the WASP Paramotor Club's use of City managed land at the Pinnaroo Point site in Hillarys. This extended trial commenced on 20 August 2014 and concluded on 30 June 2015.

Club members undertook 11 flights from the site during the latest trial period with no incidents reported.

As resolved by Council, the City undertook consultation in May 2015, receiving responses from residents within the local area as well as the greater City of Joondalup area. Responses were also received from the eastern states and internationally. In total, the City received 323 valid responses, with 117 (36%) of those responses not supporting the activity. 182 responses were received from City of Joondalup residents with 115 (63%) of those not supporting the activity. The main concerns regarding the activity are an increase in noise, the safety of the activity (to residents, users of the beach and foreshore and the pilots) and an invasion of privacy.

*Given the level of opposition from the community consultation, it is therefore recommended that Council:*

- 1 *NOT APPROVES the use of Pinnaroo Point or any other land managed by the City for paramotor take off and landing;*
- 2 *REQUESTS the Chief Executive Officer advise the WA Sky Pirates Paramotor Club of Council's decision.*

## **BACKGROUND**

At its meeting held on 16 April 2013 (CJ014-04/13 refers), Council received a petition signed by 191 City of Joondalup residents submitted by the WASP Paramotor Club. The petition endorsed an application from the WASP Paramotor Club to be given access to suitable areas of the City of Joondalup's coastal land, so they may safely participate in their activity. Subsequently, at its meeting held on 20 August 2013 (CJ161-08/13 refers), Council approved a six month trial for the WASP Paramotor Club's use of City managed land at the Pinnaroo Point site in Hillarys.

At its meeting held on 19 August 2014 (CJ142-08/14 refers), Council considered the results of the first paramotor trial and resolved that Council:

- "1 *AGREES to extend the trial approved on 20 August 2013 (CJ 161-08/13 refers) for the WA Sky Pirates Paramotor Club use of City managed land at the Pinnaroo Point site for paramotor take-off and landing, to conclude 30 June 2015, subject to:*
  - 1.1 *The WA Sky Pirates Paramotor Club continuing to operate in accordance with the site specific operations manual that was previously approved by the City as part of the original trial;*
  - 1.2 *The WA Sky Pirates paramotor Club continuing to operate in accordance with the previously agreed tenure arrangements for the site and fee structure;*
  - 1.3 *Use of the City managed land at the Pinnaroo Point site by the WA Sky Pirates Paramotor Club ceasing at the conclusion of the trial, until such time as the Council has considered the outcomes of the trial;*
- 2 *REQUESTS the Chief Executive Officer:*
  - 2.1 *At the beginning of May 2015 of the trial as referred to in Part 1 above, to undertake community consultation with residents within a 300 metre radius of the proposed site (being the access road off Whitfords Avenue, Hillarys);*
  - 2.2 *To present a further report to Council detailing the outcomes of the community consultation referred to in Part 2.1 above in July 2015."*

## DETAILS

The WASP Paramotor Club has operated under a trial at Pinnaroo Point, Hillarys between Wednesday 20 August 2014 and Tuesday 30 June 2015.

Prior to this trial, the club submitted a site specific operations manual which was approved by the City and considered the concerns previously raised by the City and Council, as well as risk management strategies.

During the trial, the club provided monthly updates on its operations from Pinnaroo Point.

The details from these updates are listed below:

Date	No. of Flights	No. of Pilots	Time
Saturday 23 August	4 flights	4 pilots	12.30pm - 1.30pm
Wednesday 27 August	4 flights	5 pilots	Unknown
Saturday 8 November	2 flights	2 pilots	11.00am – 12.00pm
Friday 3 April	1 flight	1 pilot	11.45am – 12.15pm

In early January 2015, the City erected a one metre high fence bisecting the Pinnaroo Point site north to south. The fence was erected to clearly delineate the area required by the City to operate the beach bins and other services during the summer period. This fence reduced the takeoff and landing area by approximately 25 metres or 36% of the original approved area. The fence was replaced with a shorter less intrusive division (short wooden logs) that allowed flights to occur again on 13 March 2015. While the new fence does facilitate better access to the area for takeoff and landing than the original fence, the club has advised that it is still impacting on their ability to land on the area and has further limited the weather conditions that it is acceptable to operate in from this site.

Throughout the latest trial period there were no incidents recorded involving paramotor pilots at the Pinnaroo Point site or at any other areas within the City of Joondalup region.

The WASP Paramotor club has provided comment to the City in regards to a “rogue” pilot the club believes may be operating within the City of Joondalup. This includes taking off and landing from the Pinnaroo Point site as well as others inside and outside the Joondalup boundaries and also operating outside of the restrictions placed on the WASP club. In early June 2015 the club made a formal complaint against the pilot with the Hang Gliding Federation of Australia, as well as providing the City evidence that will be investigated to consider whether the pilot has operated against the City’s local laws.

There was a fatal accident that did occur in April 2015, where it is believed that a person took off from land within the City of Wanneroo and shortly after takeoff lost engine function, subsequently losing control of the paramotor equipment and crashed into a suburban home in Yanchep. The pilot was not a member of the WA Sky Pirates club. This is the third reported fatal incident involving paramotor pilots in 30 years of operations within Australia and the first in Western Australia.

The City of Wanneroo did provide comment in regard to this activity stating that they have no agreement for the takeoff and landing of paramotor pilots from a City of Wanneroo managed venue.

### **Pinnaroo Point Cafe/Kiosk Expression of Interest**

At the August Council meeting held on 20 August 2013 (CJ161-08/13 refers) it was acknowledged that the City had identified Pinnaroo Point for a future cafe/kiosk development. Council resolved that “should the paramotor club still be using the site once the development commences, that Council will determine if the two uses are compatible and if determined that they are not the WA Sky Pirates Paramotor club use shall cease with no obligation on the City to find them an alternative site”.

Commencing October 2013, the City undertook a two stage expression of interest for the development of a cafe/kiosk facility at Pinnaroo Point, Hillarys. At its meeting held on 31 March 2015 (CJ048-03/15 refers), Council endorsed Rock WA Pty Ltd t/as White Salt (White Salt) as the preferred respondent for the Pinnaroo Point Expression of Interest.

The concept design as considered by Council includes optional, additional car parking which is proposed for the cleared grassed area, the subject of the paramotor trial (extending some 20 metres or so into the grassed area). It is currently unclear whether or not this parking will be constructed with the café facility, at a later stage, or if at all.

The City is currently negotiating a Memorandum of Understanding with White Salt which will be presented to Council in coming months.

### **Issues and options considered**

There are three options provided for consideration:

Option 1 – Not approve the usage – Paramotor not approved for use on any City of Joondalup managed land.

<b>Advantages</b>	<b>Disadvantages</b>
No impact on public use of City of Joondalup land, especially land close to beaches and pathways.	Paramotor could operate on privately owned land where the City has no jurisdiction in regards to this activity.
No need to review the <i>Beach Management Plan</i> .	Possible paramotor pilots disregarding regulations including continuing to use City sites without approval.
Addresses local residents concerns regarding noise, safety and privacy as a result of the activity.	The City has found it difficult to follow up on complaints of paramotor use due to the use of private land and the speed and flying time of users.

Option 2 - Approve usage – Paramotor approved for use at previously approved site at Pinnaroo Point, Hillarys.

Advantages	Disadvantages
The use of paramotors within the City would be easier to regulate due to booking processes the club would be required to follow.	The use of paramotors on the beach is not approved in the current version of the <i>Beach Management Plan</i> .  Any beach usage would require an amendment to the <i>Beach Management Plan</i> . Further community consultation and stakeholder engagement may also be required.
The City has already worked with the club to create a site-specific operation manual to regulate the operations within the approved area.	Possible conflict with kite surfers during summer months (has not been evident so far).
	Paramotor pilots prefer light wind conditions. These are the same conditions preferred by beach users walking, bathing and jet skiing. There is a potential conflict of use between these parties (has not been evident so far).
	On-going concern from local residents and criticism from them of the City's decision.

Option 3 - Approve seasonal usage – Paramotor approved for use at previously approved site at Pinnaroo Point, Hillarys from 1 April to 30 September.

Advantages	Disadvantages
The City has already worked with the club to create a site-specific operation manual to regulate the operations within the approved area.	The use of paramotors on the beach is not approved in the current version of the <i>Beach Management Plan</i> .  Any beach usage would require an amendment to the <i>Beach Management Plan</i> . Significant community consultation and stakeholder engagement may also be required.
<p>Limited conflict with kite surfers.</p> <ul style="list-style-type: none"> <li>• Paramotor use is preferred with winds of fewer than 10 knots.</li> <li>• Kite surfers prefer winds over 10 knots.</li> </ul> <p>Autumn to winter wind patterns are considerably weaker than spring and summer wind patterns.</p>	Paramotor use prefers light wind conditions. The same conditions preferred by beach users walking, bathing and jet skiing. There is a potential conflict of use between these parties (has not been evident so far).
The use of paramotors within the City of Joondalup is easier to manage due to the seasonal booking processes the club would be required to follow.	On-going concern from local residents and criticism from them of the City's decision.

Advantages	Disadvantages
It is expected that given lower temperatures at this time of the year that public usage of Pinnaroo Point would be significantly lower during this period. It is anticipated this would result in less risk of conflict between different users of the site.	

### Legislation / Strategic Community Plan / policy implications

**Legislation** Clause 3.1(1)(p) - *Local Government and Public Property Local Law 2014*:

“A person must not without a permit –

(p) launch an aircraft from, or land an aircraft onto, local government property.”

### Strategic Community Plan

**Key theme** Quality Urban Environments.

**Objective** Quality open spaces.

**Strategic initiative** Adopt consistent principles in the management and provision of urban community infrastructure.

**Policy** Not applicable.

Any use of City managed land without prior approval would be in breach of clause 3.1(1)(p) of the *Local Government and Public Property Local Law 2014*. A person in breach of this local law could be penalised with a \$125 infringement notice.

The approval of the use of paramotors within the City would require them to book the areas they wish to use. The use of a booked venue would ensure the group is in line with the local law.

Although a decision of Council in respect of these matters cannot be objected to, where a person applies for a permit under a local law, and is refused approval by the local government, Division 1 of Part 9 of the *Local Government Act 1995* gives a person a right to object to the decision, or seek its review by the State Administrative Tribunal.

### Risk management considerations

The paramotor activity carries inherent risks for the pilots, the general public and local residents in the area that the pilots operate.

The pilots minimise their risk by undergoing formal training before flying solo. All pilots must be certified by the *Hang Gliding Federation of Australia* (HGFA) before flying solo. Trainee pilots operate under the supervision of an accredited trainer. All pilots must also abide by the HGFA and the *Civil Aviation Safety Authority* guidelines while in the air. Operations on the ground are managed by the club and regulated by the land owner.

Not allowing the use of paramotors on City land would reduce the risk to the general public. However pilots could still fly above the City of Joondalup should they take off from land outside of the City's boundaries. Should this occur the City has found it difficult to manage the activity as it holds no jurisdiction on their operations once they take off. The activity could be approved for the period 1 April to 30 September, this would also reduce the risks to other beach users, due to the lower beach usage by the public during this time.

The WASP Paramotor Club's Site Operations Manual does include provisions for risk minimisation, including risks to pilots, the general public and the environment. These provisions include requirements for flying heights (such as not below 1,000 feet over a built up area), no fly zones (east of West Coast Drive, Whitfords Avenue and Northshore Drive), public buffer zones and requirements for duty officers to be present during take-off and landing.

### **Financial / budget implications**

Should Council decide to approve on-going paramotor use within the City the *Beach Management Plan* may be required to be updated requiring the City to undertake further community consultation and engagement, which would require a financial commitment to cover printing, postage and signage requirements.

The City would receive a small income stream should the club be approved to book City of Joondalup land. The club paid a total of \$409.72 for their use of the Pinnaroo Point site during the 2014-15 financial year.

### **Regional significance**

Should Council not support the use of paramotors at Pinnaroo Point, Hillarys the club has indicated that paramotor pilots may seek other locations with cleared land along the coast. This land may be private or other state or local government managed land in other local government authorities.

### **Sustainability implications**

#### Social

The use of Pinnaroo Point, Hillarys for paramotor use will limit public access to the takeoff and landing area during preferred times.

Should the activity be approved for the period 1 April to 30 September this would also reduce the risks to other beach users, due to the lower beach usage by the public during this time of the year.

### **Consultation**

During the trial, the City undertook formal community consultation between Monday 4 May 2015 and Monday 25 May 2015. The consultation for the project was conducted in accordance with the City's *Community Consultation and Engagement Policy and Protocol*.

The consultation was advertised directly via mail-out to local residents who reside within 300 metres of the intersection of John Wilkie Turn and Whitfords Avenue, Hillarys (306 recipients), to the general public via the City's website and social media and two signs were erected at Pinnaroo Point. Members of the public were able to complete a survey form via the City's website, or were able to contact the City for a hard-copy.

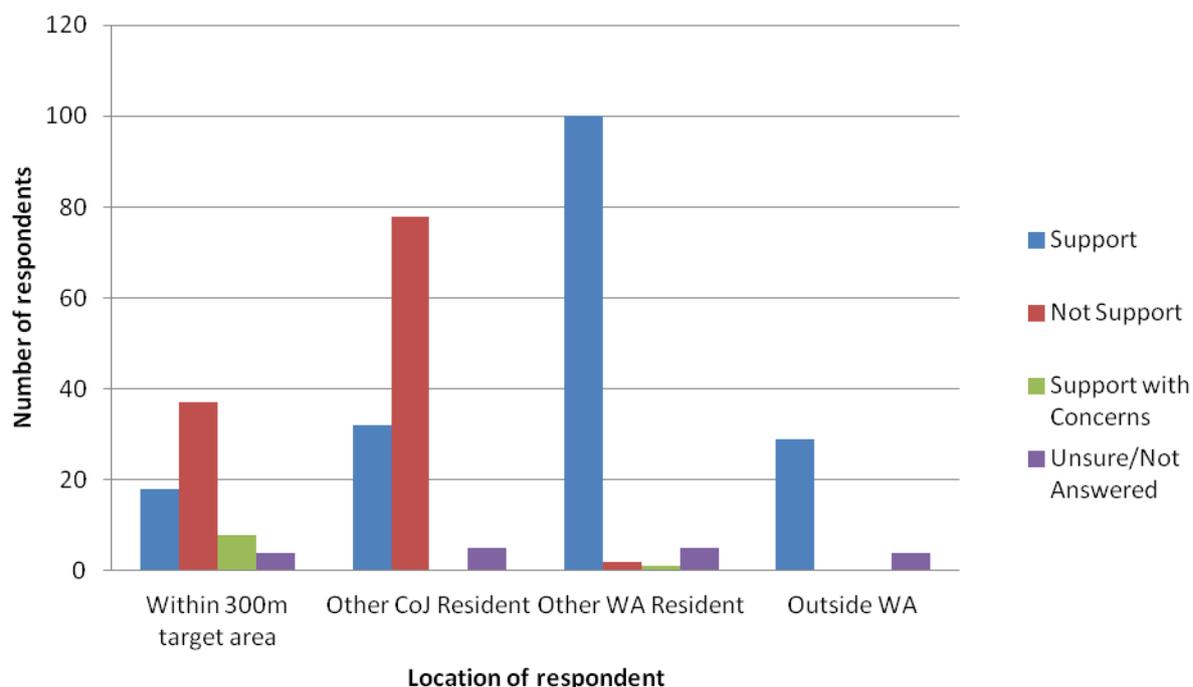
The City received 341 responses during this period, of which 323 were deemed to be valid. Those that were deemed invalid were either multiple responses from the same address or responses that did not provide the required contact details. This is in line with the adopted *Community Consultation and Engagement Policy and Protocol*.

A comprehensive community consultation report has been included as Attachment 1.

Support for paramotor use at Pinnaroo Point:

Type of respondent	Support		Not Support		Support with Concerns		Unsure/Not Answered		Totals
	N	%	N	%	N	%	N	%	
Within 300 metres of target area	18	26.9%	37	55.2%	8	11.9%	4	6.0%	67
Other City of Joondalup Resident	32	27.8%	78	67.8%	0	0.0%	5	4.3%	115
Other Western Australian Resident	100	92.6%	2	1.9%	1	0.9%	5	4.6%	108
Outside of Western Australia Resident	29	87.9%	0	0.0%	0	0.0%	4	12.1%	33
<b>Total (valid) responses</b>	<b>179</b>	<b>55.4%</b>	<b>117</b>	<b>36.2%</b>	<b>9</b>	<b>2.8%</b>	<b>18</b>	<b>5.6%</b>	<b>323</b>

\* Percentages based on total responses for that type of respondent (that is within 300 metres of target area).



Summary of comments in opposition of paramotor activity at Pinnaroo Point, Hillarys is as follows:

Reasons	Responses	
	N	%
Excessive Noise	72	48.6%
Safety Concerns/Dangerous	37	25%
Privacy Concerns	26	17.6%
Fly to low/Close to houses	13	8.8%
<b>Total comments made</b>	<b>148</b>	<b>100%</b>

Summary of comments in support of paramotor activity at Pinnaroo Point, Hillarys is as follows:

Reasons	Responses	
	N	%
Great to Watch	70	60.9%
Good Location	19	16.5%
No Impact on Amenity	17	14.8%
Positive for Tourism/Makes me want to visit Site	5	4.3%
Limited activity on site	4	3.5%
<b>Total comments made</b>	<b>115</b>	<b>100%</b>

It should be noted that there was strong campaigning both by the paramotor club (focussed on social media) and local residents in opposition (letter drop in the targeted consultation area). Neither of these campaigns was deemed to have affected the consultation results and there is no evidence of successful spamming of the consultation process.

The City has also received three informal responses in regards to the paramotor use outside of formal consultation period. All three emails were opposed to the activity and mention concerns in regards to the noise, safety and privacy issues. None of the responses received aligned with recent flights being taken from the Pinnaroo Point site.

## COMMENT

Should Council decide to endorse Option 1 and not allow approved use of City land for paramotor users, it is likely that pilots will continue to use privately owned land within the City. It is also possible some pilots may use City land without approval thereby committing an offence under the local law. The management of offences and complaints can prove difficult due to the nature of the activity and the limited time pilots are on the ground.

Should Council decide to endorse Options 2 or 3, City officers would undertake the following actions:

- Review the *Beach Management Plan* and the inclusion of paramotoring as an activity (may require community and stakeholder engagement).
- Require the WASP Paramotor Club to book and pay the appropriate hire fee (and possible bond) for their usage of the approved site.

- Conduct site inspections of club operations ensuring the adherence to the agreed operations manual, requirements under the *Beach Management Plan* and condition of booking a City facility.

The WASP Paramotor Club provided comment in July 2014 on the proposed seasonal use of the Pinnaroo Point site and while supportive of any use of this site, the club would like the opportunity to partake in the activity year round.

In June 2015 the club indicated that seasonal usage would only allow them five flyable days each year and that "it's not worth the amount of management needed". The club also noted that the cost of hiring Pinnaroo Point was approximately 70% of the club's annual revenue for less than 2% of their flying opportunities.

## VOTING REQUIREMENTS

Simple Majority.

## OFFICER'S RECOMMENDATION

That Council:

- 1 NOT APPROVES the use of Pinnaroo Point or any other land managed by the City for paramotor take off and landing;
- 2 REQUESTS the Chief Executive Officer advise the WA Sky Pirates Paramotor Club of Council's decision.

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

- 1 **SUPPORTS the grant of a permit to the WA Sky Pirates Paramotor Club under the *City of Joondalup Local Government and Public Property Local Law 2014* for the use of the City managed reserve at Pinnaroo Point by paramotor aircraft, subject to conditions similar to or substantially the same as the following:**
  - 1.1 **WA Sky Pirates Paramotor Club submitting an annual application for venue hire and paying the appropriate fee and/or charge (Annual Hire Group – Non Sporting) prior to commencement of use of the site;**
  - 1.2 **WA Sky Pirates Paramotor Club submitting a *Site Management Plan* for approval by the City prior to commencement of use of the site;**
  - 1.3 **WA Sky Pirates Paramotor Club being advised that the City may cancel their approval to use Pinnaroo Point at any time as a result of non-compliance with:**
    - 1.3.1 **the *Hang Gliding Federation of Australia* and *Civil Aviation Safety Authority* guidelines while in the air;**
    - 1.3.2 **the *Site Management Plan* approved by the City;**

- 1.4 **WA Sky Pirates Paramotor Club maintaining and submitting on request (within seven days) or in relation to an accident a log of all flights taken including, dates, times, routes, pilots and any incidents;**
- 2 **REQUESTS the Chief Executive Officer to include the paramotor activity within the *Beach Management Plan* without further public consultation;**
- 3 **NOTES that as a result of Pinnaroo Point having been identified as a potential site for the development of a cafe/kiosk, any permits issued may not be renewed after expiry or cancelled upon reasonable notice if the City's assessment is that continued use of the reserve by paramotor aircraft is not compatible with use of the site as a cafe/kiosk.**

### **Extension of Time to Speak**

**MOVED Cr Chester, SECONDED Cr Taylor that in accordance with clause 7.9 of the City's *Meeting Procedures Local Law 2013*, Cr Hamilton-Prime be granted an extension of time to speak for a further five minutes.**

**The Procedural Motion was Put and**

**CARRIED (11/0)**

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

**The Motion as Moved by Cr Hamilton-Prime, and Seconded by Cr Taylor was Put and**

**CARRIED (7/4)**

**In favour of the Motion:** Crs Chester, Corr, Fishwick, Hamilton-Prime, Ritchie, Taylor and Thomas.

**Against the Motion:** Mayor Pickard, Crs Amphlett, Hollywood and McLean.

### **Reason**

In accordance with Regulation 11(da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the administration recommended is because the use of the site is deemed appropriate with a suitable management plan in place that can be managed by the City.

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf140715.pdf](#)

**Disclosures of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Teresa Ritchie, JP.</b>
<b>Item No./Subject</b>	CJ119-07/15 - Request for Additional Subsidies – Facility Hire Subsidy Policy.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Members of the Wanneroo Lacrosse Club are personally known to Cr Ritchie.

<b>Name/Position</b>	<b>Cr Brian Corr.</b>
<b>Item No./Subject</b>	CJ119-07/15 – Request for Additional Subsidies – Facility Hire Subsidy Policy.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Corr's son is a member of the Warwick-Greenwood Cricket Club that uses Penistone Park.

## **CJ119-07/15      REQUEST   FOR   ADDITIONAL   SUBSIDIES   - FACILITY HIRE SUBSIDY POLICY**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	101271, 101515
<b>ATTACHMENTS</b>	Nil.
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For Council to give consideration to apply additional subsidies for the hire of City facilities by winter sporting groups in 2015.

**EXECUTIVE SUMMARY**

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

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

The *Facility Hire Subsidy Policy* was reviewed after its initial period in operation and Council adopted a revised version at its meeting held on 9 December 2014 (CJ243-12/14 refers). The revised policy stipulates that groups must have their primary base of operation within the City of Joondalup to be eligible for a subsidy. It also provides authority for the Chief Executive Officer to waive facility hire booking fees up to the value of \$5,000.

The City has recently completed the seasonal bookings for use of its facilities in winter 2015. Consequently, some groups have sought further subsidisation in accordance with the policy. While some requests are for amounts less than \$5,000, all requests are being presented to Council to enable a consistent decision process for all groups:

- Wanneroo Lacrosse Club (juniors).
- Wanneroo Lacrosse Club (seniors).
- Joondalup Giants Rugby League Club (juniors).
- Joondalup Giants Rugby League Club (seniors).
- Westside Football (soccer) Club (juniors).

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

## **BACKGROUND**

The City of Joondalup manages 148 facilities utilised by approximately 300 community groups over 19,000m<sup>2</sup> of land either as freehold or managed property which is reserved or dedicated under the *Land Administration Act 1997*. This property has been set aside for a diversity of purposes, such as recreation, public open space, drainage and administrative or infrastructure purposes.

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

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

## **DETAILS**

At its meeting held on 9 December 2014 (CJ243-12/14 refers), Council adopted a revised policy relating to subsidised use of City facilities that is to:

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

The policy applies to all local not-for-profit community groups and groups from educational institutions hiring City-managed facilities on a regular or casual basis, excluding facilities contained within the City of Joondalup Leisure Centre - Craigie. The policy applies to organised groups only (does not apply to individuals) and they must have their primary base of operation within the City of Joondalup to be eligible for a subsidy.

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

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

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

- annual users
- seasonal users.

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

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

*“A group may apply for an additional subsidy under special circumstances. Applications must be made in a written submission to the Chief Executive Officer. The Chief Executive Officer will determine such requests where the value of the additional subsidy is below \$5,000. Requests for additional subsidies above \$5,000 will be addressed by the Chief Executive Officer and referred to Council for determination.*

*Additional subsidies will be provided for the following:*

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

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

The City has recently completed the seasonal bookings for use of its facilities in the 2015 winter sporting season. Consequently, some groups have sought further subsidisation in accordance with the policy. While some requests are for amounts less than \$5,000, all requests are being presented to Council to enable a consistent decision process for all groups.

- Wanneroo Lacrosse Club (juniors).
- Wanneroo Lacrosse Club (seniors).
- Joondalup Giants Rugby League Club (juniors).
- Joondalup Giants Rugby League Club (seniors).
- Westside Football (soccer) Club (juniors).

Wanneroo Lacrosse Club (juniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Penistone Clubrooms, Penistone Park east and west	Junior Recreational or Sporting Group	100% up to 35 hours per week	22.8	N/A	\$11,865.57 (0% subsidy) \$8,899.18 (25% subsidy) \$5,932.78 (50% subsidy) \$2,966.39 (75% subsidy) \$0 (100% subsidy)

Wanneroo Lacrosse Club (juniors) has 168 members and is based at Penistone Park in Greenwood. Previously the group was their own independent club but in 2013 they merged with the men's and women's individual Lacrosse Clubs to form one club – the Wanneroo Lacrosse Club.

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

The Wanneroo Lacrosse Club (juniors) books City facilities for 22.8 hours per week, 7.3 hours in the Penistone Clubrooms and 15.5 hours on Penistone Park (east and west), averaged over the winter sporting season. A 100% subsidy would normally apply to junior sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 168 junior members, only 48.2% are City of Joondalup residents, less than the minimum 50% required under the policy.

It is noted that this group is the only lacrosse club in the northern districts and is based in the south-eastern corner of the City and therefore it is understandable that the group will attract participants from the neighbouring local governments. Wanneroo Lacrosse Club has been based at Penistone Park for over 30 years and recently contributed approximately \$30,000 to upgrade the floodlighting at the park to Australian Standards. The total cost of the floodlighting project was approximately \$440,000, of which the City contributed \$293,000 with the rest coming from a Community Sporting and Recreation Facilities Fund grant from the Department of Sport and Recreation. Since the addition of floodlights to Penistone Park the electricity costs for the site have increased from approximately \$9,000 to approximately \$20,000 per annum. These costs are paid by the City.

In 2014 the Wanneroo Lacrosse Club (juniors) did not have 50% of junior members residing within the City of Joondalup and therefore were not eligible for a subsidy. They made a request to the City for a 100% subsidy consistent with the junior sporting or recreational group category within the *Facility Hire Subsidy Policy*. Council declined their request however approved a 100% waiver of the fees that would have otherwise applied.

The group has requested it receive a 100% subsidy or fee waiver in 2015. It is recommended that rather than classify the group as eligible for a subsidy, that the City considers waiving 75% of the fees that would apply, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver) - unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.

#### Wanneroo Lacrosse Club (adults)

<b>Facility Hired</b>	<b>Classification within Policy</b>	<b>Extent of subsidy</b>	<b>Average Number of hours booked per week</b>	<b>Number of hours exceeding subsidy per week</b>	<b>Potential additional cost</b>
Penistone Clubrooms, Penistone Park east and west	Adult Recreational or Sporting Group	50% continually	13.8	N/A	\$3,962.90 (0% subsidy) \$2,972.18 (25% subsidy) \$1981.45 (50% subsidy)

Wanneroo Lacrosse Club (adults) has 89 members (men and women) and is based at Penistone Park in Greenwood. Previously the group was two separate individual men's and women's clubs but in 2013 they merged with the juniors to form one club – the Wanneroo Lacrosse Club.

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

The Wanneroo Lacrosse Club (adults) book City facilities for 13.6 hours per week, 7.9 hours in the Penistone Clubrooms and 5.7 hours on Penistone Park (east). A 50% subsidy would normally apply to adult sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 89 adult members, only 40.2% are City of Joondalup residents, less than the minimum 50% required under the policy.

It is noted that this group is the only lacrosse club in the northern districts and is based in the south-eastern corner of the City and therefore it is understandable that the group will attract participants from the neighbouring local governments. Wanneroo Lacrosse Club has been based at Penistone Park for over 30 years and recently contributed approximately \$30,000 to upgrade the floodlighting at the park to Australian Standards. The total cost of the floodlighting project was approximately \$440,000 of which the City contributed \$293,000 with the rest coming from a Community Sporting and Recreation Facilities Fund grant from the Department of Sporting and Recreation. Since the addition of floodlights to Penistone Park the electricity costs for the site have increased from approximately \$9,000 to approximately \$20,000 per annum. These costs are paid by the City.

In 2014 the Wanneroo Lacrosse Club (seniors) did not have 50% of members residing within the City of Joondalup and therefore were not eligible for a subsidy. They made a request to the City for a 50% subsidy consistent with the adult sporting or recreational group category within the *Facility Hire Subsidy Policy*. Council declined their request however approved a 50% waiver of the fees that would have otherwise applied.

The group has requested it receive a 50% subsidy or fee waiver in 2015. It is recommended that rather than classify the group as eligible for a subsidy, that the City considers waiving 25% of the fees that would apply, with the group to be advised that no waiver will be applied in 2016, unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.

#### Joondalup Giants Rugby League Club (juniors)

<b>Facility Hired</b>	<b>Classification within Policy</b>	<b>Extent of subsidy</b>	<b>Average Number of hours booked per week</b>	<b>Number of hours exceeding subsidy per week</b>	<b>Potential additional cost</b>
Admiral Park and Admiral Park Community Sporting Facility	Junior Recreational or Sporting Group	100% up to 35 hours per week	9.3	N/A	\$4,731.68 (0% subsidy) \$3,548.76 (25% subsidy) \$2,365.84 (50% subsidy) \$1,182.92 (75% subsidy) \$0 (100% subsidy)

Joondalup Giants Rugby League Club (juniors) has 240 members and is based at Admiral Park in Heathridge.

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

The Joondalup Giants Rugby League Club (juniors) books City facilities for 9.3 hours per week, 3.5 hours in the Admiral Park Community Sporting Facility and 5.8 hours on Admiral Park, averaged over the winter sporting season. A 100% subsidy would normally apply to junior sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 240 junior members, only 43.3% are City of Joondalup residents, less than the minimum 50% required under the policy.

It is noted that this group is the only Rugby League Club in the City of Joondalup area and is the most northern group in the western corridor. The next junior rugby league club to the south is in North Beach. Consequently the group does attract members from outside the City of Joondalup area.

In recent years the City has completed an upgrade of the Admiral Park Community Sporting facility at a cost to the City of approximately \$900,000. The City is also proposing to submit an application to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund for one-third funding to contribute to the installation of floodlights at Admiral Park, with a total project cost of \$600,000 of which the City would contribute \$400,000.

The group has requested it receive a 100% subsidy or fee waiver in 2015. It is recommended that rather than classify the group as eligible for a subsidy, that the City considers waiving 75% of the fees that would apply, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver) unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.

#### Joondalup Giants Rugby League Club (adults)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Admiral Park and Admiral Park Community Sporting Facility	Adult Recreational or Sporting Group	50% continually	16.8	N/A	\$4,271.96 (0% subsidy) \$3,203.97 (25% subsidy) \$2,135.98 (50% subsidy)

Joondalup Giants Rugby League Club (adults) has 139 members and is based at Admiral Park in Heathridge.

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

The Joondalup Giants Rugby League Club (adults) books City facilities for 16.8 hours per week, 10.8 hours in the Admiral Park Community Sporting Facility and 6.0 hours on Admiral Park. A 50% subsidy would normally apply to adult sporting club bookings however the group does not meet the criteria in the *Facility Hire Subsidy Policy* regarding membership resident status. Of the 139 adult members, only 48.2% are City of Joondalup residents, less than the minimum 50% required under the policy.

It is noted that this group is the only Rugby League Club in the City of Joondalup area and is the most northern group in the western corridor. The next adult rugby league club to the south is in North Beach. Consequently the group does attract members from outside the City of Joondalup area.

In recent years the City has completed an upgrade of the Admiral Park Community Sporting facility at a cost to the City of approximately \$900,000. The City is also proposing to submit an application to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund for one third funding to contribute to the installation of floodlights at Admiral Park, with a total project cost estimated at \$600,000 of which the City would contribute \$400,000.

The group has requested it receive a 50% subsidy or fee waiver in 2015. It is recommended that rather than classify the group as eligible for a subsidy, that the City considers waiving 25% of the fees that would apply, with the group to be advised that no waiver will be applied in 2016, unless the group's status changes and they become eligible for a subsidy.

This approach is consistent with recent decisions Council has made in relation to other groups whose eligibility for a subsidy has changed and are now required to pay fees.

Westside Football Club (juniors)

Facility Hired	Classification within Policy	Extent of subsidy	Average Number of hours booked per week	Number of hours exceeding subsidy per week	Potential additional cost
Prince Regent Park, McNaughton Park and McNaughton Park Clubrooms	Junior Recreational or Sporting Group	100% up to 35 hours per week	46	11	\$4,804.80

Westside Football (soccer) Club is a junior sporting club with approximately 278 members who book and use Prince Regent Park (Heathridge) and McNaughton Park (Kinross) for soccer training and games.

Under the City's *Facility Hire Subsidy Policy*, the club is entitled to 35 hours per week of 100% subsidised hire. For the 2015 season, the club has booked an average of 45.5 hours per week, 11 more than provided for in the policy.

The club has indicated that they are using all of these hours and have requested the City give consideration to extending their subsidy up to 46 hours per week. It is noted that with 278 members, the club is close to the 300 - 500 member category within the *Facility Hire Subsidy Policy* which would allow it to have 65 hours per week of 100% subsidised use.

The City has recently completed a floodlighting upgrade project at Prince Regent Park which has seen the entire park floodlit to Australian standards and allows a significantly greater number of participants to train on the park at the same time. As a result the booking hours for the club in 2015 have reduced compared to 2014. The floodlighting project cost a total of \$296,000 with \$74,000 coming from the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund, \$81,235 contributed by Westside Football Club and the City contributed the balance.

It is recommended that Council approves the request and extends the 100% subsidy for the Club to 46 hours per week.

**Issues and options considered**

The Council may:

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

**Legislation / Strategic Community Plan / policy implications**

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

**Strategic Community Plan**

**Key theme** Financial Sustainability.

**Objective** Financial diversity.

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

**Policy** *Facility Hire Subsidy Policy*.

**Risk management considerations**

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

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

**Financial / budget implications**

The cost to the City across all levels of subsidised use of City facilities is approximately \$1.3 million dollars. If the City was to extend the subsidies and waive the fees proposed for additional usage of City facilities for these groups, the City will lose approximately \$29,636.91 in income for 2014-15 and 2015-16.

**Regional significance**

Requests for subsidised use only apply to users of City facilities that have a minimum of 50% members being resident to the City of Joondalup, and groups who have their primary base of operation within the City of Joondalup.

**Sustainability implications**

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

**Consultation**

Not applicable.

## COMMENT

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

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

## VOTING REQUIREMENTS

Simple Majority.

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

- 1** NOTES that the Wanneroo Lacrosse Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;
- 2** DOES NOT AGREE to the request for subsidy as per the *Facility Hire Subsidy Policy* for the Wanneroo Lacrosse Club (juniors and seniors);
- 3** AGREES to waive 75% of the fees that would apply to the Wanneroo Lacrosse Club (juniors) up to \$8,899.19 for 2015 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver), unless the group's status changes and they become eligible for a subsidy;
- 4** AGREES to waive 25% of the fees that would apply to the Wanneroo Lacrosse Club (seniors) up to \$2,972.18 for 2015 bookings, with the group to be advised that no waiver will be applied in 2016, unless the group's status changes and they become eligible for a subsidy;
- 5** NOTES that the Joondalup Giants Rugby League Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;
- 6** DOES NOT AGREE to the request for subsidy as per the *Facility Hire Subsidy Policy* for the Joondalup Giants Rugby League Club (juniors and seniors);
- 7** AGREES to waive 75% of the fees that would apply to the Joondalup Giants Rugby League Club (juniors) up to \$3,548.76 for 2015 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2016 (50% waiver), 2017 (25% waiver) and 2018 (0% waiver), unless the group's status changes and they become eligible for a subsidy;
- 8** AGREES to waive 25% of the fees that would apply to the Joondalup Giants Rugby League Club (seniors) up to \$3,203.97 for 2015 bookings, with the group to be advised that no waiver will be applied in 2016, unless the group's status changes and they become eligible for a subsidy;

- 9 **AGREES** to extend the 100% subsidised use to the Westside Football Club (juniors) for the use of City parks and facilities to a maximum 46 hours per week in the 2015 winter season;
- 10 **NOTES** that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.

**AMENDMENT MOVED** Mayor Pickard, **SECONDED** Cr Hamilton-Prime that the motion be amended to read as follows:

***“That Council:***

- 1 ***NOTES*** that the *Wanneroo Lacrosse Club (juniors and seniors)* does not meet the criteria in the *Facility Hire Subsidy Policy*;
- 2 ***Noting the Wanneroo Lacrosse Club’s specific catchment circumstance, AGREES*** to waive 100% of the fees that would apply to the *Wanneroo Lacrosse Club (juniors)* for the use of City parks and facilities to a maximum of 35 hours per week for the 2015 winter season;
- 3 ***AGREES*** to waive 50% of the fees that would apply to the *Wanneroo Lacrosse Club (seniors)* for the use of City parks and facilities up to \$5,944.36 for 2015 winter seasonal bookings;
- 4 ***REQUESTS*** the *Wanneroo Lacrosse Club (juniors and seniors)* that in recognition of the level of subsidy afforded to it for use of City facilities, that it be ***REQUESTED*** to change its name so that it better reflects its locale;
- 5 ***NOTES*** that the *Joondalup Giants Rugby League Club (juniors and seniors)* does not meet the criteria in the *Facility Hire Subsidy Policy*;
- 6 ***Noting the Joondalup Giants Rugby League Club’s specific catchment circumstance, AGREES*** to waive 100% of the fees that would apply to the *Joondalup Giants Rugby League Club (juniors)* for the use of City parks and facilities to a maximum of 35 hours per week for the 2015 winter season;
- 7 ***AGREES*** to waive 50% of the fees that would apply to the *Joondalup Giants Rugby League Club (seniors)* for the use of City parks and facilities up to \$6,407.94 for 2015 winter seasonal bookings;
- 8 ***AGREES*** to extend the 100% subsidised use to the *Westside Football Club (juniors)* for the use of City parks and facilities to a maximum 46 hours per week in the 2015 winter season;
- 9 ***NOTES and ADVISES*** the *Wanneroo Lacrosse Club* and the *Joondalup Giants Rugby League Club* that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.”

**The Amendment was Put and**

**CARRIED (11/0)**

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

**The Original Motion as amended, being:**

**That Council:**

- 1 NOTES that the Wanneroo Lacrosse Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;**
- 2 Noting the Wanneroo Lacrosse Club's specific catchment circumstance, AGREES to waive 100% of the fees that would apply to the Wanneroo Lacrosse Club (juniors) for the use of City parks and facilities to a maximum of 35 hours per week for the 2015 winter season;**
- 3 AGREES to waive 50% of the fees that would apply to the Wanneroo Lacrosse Club (seniors) for the use of City parks and facilities up to \$5,944.36 for 2015 winter seasonal bookings;**
- 4 REQUESTS the Wanneroo Lacrosse Club (juniors and seniors) that in recognition of the level of subsidy afforded to it for use of City facilities, that it be REQUESTED to change its name so that it better reflects its locale;**
- 5 NOTES that the Joondalup Giants Rugby League Club (juniors and seniors) does not meet the criteria in the *Facility Hire Subsidy Policy*;**
- 6 Noting the Joondalup Giants Rugby League Club's specific catchment circumstance, AGREES to waive 100% of the fees that would apply to the Joondalup Giants Rugby League Club (juniors) for the use of City parks and facilities to a maximum of 35 hours per week for the 2015 winter season;**
- 7 AGREES to waive 50% of the fees that would apply to the Joondalup Giants Rugby League Club (seniors) for the use of City parks and facilities up to \$6,407.94 for 2015 winter seasonal bookings;**
- 8 AGREES to extend the 100% subsidised use to the Westside Football Club (juniors) for the use of City parks and facilities to a maximum 46 hours per week in the 2015 winter season;**
- 9 NOTES and ADVISES the Wanneroo Lacrosse Club and the Joondalup Giants Rugby League Club that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.**

**Was Put and**

**CARRIED (11/0)**

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

## **CJ120-07/15 ANNUAL PROGRESS OF THE IMPLEMENTATION OF THE PROPERTY MANAGEMENT FRAMEWORK**

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

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### **PURPOSE**

For Council to note the annual progress of the implementation of the *Property Management Framework*.

### **EXECUTIVE SUMMARY**

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

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

The City commenced the implementation of the PMF in 2013 and reported to Council on the progress at its meeting held on 24 June 2014 (CJ098-06/14 refers). Currently the City has 49 lease agreements and 12 licence agreements in place with a further 19 leases/licences agreed or under negotiation.

This report provides Council with an annual update on the progress of the PMF.

*It is therefore recommended that Council NOTES the annual progress of the implementation of the Property Management Framework.*

## BACKGROUND

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

The objectives of the PMF are as follows:

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

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

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

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

## DETAILS

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

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

The standard lease and licence has in some cases been varied to allow for the inclusion of a redevelopment clause. The redevelopment clause has been included where it has been identified that there are future proposed projects for the area or specific building such as Ocean Reef Marina, Percy Doyle Reserve and Timberlane Park Hall. The clause provides certainty for the lessee by stipulating when redevelopment is expected and providing for 12 months written notice of termination.

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

- Purpose for which the property is used (government departments/agencies).
- Contribution towards the costs of construction of the building (not-for-profit community groups).
- Recognition of perceived benefit to the community (not-for-profit community groups).
- Ability to pay rent (not-for-profit community groups).

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

Attachment 1 provides details and the status of all leases and licenses development under the PMF.

### Lease Agreements

The City has lease agreements or is currently negotiating lease agreements with a number of different groups that fall into the following categories. The table below summarises the number of leases within the categories and their status:

Lease Category	Number of Leases
Commercial Lease	13
Community Group Lease	20
Government Department Agency Lease	6
Not for Profit Lease	2
Telecommunication Lease	8
<b>Total of Current Lease Agreements</b>	<b>49</b>
Community Group Lease	2
Government Department Agency Lease	7
Not for Profit Lease	1
Telecommunication Lease	4
<b>Total of Future Lease Agreements</b>	<b>14</b>

The following information provides further details on current and future lease development:

#### Government Departments/Agencies

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

Government departments currently operate Child Health Centres, Early Learning Centres, Pre-Primary Schools and the Wanneroo-Joondalup State Emergency Service depot from City premises.

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

- Padbury.
- Greenwood.
- Heathridge.
- Kingsley.
- Mullaloo.

This followed the rationalisation of the Craigie and Padbury clinics as well as a minor refurbishment program to the Greenwood, Heathridge, Kingsley and Mullaloo clinics. The lease for the Padbury Clinic is in place and the lease documents for Greenwood, Heathridge, Kingsley and Mullaloo clinics are being drafted for approval by the DoH.

The City has entered into a two year lease agreement with the DoH for a new child health centre at the Currambine Community Centre including a \$5,000 contribution to outgoings and a \$10,000 reduction of the City contribution to existing family centres in Woodvale and Joondalup.

#### *Early Learning Centres (Department of Local Government and Communities)*

The Department of Local Government and Communities currently leases two properties from the City which operate as Early Learning Centres at 43 Beddi Road, Duncraig and 133 Moolanda Boulevard, Kingsley. The Department then sub-leases the premises on a peppercorn basis to the Early Learning Centres that are non-profit organisations run by a Management Committee comprising parents and members of the local community.

The Department pays for all maintenance and outgoings and has recently agreed to make an annual contribution of \$1,200 towards lessor costs. Lease agreements have been prepared to reflect this agreement and are being progressed for execution.

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

Lease negotiations are on-going with the Department of Fire and Emergency Services.

### **Licence Agreements**

The City has licence agreements or is currently negotiating licence agreements with a number of different groups that fall into the following categories. The table below summarises the number of licences within the categories and their status:

Licence Category	Number of Licences
Commercial License	0
Community Group License	11
Government Department Agency License	0
Not for Profit License	0
Telecommunication License	1
<b>Total of Current Licence Agreements</b>	<b>12</b>
Community Group Licence	5
Government Department Agency License	0
Not for Profit License	0
Telecommunication License	0
<b>Total of Future Licence Agreements</b>	<b>5</b>

### Facility hire

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

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

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

### Issues and options considered

Not applicable.

### Legislation / Strategic Community Plan / policy implications

**Legislation** Section 3.58 of the *Local Government Act 1995*.  
Regulation 30 of the *Local Government (Functions and General) Regulations 1996*.  
Section 18 of the *Land Administration Act 1997*.  
*Telecommunications Act 1997*.  
*Local Government and Public Property Local Law 2014*.

### Strategic Community Plan

**Key theme** Financial Sustainability.

**Objective** Effective management.

**Strategic initiative** Manage liabilities and assets through a planned, long-term approach.

<b>Key theme</b>	Community Wellbeing.
<b>Objective</b>	Quality facilities.
<b>Strategic initiative</b>	Understand the demographic context of local communities to support effective facility planning.
<b>Policy</b>	<i>Asset Management Policy.</i> <i>Facility Hire Subsidy Policy.</i>

### **Risk management considerations**

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

### **Financial / budget implications**

The PMF is intended to provide the City with a guide to managing property in an equitable and efficient manner. However, the PMF contributes to the financial viability of the City through tenure arrangements which make the lessee/licensee responsible for non-structural maintenance, cleaning, insurance (excluding building insurance) and operational/running costs such as utilities.

Since the implementation of the PMF the City has collected an additional \$149,170 which comprises \$126,270 in rent and \$22,900 in utility payments.

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

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

### **Regional significance**

Not applicable.

### **Sustainability implications**

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

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

## Consultation

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

## COMMENT

The intent of the PMF and the *Facility Hire Subsidy Policy* is to provide a guide to managing all property under the City's ownership while promoting equitable, effective and sustainable management practices. To address the intention and objectives of the PMF the City has developed standard lease and licences based on the standard tenure arrangements included in the PMF. While some changes have been made to the terms and conditions of the standard lease and licence conditions based on previous arrangements or group requests in general the intent of the PMF has been maintained.

In progressing lease/licence agreements under the PMF the City's focus has been on those lease/licences that are considered critical to be in place. City officers have consulted extensively with groups during lease and licence negotiations. The majority of discussions have been positive however some lease and licence negotiations are taking considerable time to complete as a number of groups have sought legal advice on the draft lease and licence before agreeing to the term and conditions. However it is anticipated that, subject to successful negotiations the remaining lease and licence agreements will continue to be progressed and it is likely they will be finalised in 2015-16.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr Hollywood, **SECONDED** Cr Thomas that Council **NOTES** the annual progress of the implementation of the *Property Management Framework*.

**The Motion was Put and CARRIED (11/0) by Exception Resolution after consideration of CJ121-07/15, page 96 refers.**

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

*Appendix 10 refers*

To access this attachment on electronic document, click: [Attach10brf140715.pdf](#)

## **CJ121-07/15      MINDARIE                      REGIONAL                      COUNCIL INFRASTRUCTURE OPTIONS ASSESSMENT**

<b>WARD</b>	All		
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services		
<b>FILE NUMBER</b>	03149, 101515		
<b>ATTACHMENTS</b>	Attachment 1	Mindarie	Regional Council Infrastructure Options Assessment
<b>AUTHORITY / DISCRETION</b>	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 adopting the Mindarie Regional Council (MRC) Infrastructure Options Assessment report (the Report) as a reference document when considering the introduction, replacement or upgrade of waste infrastructure.

### **EXECUTIVE SUMMARY**

The Report provides guidance as to the size and type of waste infrastructure that is required to deal with the region's waste and was produced in consultation with all MRC member Councils. As such, it provides a useful point of reference for member Councils when they are planning their future waste infrastructure projects.

*It is therefore recommended that Council subject to the support of all member local governments of the Mindarie Regional Council:*

- 1      *ADOPTS the Mindarie Regional Council Infrastructure Options Assessment report as a reference document when considering the introduction, replacement or upgrading of waste infrastructure;*
- 2      *COMMITTS to bringing any plans to introduce, replace or upgrade waste infrastructure to the attention of both the Mindarie Regional Council through the Strategic Working Group.*

### **BACKGROUND**

The current MRC Strategic Community Plan 2013/14 - 2033/34 was adopted by MRC at its meeting held on 20 June 2013. The Executive Summary of the plan reads in part as follows:

*"The Mindarie Regional Council is one of Western Australia's largest waste management authorities assisting its member councils, mainly situated in Perth's northern corridor, deal with their waste. The MRC recognises that waste does have a value as a resource and is*

*committed to managing waste in line with the waste hierarchy and in a way sensitive to the environment and future generations.*

*The MRC's Strategic Community Plan 2013/14 – 2033/34 'Winning Back Waste', constitutes not only the consolidation of the MRC as a leader in the industry, but also hails a new direction. The Plan articulates a shared vision for waste management in the Region and shows how the MRC can deliver environmentally sustainable waste management for its communities.*

*Waste management is changing. Although landfilling is still seen as an important part of the industry, the focus is moving toward resource recovery and other higher order activities that minimise waste. The goal is to treat waste and offer solutions as high up on the waste hierarchy as practicable.*

*This Plan creates a new vision for the MRC, 'Winning Back Waste' and with this a focus in achieving improved waste outcomes for the region, which focuses on:*

- *reducing the amount of waste being generated*
- *increasing resource recovery*
- *diversion from landfill."*

In further discussions with member Councils through the Strategic Working Group (SWG) it became apparent that there was important work to be done to determine the infrastructure needs of the region. The MRC set aside funds in the 2014-15 budget for the development of an 'Infrastructure Plan – Detailed Study' for the region. The development of the brief was conducted in conjunction with the SWG and was presented to Hyder Consulting for a quotation. Hyder was chosen as the preferred supplier as it had recently completed work with a number of member Councils and it is on the WALGA preferred supplier listing.

The Report developed by Hyder was presented to the SWG where it was agreed that it was a significant body of work and that it would provide the member Councils with guidance when they consider replacing existing infrastructure or developing new infrastructure and when making decisions on future member Council waste services.

## **DETAILS**

The Report has been developed by Hyder Consulting in conjunction with the MRC and the member councils through the SWG.

The Report uses waste data obtained from each of the member Councils within the region to determine the appropriate location, type and size of waste infrastructure required to address the region's needs over the next 20 years and ensure that the region can meet the diversion targets set by the Waste Authority and meet community expectations.

The Report has been designed to assist member Councils when they are independently or collectively considering upgrading existing and/or developing new waste infrastructure within the region. Member Councils can also refer to the report to assess the region's needs to waste infrastructure and commence open discussions with other member Councils to determine if there is an ability to collectively develop infrastructure and achieve better outcomes for the region and economies of scale savings through building larger capacity infrastructure. It is recommended that these discussions occur through the SWG.

## Issues and options considered

There are two options that the City has considered in relation to this request from the MRC:

### Option 1

The City could choose not to agree the request and in future, when considering waste infrastructure matters, have no regard to the Report and work independently of the MRC. This is not the recommended option.

### Option 2

The City could agree to the request by MRC and adopt the Report as a reference document for consideration in future decisions on waste infrastructure matters. This is the recommended option.

## Legislation / Strategic Community Plan / policy implications

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

### 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** Nil.

## Risk management considerations

There is a risk that by not adopting the Report as a reference document the City does not have sufficient regard to what is happening in the region and does not access the advantages of membership of the MRC, including the economies of scale that come from working as a group of member Councils.

## Financial / budget implications

Not applicable.

## Regional significance

There is huge benefit for the City to work on a regional basis through MRC. In order for the relationship with the other member Councils to work effectively then there is a need for central coordination and collaboration through the MRC in order to develop shared infrastructure and services in order to gain the benefits of economies of scale that is the advantage of being a member of a regional council. The Report is a big step towards achieving the benefits of working on a regional basis.

### **Sustainability implications**

Diversion from landfill is a key priority of the State government and that priority is reflected in the City's *Environment Plan 2014 - 2019* which sets landfill diversion as an indicator. In order to meet the State target for the metropolitan region of 65% diversion by 2020 further waste treatment infrastructure will need to be procured by the MRC member Councils.

### **Consultation**

The SWG (involving City officers) has been consulted as to the scope of the Report and assisted in drafting the brief for the infrastructure plan, as well as reviewing the final draft of the Report. The City also has elected member representation on the MRC.

### **COMMENT**

The Report clearly indicates that there is broad support among member Councils to pursue the Waste Authority's target of diverting 65% of municipal solid waste from landfill by 2020 in a cost effective, efficient manner.

The only practical way to achieve the 65% target is through the construction of waste processing infrastructure. Waste processing infrastructure provides its best returns when it is constructed for sufficiently large quantities of waste.

As a result, in order to achieve the best financial outcomes, it is beneficial for member Councils to work together to aggregate their waste and construct infrastructure capable of meeting the needs of the region – or even the wider metropolitan region – rather than individual Councils acting independently.

### **VOTING REQUIREMENTS**

Simple Majority.

### **OFFICER'S RECOMMENDATION**

That Council, subject to the support of all member local governments of the Mindarie Regional Council:

- 1 ADOPTS the Mindarie Regional Council Infrastructure Options Assessment Report as a reference document when considering the introduction, replacement or upgrading of waste infrastructure;
- 2 COMMITS to bringing any plans to introduce, replace or upgrade waste infrastructure to the attention of the Mindarie Regional Council through the Strategic Working Group.

**MOVED Cr Fishwick, SECONDED Cr Hollywood that Council, subject to the support of the City of Stirling Council and the City of Wanneroo Council:**

- 1 ADOPTS the Mindarie Regional Council Infrastructure Options Assessment Report as a reference document when considering the introduction, replacement or upgrading of waste infrastructure;**
- 2 COMMITS to bringing any plans to introduce, replace or upgrade waste infrastructure to the attention of the Mindarie Regional Council through the Strategic Working Group;**
- 3 NOTES that the Mindarie Regional Council Infrastructure Options Assessment Report only provides broad direction for the development of waste infrastructure for the region and that the development of specific infrastructure will be subject to the normal approval processes and support from member Councils.**

**The Motion was Put and**

**CARRIED (11/0)**

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

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach 11brf140715.pdf](#)*

C36-07/15

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

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

**CJ108-07/15, CJ111-07/15, CJ112-07/15, CJ113-07/15, CJ114-07/15, CJ117-07/15 and CJ120-07/15.**

**The Motion was Put and**

**CARRIED (11/0)**

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

**REPORTS – STRATEGIC FINANCIAL MANAGEMENT COMMITTEE –  
14 JULY 2015****CJ122-07/15      CONFIDENTIAL - PROPOSED DISPOSAL OF LOT  
23 (77) GIBSON AVENUE, PADBURY**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	53562, 101515
<b>ATTACHMENTS</b>	Attachment 1      Location Plan

*(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only).*

<b>AUTHORITY / DISCRETION</b>	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 Item was dealt with later in the meeting following “Motions of Which Previous Notice Has Been Given.”

**CJ123-07/15      CONFIDENTIAL - PROPOSED DISPOSAL OF LOT  
745 (103) CARIDEAN STREET, HEATHRIDGE**

<b>WARD</b>	North Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	37562, 101515
<b>ATTACHMENTS</b>	Attachment 1      Location Plan  <i>(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	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 Item was dealt with later in the meeting following "Motions of Which Previous Notice Has Been Given."

**CJ124-07/15      CONFIDENTIAL - PINNAROO POINT CAFÉ/KIOSK  
PROJECT - INTERIM STATUS REPORT**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Chief Executive Officer
<b>FILE NUMBER</b>	102656, 101515
<b>ATTACHMENTS</b>	Attachment 1      Site Plan

*(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only).*

<b>AUTHORITY / DISCRETION</b>	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 Item was dealt with later in the meeting following "Motions of Which Previous Notice Has Been Given."

## REPORTS – JOONDALUP PERFORMING ARTS AND CULTURAL FACILITY STEERING COMMITTEE – 24 JUNE AND 22 JULY 2015

### CJ125-07/15 JOONDALUP PERFORMING ARTS AND CULTURAL FACILITY – PROGRESS REPORT

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	75577, 101515
<b>ATTACHMENTS</b>	Attachment 1 Project Program Attachment 2 National Stronger Regions Fund Assessment Criteria Guidelines
<b>AUTHORITY / DISCRETION</b>	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

To update Council on the progress of the Joondalup Performing Arts and Cultural Facility (JPACF) project, particularly details of the conceptual design review and the associated business case.

#### EXECUTIVE SUMMARY

The JPACF Steering Committee met on 12 March 2015 to consider a progress report on the JPACF project. At that meeting ARM Architecture presented an update on the design review process. The JPACF Steering Committee noted the project progress and the presentation by ARM Architecture and requested the Chief Executive Officer to provide a further report on the following design issues:

- Traffic treatments and modelling around the facility.
- Designated use and location of the art gallery.
- Seating capacity of the main auditorium.
- Treatment and considerations of the external plant and infrastructure adjoining the facility.
- Treatment and visual presence of the eastern facade adjacent to West Coast Institute.

These issues have now been investigated and details are provided in this Report.

There are several options for the progression of the design development of the JPACF project. In order to address the concept design in greater detail the project will need to progress to a 'schematic design' stage. This is discussed in detail in this Report.

Also, in accordance with the Project Program (Attachment 1 refers) the project team has been progressively preparing a business case based on the current conceptual design. The business case is suitable for the requirements of the National Stronger Regions Fund (NSRF) which is a Federal Government competitive program to fund infrastructure in local communities. Under the program grants of up to \$10 million are available for projects. Details of the assessment criteria for the NSRF are attached (Attachment 2 refers). As outlined in the JPACF Progress Report, considered by the JPACF Steering Committee on 12 March 2015, the City intends to present a grant application to the National Stronger Regions Fund by the closing date of 31 July 2015.

*It is therefore recommended that Council:*

- 1 *NOTES the details of the design review of the Joondalup Performing Arts and Cultural Facility Project as detailed in Report CJ125-07/15 and as presented to the Joondalup Performing Arts and Cultural Facility Steering Committee;*
- 2 *SUPPORTS progressing the Joondalup Performing Arts and Cultural Facility Project to a schematic design stage as outlined in Report CJ125-07/15, in accordance with the indicative project program as detailed in Attachment 1 to Report CJ125-07/15;*
- 3 *REQUESTS the Chief Executive Officer to provide a further report to the Joondalup Performing Arts and Cultural Facility Steering Committee outlining a strategy and costings for the schematic design stage of the project;*
- 4 *NOTES the summary of the Joondalup Performing Arts and Cultural Facility Business Case as presented in this Report and NOTES the Chief Executive Officer will submit a grant application to the Federal Government's National Stronger Regions Fund."*

## **BACKGROUND**

At its meeting held on 20 February 2013 the JPACF Steering Committee recommended that Council notes the JPACF Market Analysis and Feasibility Study and supports the progression of the JPACF project.

It was identified that one of the key stages of the JPACF project was the progression of a concept design for the facility based on the "Art Box" model as outlined in the JPACF Market Analysis and Feasibility Study.

At its meeting held on 19 March 2013 (CJ040-03/13 refers) it was agreed in part that Council:

- "1 APPROVES the "Art Box" as the preferred model for the basis of an architectural design competition for the development of a refined conceptual design for the Joondalup Performing Arts and Cultural Facility;*
- 2 AUTHORISES the Chief Executive Officer to initiate an architectural design competition for the development of a refined conceptual design for the Joondalup Performing Arts and Cultural Facility."*

The City commenced a two stage architectural design competition through an Expression of Interest process in April 2013.

At its meeting held on 15 April 2014 (CJ060-04/14 and CJ061-04/14 refer) Council considered two reports relating to the JPACF project progress and the Architectural Design Competition and resolved in part:

*“That Council:*

- 2 *SUPPORTS progressing the Joondalup Performing Arts and Cultural Facility Project in accordance with the project program as detailed in Attachment 2 to Report CJ060-04/14, including the undertaking of a social impact assessment of the Joondalup Performing Arts and Cultural Facility;*
- 4 *NOTES the Chief Executive Officer will establish a Design Working Group and appoint members to the group to assist the City with the development of the conceptual design for the Joondalup Performing Arts and Cultural Facility.”*

and:

*“That Council:*

- 1 *ENDORSES Ashton Raggatt McDougall Pty Ltd T/A ARM Architecture as the winner of the Joondalup Performing Arts and Cultural Facility Architectural Design Competition;*
- 2 *AUTHORISES the Chief Executive Officer to enter into negotiations with Ashton Raggatt McDougall Pty Ltd T/A ARM Architecture to determine the architectural fees and project program to get to a modified conceptual design as required to enable the project to progress.”*

At its meeting held on 12 March 2015 the JPACF Steering Committee considered the report entitled Joondalup Performing Arts and Cultural Facility – Progress Report. The report outlined the progress on the project including details of the design review of the concept design, funding strategy and business case. At this meeting the Project Architects – ARM Architecture, presented to the JPACF Steering Committee on the progress of the design review process. The JPACF Steering Committee resolved as follows:

*“That the Joondalup Performing Arts and Cultural Facility Steering Committee:*

- 1 *NOTES the progress of the Joondalup Performing Arts and Cultural Facility Project as detailed in this Report;*
- 2 *NOTES the presentation made by ARM Architecture;*
- 3 *REQUESTS the Chief Executive Officer provide a further report on the following:*
  - 3.1 *Traffic treatments and modelling around the facility;*
  - 3.2 *Designated use and location of the art gallery;*
  - 3.3 *Seating capacity of the main auditorium;*
  - 3.4 *Treatment and considerations of the external plant and infrastructure adjoining the facility;*
  - 3.5 *Treatment and visual presence of the eastern facade adjacent to West Coast Institute.”*

## DETAILS

### Design Review

Since the last meeting of the JPACF Steering Committee the conceptual design has undergone a design review resulting in several issues being identified as follows:

- Traffic treatments and modelling around the facility.
- Designated use and location of the art gallery.
- Seating capacity of the main auditorium.
- Treatment and considerations of the external plant and infrastructure adjoining the facility.
- Treatment and visual presence of the eastern facade adjacent to West Coast Institute.

To appropriately address these issues the Design Working Group convened on several occasions to discuss the options. Furthermore, performing arts centre management consultant Mr Guy Boyce was re-engaged to provide comment on the issues.

Each of the identified issues are discussed below:

#### *Traffic*

Traffic modelling for the facility was addressed by traffic engineers AECOM with the preliminary findings presented to the JPACF Steering Committee at its meeting held on 12 March 2015. Since then AECOM have undertaken further work and have presented the City with a Traffic Impact Assessment report as summarised below:

- Generally the facility will not have a significant impact on the surrounding traffic network.
- Five traffic treatment options were presented for the intersection of Grand Boulevard to assist with handling the additional traffic associated with the JPACF:
  - Retaining the existing treatment of un-signalised left in / left out only.
  - Retaining the existing layout but allowing a right turn in movement
  - Providing an un-signalised junction catering for all movements.
  - Providing a signalised junction catering for all movements.
  - Providing a roundabout catering for all movements.
- Signalising the intersection of Teakle Court and Grand Boulevard to cater for all direction movements was identified by AECOM as the preferred option however the cost of implementation of this option is greater than other options (see indicative cost below).

It should be noted that the current capital cost for the JPACF facility does not include works external to the facility such as the bus and taxi drop-off bays and other traffic modifications as detailed in the Traffic Impact Assessment. Therefore an indicative estimate of costs for the abovementioned traffic treatment options was provided to the City by the project quantity surveyors – Donald Cant Watts Corke. The roundabout option was not costed as, in the opinion of the project architects, this would involve realigning Grand Boulevard which would encroach on adjoining private land resulting in significant costs.

	Fully Signalised	Retain Existing Layout	Right/Left In, Left Out	Full Movement, Give Way
Indicative Budget	\$826,482	\$226,734	\$409,584	\$533,922

It is not suggested at this stage that a particular traffic treatment option be identified to service the facility. It may be an option that the existing traffic layout is maintained for the facility and traffic conditions managed and monitored during events to gauge if there is any requirement for roadwork modifications.

Further traffic assessment work may still be required to determine the extent of the impact of the facility on the traffic network. Future design changes could potentially impact the capacity of the facility car park and impacts from future developments in the vicinity, such as the *Edith Cowan University Endowment Precinct Masterplan* may need to be accounted for.

#### *Art Gallery Location*

There are several factors to consider regarding the gallery, particularly the ultimate purpose and scale of the gallery and the location within the building.

The current location of the gallery is on level two in the south-western corner of the building. With a view of providing greater prominence as viewed from the forecourt and foyer areas of the building ARM Architecture provided an alternative location for the gallery on the ground floor adjacent to the foyer and restaurant/bar.

The two options are discussed below:

#### 1 Location as per current concept plan:

- The gallery is located on Level 2, on the west side of the building overlooking Grand Boulevard. It is accessed independently via a foyer and lift on Grand Boulevard, and includes secondary access through the main foyer of the building during shared events.
- The gallery is visible from the street, creating a destination and identity in its own right, separate from the entry to the theatre. For major exhibition opening, the location will help to activate the Grand Boulevard elevation with people and movement.
- This location is suited to a more professional, commercial gallery, which would host the City of Joondalup collection and major travelling exhibitions. It could be closed off to create a climate-controlled environment without impacting the rest of the building. Feasibility studies suggest major exhibitions could attract patrons who would otherwise not visit the JPACF, which would activate the main facility.

#### 2 Alternative location:

- The gallery is located on ground level, on the north side of the building adjacent to the landscape forecourt, Central Park and Jinan Gardens. It is accessed independently via the forecourt, or through the main foyer of the building.

- In this location the gallery is directly accessed from the ground and main foyer, and would be visible from the park, making it attractive to pedestrian movement. This location would be suited to a community-focused gallery similar to the current Joondalup Art Gallery (formerly known as the blender Gallery). Art could be displayed in the window, and associated in-residence workshop and studio spaces would provide interest and activation to the facade.
- The gallery would also have a strong link with the community rooms above. Putting community art front-and-centre in the JPACF will create a feeling of ownership and foster interest in the arts.
- While this option will involve some reconfiguring of the car park layout, it is not expected to have a major impact on the total number of car bays.
- A gallery in this location could also be developed as a 'flexible' space where other commercial and community activities could occur when not being used for art exhibitions. The space could be adapted depending on future commercial and management arrangements.

With both of the above options, it is worth noting the role of the foyer space in hosting major community art exhibitions such as the Joondalup Invitation Art Awards.

#### *Main Auditorium Capacity*

As discussed in the Progress Report considered by the JPACF Steering Committee at its meeting held on 12 March 2015 options for an increase to the capacity of the main auditorium have been investigated. The Design Working Group has investigated two options for expanding the capacity of the main auditorium from 850 seats to 1,000 seats.

Both options present various issues, particularly access to seating, reduction in legroom, loss of performance 'intimacy' and most noticeably, a significant impact on the capital cost of the facility.

Further consultant advice has been sought on the benefits of increasing the main auditorium and further research was undertaken into benchmark facility attendance numbers and projected attendance numbers for the JPACF. Advice indicates that the facility cannot assume any significant increase in either attendance or commercial hires as a result of increasing the capacity of the main auditorium.

The details of the three options for the capacity of the main auditorium are:

- 1 850 seats (Capacity as per current concept design):
  - The current layout is comprised of approximately 668 stalls plus 168 balcony seats. Curved rows and no intermediate aisles create an intimate space with good sightlines, suitable for both spoken-word theatre and music. Space between rows is comfortable at approximately one metre. The stalls are accessed from the Ground and Level 1 foyers, and the balcony accessed from the Level 2 foyer.

2 Increase to 1,000 seats (retains a single balcony):

- The current layout can be increased to comprise approximately 725 stalls plus 275 balcony seats. Seats are added to the back of the stalls, and the space between rows is slightly compressed to 950 millimetres to maintain intimacy. Maintaining one metre between rows is possible if comfort is a priority over intimacy, as with many modern venues. Seats are also added to the front and sides of the balcony, increasing the overlap.
- The stalls are accessed from the Ground Level and Level 1 foyers, and the balcony accessed from the Level 2 foyer. The roof of the auditorium box is raised from the current configuration which would affect the current profile of the roof. The design concept allows the functional spaces of the facility to be easily adapted to suit a change in height of the main auditorium.
- The additional capital cost of this option is estimated at \$5.4 million - \$7.5 million (current at 2015).

3 Increase to 1,000 seats (Double Balcony):

- This option comprises approximately 520 stalls plus 240 balcony seats on the first balcony and an additional 240 balcony seats on the second balcony. Seats are taken from the back of the stalls, making the auditorium box about six metres shorter and increasing the intimacy and sightlines.
- The stalls are accessed from the Ground Level foyer only, the first balcony accessed from Level 1 foyer, and the second balcony accessed from the Level 2 foyer. The roof of the auditorium box is raised by three metres.
- The additional capital cost of this option is estimated at \$6.8 million - \$9.3 million (current at 2015).

*Architectural treatment of the forecourt area and eastern facade*

Consideration of architectural treatment of existing infrastructure external to the site and the impact of the JPACF on adjoining buildings have been explored by the Design Working Group. Advice from the project Architectural Advisor is that work on these types of design issues are usually undertaken during the detailed design phase of the project.

The existing services building (pumproom / Western Power substation) on Grand Boulevard sits at the western end of the landscape forecourt and cannot be practically removed or relocated. In the JPACF concept design, the services building is integrated into the landscape forecourt, by demolishing the existing shell of the building and redesigning a new shell around the services. Existing ground levels and contours will help to reduce the visible height of the building.

Re-cladding treatment could include:

- a green roof/wall building, integrated as a landscape feature
- art billboards/display structure which might include events like the Joondalup Inside-Out Billboard program
- incorporating the building into event infrastructure, such as an outdoor stage/performance venue.

These options will be refined further in the detailed design phase, following detailed services investigation and liaison with relevant authorities such as Western Power and Water Corporation.

The cost to develop the forecourt area, including architectural treatment of the existing services building and integration of the forecourt with the Jinan Gardens, was not included in the original cost estimate for the JPACF therefore the project quantity surveyor was engaged to provide costings. An indicative estimate of the costs to develop these areas is between \$1.3 million and \$1.7 million (current at 2015).

The eastern facade of the JPACF adjacent to the West Coast Institute (WCI) building is an important design element of the JPACF, screening the multi-level car parking behind. Material options might include perforated steel mesh or moulded concrete panelling integrated with the current concept design. Custom-made perforation patterns or fabrication techniques can be used to create 'art-wall' installations while providing for required ventilation.

The design will take into consideration the existing office windows and will explore the use of an access laneway between WCI and JPACF.

### Project Progression

Once the concept design for the facility has been confirmed the project can progress from the concept design phase to the detailed design phase. The first step in the detailed design phase is the 'schematic design' stage.

The schematic design stage involves the development of the design through more detailed planning of spaces within the facility and includes the development of section and elevation drawings. The overall parameters of the building will be confirmed and preliminary input from consultants and engineers will commence.

It should be noted that commencement of the schematic design stage of the project represents a significant milestone in the development of the JPACF and will also present significant financial costs. The estimated cost of undertaking the schematic design stage is approximately \$1.45 million. Progression to a schematic design stage will require the City to negotiate a contract for architectural services with the Architect.

### Business Case

The JPACF Business Case provides detailed financial projections and option evaluations based on an assumed staffing structure and program of events derived from the 2012 Market Analysis and Feasibility Study and subsequent reviews. The business case demonstrates, as has previously been identified, that the facility will not generate an operating profit but will instead require a significant subsidy each year by the City. In fact investigations undertaken on comparable performing arts centres demonstrate that facilities of this type do not generate an operating profit and all require some level of subsidy from the owner.

### *Subsidy*

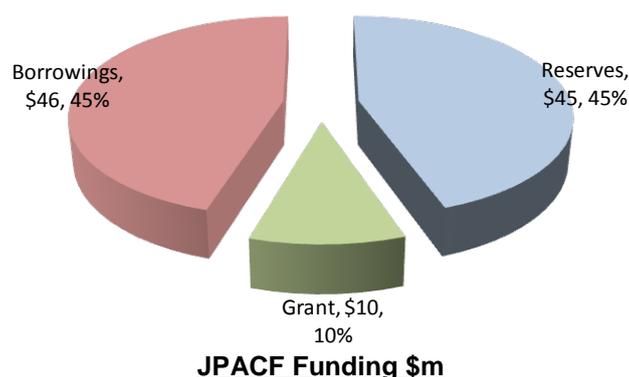
The table below summarises the subsidy that is projected for the JPACF, at Year 5 (2023-24) which is deemed to be the steady state. This indicates that the JPACF would require a subsidy of \$869,000 per year. The estimated subsidy of \$869,000 is comparable with facilities of a similar size and catchment area, however there are risks with the estimated \$869,000 subsidy. The majority of the expenses are fixed, but the majority of the

income is uncertain. The JPACF management will need to maintain a diverse quality program to ensure the facility is well attended and the subsidy is reasonable.

Operating Income & Expenses (Year 5__2023-24, excluding inflation)	Income	Expenses	Difference	
	\$000s	\$000s	\$000s	%
1 Primary and Secondary Space	\$1,477	(\$1,106)	\$371	25%
2 Conferences & Exhibitions	\$195	(\$60)	\$134	69%
3 Studios (Craft, Drawing & Dance)	\$127	(\$33)	\$94	74%
4 Parking	\$344	(\$127)	\$217	63%
5 Food & Beverage	\$51	(\$36)	\$15	30%
6 Leases: Commercial / Restaurant	\$90		\$90	100%
7 Sponsorship	\$100		\$100	100%
8 Staffing, Marketing, Admin		(\$1,112)	(\$1,112)	
9 Building Costs & Utilities		(\$779)	(\$779)	
<b>Total Subsidy</b>	<b>\$2,384</b>	<b>(\$3,253)</b>	<b>(\$869)</b>	<b>-36%</b>

### Capital Funding

The capital funding for the facility would derive from City of Reserves, Grant (if application to National Stronger Regions Fund is successful) and borrowings. The borrowings would be repaid with future proceeds from the sale of land holdings, where possible. The chart below indicates the funding sources (escalated values – assuming a \$10 million NSRF grant).



### Cumulative Cash flows

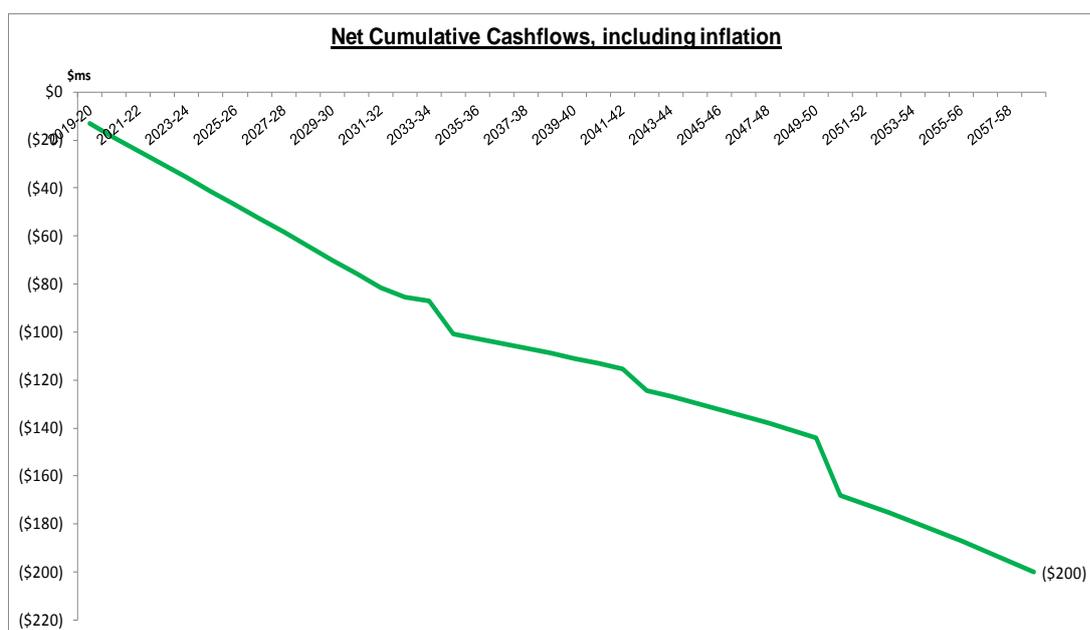
The cash flows for the JPACF are evaluated over a 45 year period (from 2014-15 to 2058-59) which includes the five years to plan/design/construct/facility and 40 years of operation. The 45 year timeframe is necessary to ensure that the long-term implications of the JPACF are fully considered, and ensures that some of the capital renewal expenditure can be included in the evaluation.

The cumulative cash flows for the JPACF reach approximately \$200 million by 2058-59. This is a significant commitment for the City of Joondalup and its ratepayers:

- The one-off capital cost per ratepayer would equate to \$1,484.
- The annual subsidy per ratepayer is \$13.73.

Furthermore for each attendee at the venue, there would be a subsidy equivalent to \$6.41 paid by each ratepayer each year. The loan repayments are completed by 2034-35, with the reductions thereafter being the operating subsidy. Additionally, the projections also include estimated costs of capital renewal, with approximately \$15 million of capital requiring

replacement by 2058-59. The graph below shows the cumulative cash flows including inflation:



### *National Stronger Regions Fund*

The NSRF is a Federal Government program providing funding of \$1 billion over five years to fund priority infrastructure that promotes ongoing economic development, supports disadvantaged regions or areas of disadvantage within a region and are sustainable into the future. Facilitated by Regional Development Australia, grants of up to \$10 million are available for projects. Round one of the NSRF closed in November 2014. Round Two opened on 1 May 2015 and closes 31 July 2015.

Projects of a similar nature to the JPACF have previously been successful in obtained funding through the NSRF. Casey City Council (40 kilometres south-east of Melbourne) was recently successful in their round one funding application, receiving \$10 million toward a proposed \$55 million regional community arts centre consisting of a theatre, studio space, function centre and regional art gallery. The City intends to submit an application for a \$10 million grant towards the capital costs for the JPACF.

### **Issues and options considered**

Not applicable.

### **Legislation / Strategic Community Plan / policy implications**

#### **Legislation**

The City is governed by the requirements of the *Local Government Act 1995* in relation to dealings involving commercial undertakings and land development.

#### **Strategic Community Plan**

#### **Key theme**

Community Wellbeing.

#### **Objective**

Cultural development.

#### **Strategic initiative**

Establish a significant cultural facility with the capacity to attract a world-class visual and performing arts events.

**Policy** Not applicable.

### **Risk management considerations**

A comprehensive Risk Management Assessment Report outlining the risks apparent to the project will be prepared and updated as the project progresses.

### **Financial / budget implications**

#### Current financial year impact

<b>Account no.</b>	1-210-C1002
<b>Budget Item</b>	Joondalup Performing Arts and Cultural Facility
<b>Budget amount</b>	\$905,485
<b>Amount spent to date</b>	\$145,947
<b>Proposed cost</b>	N/A
<b>Balance</b>	\$759,538

The budget allocated for 2014-15 is for the engagement of consultants and other costs to assist with site assessment, feasibility plans, design development and commencement of a business case.

#### Future financial year impact

The development of the JPACF will require a significant financial contribution towards the capital cost and a significant ongoing annual subsidy for the facility's operations. Investigations have indicated that ongoing annual operating subsidies for comparable facilities in Australia are in excess of \$1 million. Future financial year impacts will be the subject of further investigations into the design and management structure of the facility.

An estimated capital cost of \$94 million is included within the adopted *20 Year Strategic Financial Plan 2013-2014 to 2032-2033*. The capital cost of \$94 million is derived from the cost estimate for the current conceptual design for the facility as costed by a quantity surveyor and excludes escalation beyond 2013. The cost includes the estimated cost to develop the Jinan Gardens (also costed by a quantity surveyor in 2013) and other project planning and sundry development costs.

It should be noted that the estimated capital costs of \$94 million excludes:

- traffic modifications
- works to the forecourt area and integration of the JPACF with Jinan Gardens and Central Park
- architectural treatment to the existing services building in the current Central Park car park.

Costings for these items are discussed in this Report and are subject to future decisions on design and project scope.

A review of the *20 Year Strategic Financial Plan (2014-2015 to 2033-2034)* is currently in progress. The review will incorporate the latest costings based on the refined conceptual design for the facility.

**20 Year Strategic** \$94 million.  
**Financial Plan impact**

**Impact year** 2018-19

All amounts quoted in this Report are exclusive of GST.

### **Regional significance**

The construction of the Joondalup Performing Arts and Cultural Facility will enhance the City Centre as the major commercial, educational, recreational and arts and culture centre for the northern corridor of the Perth metropolitan area.

### **Sustainability implications**

It is anticipated that detailed environmental sustainability implications will be considered during concept design development and during the preparation of a detailed design for the facility.

The engagement of the general community and bodies representing the arts community in the design and development stage of the project will cultivate a sense of ownership over the facility. This sense of ownership will provide the impetus for the ongoing sustainability of the facility by ensuring maximum use by a wide variety of individuals and groups.

### **Consultation**

During the Architectural Design Competition, ratepayers, residents and the broader community were given the opportunity to view the four conceptual design submissions and vote on their favourite design. More recently the City has consulted with performing arts facility managers and state government officers and it is expected that further community consultation will be undertaken as the project progresses.

### **COMMENT**

The JPACF project has been reviewed and expert opinion has been gained on design issues, management options, event programming and operational costs for the facility. The business case for the facility is now well resolved and is considered to be appropriately robust for the purpose of the National Stronger Regions Fund grant applications.

### **VOTING REQUIREMENTS**

Simple Majority.

### **COMMITTEE RECOMMENDATION**

The Committee recommendation to Council for this report (as detailed below) was resolved by the Joondalup Performing Arts and Cultural Facility Steering Committee at its meeting held on 24 June 2015.

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

*“That Council:*

- 1 *NOTES the details of the design review of the Joondalup Performing Arts and Cultural Facility Project as detailed in this Report;*
- 2 *SUPPORTS progressing the Joondalup Performing Arts and Cultural Facility Project to a schematic design stage as outlined in this Report, in accordance with the indicative project program as detailed in Attachment 1 to this Report;*
- 3 *REQUESTS the Chief Executive Officer to provide a further report to the Joondalup Performing Arts and Cultural Facility Steering Committee outlining a strategy and costings for the schematic design stage of the project;*
- 4 *NOTES the summary of the Joondalup Performing Arts and Cultural Facility Business Case as presented in this Report and NOTES the Chief Executive Officer will submit a grant application to the Federal Government’s National Stronger Regions Fund.”*

The Committee’s subsequent recommendation to Council is as follows (changes identified).

*“That Council:*

- 1 *NOTES the details of the design review of the Joondalup Performing Arts and Cultural Facility Project as detailed in this Report and as presented to the Joondalup Performing Arts and Cultural Facility Steering Committee;*
- 2 *SUPPORTS progressing the Joondalup Performing Arts and Cultural Facility Project to a schematic design stage as outlined in this Report, in accordance with the indicative project program as detailed in Attachment 1 to this Report;*
- 3 *REQUESTS the Chief Executive Officer to provide a further report to the Joondalup Performing Arts and Cultural Facility Steering Committee outlining a strategy and costings for the schematic design stage of the project;*
- 4 *NOTES the summary of the Joondalup Performing Arts and Cultural Facility Business Case as presented in this Report and NOTES the Chief Executive Officer will submit a grant application to the Federal Government’s National Stronger Regions Fund.”*

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

- 1 **NOTES the details of the design review of the Joondalup Performing Arts and Cultural Facility Project as detailed in Report CJ125-07/15 and as presented to the Joondalup Performing Arts and Cultural Facility Steering Committee;**
- 2 **SUPPORTS progressing the Joondalup Performing Arts and Cultural Facility Project to a schematic design stage as outlined in Report CJ125-07/15, in accordance with the indicative project program as detailed in Attachment 1 to Report CJ125-07/15;**
- 3 **REQUESTS the Chief Executive Officer to provide a further report to the Joondalup Performing Arts and Cultural Facility Steering Committee outlining a strategy and costings for the schematic design stage of the project;**

- 4 **NOTES the summary of the Joondalup Performing Arts and Cultural Facility Business Case as presented in this Report and NOTES the Chief Executive Officer will submit a grant application to the Federal Government's National Stronger Regions Fund.**

**AMENDMENT MOVED Mayor Pickard, SECONDED Cr Amphlett that Part 2 of the motion be deleted, with parts 3 and 4 renumbered parts 2 and 3 respectively, with the following words being added to the end of new Part 2:**

***"and to present a full business case for formal adoption of Council".***

**The Amendment was Put and**

**CARRIED (11/0)**

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

**The Original Motion as amended, being:**

**That Council:**

- 1 **NOTES the details of the design review of the Joondalup Performing Arts and Cultural Facility Project as detailed in Report CJ125-07/15 and as presented to the Joondalup Performing Arts and Cultural Facility Steering Committee;**
- 2 **REQUESTS the Chief Executive Officer to provide a further report to the Joondalup Performing Arts and Cultural Facility Steering Committee outlining a strategy and costings for the schematic design stage of the project and to present a full business case for formal adoption of Council;**
- 3 **NOTES the summary of the Joondalup Performing Arts and Cultural Facility Business Case as presented in this Report and NOTES the Chief Executive Officer will submit a grant application to the Federal Government's National Stronger Regions Fund.**

**Was Put and**

**CARRIED (11/0)**

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

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12aqn280715.pdf](#)*

## **CJ126-07/15 JOONDALUP PERFORMING ARTS AND CULTURAL FACILITY – BUSINESS CASE PROGRESS REPORT**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER,</b>	75577, 101515
<b>ATTACHMENT</b>	Nil.
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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### **PURPOSE**

For Council to note the progress of the draft business case for the Joondalup Performing Arts and Cultural Facility (JPACF).

### **EXECUTIVE SUMMARY**

At its meeting held on 24 June 2015 the Joondalup Performing Arts and Cultural Facility Steering Committee considered a progress report on the JPACF project. The report and accompanying presentation to the Steering Committee detailed the design review findings and also provided details on the progress of the business case for the facility. Upon considering the report and accompanying presentation, the Steering Committee adjourned the meeting to allow additional information on the business case to be presented at a later date.

This report provides information on the progression of the business case for the JPACF noting that the business case is still a work in progress and requires further refinement.

It is proposed that the business case, when finalised, will inform a grant application to the Federal Government's National Stronger Regions Fund (NSRF). The submissions period for the NSRF closes on 31 July 2015.

*It is therefore recommended that Council NOTES the progress of the draft business case for the Joondalup Performing Arts and Cultural Facility.*

### **BACKGROUND**

At its meeting held on 20 February 2013 the Joondalup Performing Arts and Cultural Facility Steering Committee recommended that Council notes the JPACF Market Analysis and Feasibility Study and supports the progression of the JPACF project.

It was identified that one of the key stages of the JPACF project was the progression of a concept design for the facility based on the "Art Box" model as outlined in the JPACF Market Analysis and Feasibility Study.

At its meeting held on 19 March 2013 (CJ040-03/13 refers) it was agreed in part that Council:

- "1 APPROVES the "Art Box" as the preferred model for the basis of an architectural design competition for the development of a refined conceptual design for the Joondalup Performing Arts and Cultural Facility;*
- 2 AUTHORISES the Chief Executive Officer to initiate an architectural design competition for the development of a refined conceptual design for the Joondalup Performing Arts and Cultural Facility."*

The City commenced a two stage architectural design competition through an Expression of Interest process in April 2013.

At its meeting held on 15 April 2014 (CJ060-04/14 and CJ061-04/14 refer) Council considered two reports relating to the JPACF project progress and the Architectural Design Competition and resolved in part:

*"That Council:*

- SUPPORTS progressing the Joondalup Performing Arts and Cultural Facility Project in accordance with the project program as detailed in Attachment 2 to Report CJ060-04/14, including the undertaking of a social impact assessment of the Joondalup Performing Arts and Cultural Facility;*
- NOTES the Chief Executive Officer will establish a Design Working Group and appoint members to the group to assist the City with the development of the conceptual design for the Joondalup Performing Arts and Cultural Facility."*

and:

*"That Council:*

- ENDORSES Ashton Raggatt McDougall Pty Ltd T/A ARM Architecture as the winner of the Joondalup Performing Arts and Cultural Facility Architectural Design Competition;*
- AUTHORISES the Chief Executive Officer to enter into negotiations with Ashton Raggatt McDougall Pty Ltd T/A ARM Architecture to determine the architectural fees and project program to get to a modified conceptual design as required to enable the project to progress."*

At its meeting held on 12 March 2015 the JPACF Steering Committee considered the report entitled Joondalup Performing Arts and Cultural Facility – Progress Report. The report outlined the progress on the project including details of the design review of the concept design, funding strategy and business case. At this meeting the Project Architects – ARM Architecture, presented to the JPACF Steering Committee on the progress of the design review process. The JPACF Steering Committee resolved as follows:

*“That the Joondalup Performing Arts and Cultural Facility Steering Committee:*

- 1 *NOTES the progress of the Joondalup Performing Arts and Cultural Facility Project as detailed in this Report;*
- 2 *NOTES the presentation made by ARM Architecture;*
- 3 *REQUESTS the Chief Executive Officer provide a further report on the following:*
  - 3.1 *Traffic treatments and modelling around the facility;*
  - 3.2 *Designated use and location of the art gallery;*
  - 3.3 *Seating capacity of the main auditorium;*
  - 3.4 *Treatment and considerations of the external plant and infrastructure adjoining the facility;*
  - 3.5 *Treatment and visual presence of the eastern facade adjacent to West Coast Institute.*

At its meeting held on 24 June 2015 the JPACF Steering Committee considered the report entitled Joondalup Performing Arts and Cultural Facility – Progress Report. The report and accompanying presentation to the Steering Committee detailed the design review findings, funding strategy and progress of the business case based on the ARM Architecture design. Upon considering the report and presentation the Steering Committee recommended to Council that it:

- “1 NOTES the details of the design review of the Joondalup Performing Arts and Cultural Facility Project as detailed in this Report and as presented at the Joondalup Performing Arts and Cultural Facility Steering Committee;*
- 2 *SUPPORTS progressing the Joondalup Performing Arts and Cultural Facility Project to a schematic design stage as outlined in this Report, in accordance with the indicative project program as detailed in Attachment 1 to this Report;*
- 3 *REQUESTS the Chief Executive Officer to provide a further report to the Joondalup Performing Arts and Cultural Facility Steering Committee outlining a strategy and costings for the schematic design stage of the project;*
- 4 *NOTES the summary of the Joondalup Performing Arts and Cultural Facility Business Case as presented in this Report and NOTES the Chief Executive Officer will submit a grant application to the Federal Government’s National Stronger Regions Fund.”*

During that meeting several questions were raised regarding the business case section of the report. It was suggested that a further report be prepared with further details on the business case. Subsequently the Steering Committee adjourned the meeting so that this report could be presented.

## **DETAILS**

Since the meeting of the JPACF Steering Committee held on 24 June 2015 the City has continued with the refinement of the JPACF Business Case.

It is proposed that the business case, when finalised, will inform a grant application to the Federal Government's National Stronger Regions Fund (NSRF). The submissions period for the NSRF closes on 31 July 2015.

### Issues and options considered

Not applicable.

### Legislation / Strategic Community Plan / policy implications

**Legislation** The City is governed by the requirements of the *Local Government Act 1995* in relation to dealings involving commercial undertakings and land development.

### Strategic Community Plan

**Key theme** Community Wellbeing.

**Objective** Cultural development.

**Strategic initiative** Establish a significant cultural facility with the capacity to attract a world-class visual and performing arts events.

**Policy** Not applicable.

### Risk management considerations

A comprehensive Risk Management Assessment Report outlining the risks apparent to the project will be prepared and updated as the project progresses.

### Financial / budget implications

#### Current financial year impact

<b>Account no.</b>	1-210-C1002
<b>Budget Item</b>	Joondalup Performing Arts and Cultural Facility.
<b>Budget amount</b>	\$1,736,954
<b>Amount spent to date</b>	\$0
<b>Proposed cost</b>	N/A
<b>Balance</b>	\$1,736,954

The budget allocated for 2015-16 is for the engagement of consultants and other costs to assist with site assessment and detailed design for the facility.

#### Future financial year impact

The development of the JPACF will require a significant financial contribution towards the capital cost and a significant on-going annual subsidy for the facility's operations.

An estimated capital cost of the facility is \$93.9 million (The rounded figure of \$94 million is included within the adopted *20 Year Strategic Financial Plan 2013-14 to 2032-33*). It should be noted however that the estimated capital costs of \$93.9 million excludes traffic modifications, works to the forecourt area, integration of the JPACF with Jinan Gardens and Central Park and architectural treatment to the existing services building in the current

Central Park car park.

Estimated costings for these additional items were considered by the Steering Committee at the meeting held on 24 June 2015. These costs, in addition to escalation from 2013 to 2015 dollars, need to be considered in order to reflect the overall cost of the development of the JPACF. The estimated costs for the additional items are as follows:

- \$1.7 million for traffic treatments and external works
- \$2.0 million to bring the 2013 source data to 2015 dollars.

Accordingly the capital costs of \$93.9 million are proposed to be revised to \$97.6 million.

Investigations have indicated that annual operating subsidies for comparable facilities in Australia can exceed \$1 million. The business case is continuing to be refined using data from the Australian Performing Arts Centres Association and performing arts management consultant input. The current financial analysis for the JPACF indicates an annual operating subsidy of between \$800,000 and \$900,000.

<b>20 Year Strategic Financial Plan impact</b>	\$94 million
<b>Impact year</b>	2018-19

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

The construction of the Joondalup Performing Arts and Cultural Facility will enhance the City Centre as the major commercial, educational, recreational and arts and culture centre for the northern corridor of the Perth metropolitan area.

### **Sustainability implications**

It is anticipated that environmental sustainability implications will be considered during the preparation of a detailed design for the facility.

### **Consultation**

During the Architectural Design Competition, ratepayers, residents and the broader community were given the opportunity to view the four conceptual design submissions and vote on their favourite design. More recently the City has consulted with performing arts facility managers and State Government officers and it is expected that further community consultation will be undertaken as the project progresses.

### **COMMENT**

Not applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Joondalup Performing Arts and Cultural Facility Steering Committee as its meeting held on 22 July 2015.

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

**MOVED Cr Hollywood, SECONDED Cr McLean that Council NOTES the progress of the draft business case for the Joondalup Performing Arts and Cultural Facility.**

**AMENDMENT MOVED Mayor Pickard, SECONDED Cr McLean that the following words be added to the end of the motion to read as follows:**

***“and REQUESTS a final business case be presented to Council for adoption”.***

**The Amendment was Put and**

**CARRIED (11/0)**

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

**The Original Motion as amended, being:**

**That Council NOTES the progress of the draft business case for the Joondalup Performing Arts and Cultural Facility and REQUESTS a final business case be presented to Council for adoption.**

**Was Put and**

**CARRIED (11/0)**

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

## REPORT OF THE CHIEF EXECUTIVE OFFICER

### CJ127-07/15 DRAFT PERTH AND PEEL @ 3.5 MILLION SUITE OF DOCUMENTS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	08570
<b>ALT FILE NUMBER</b>	101515
<b>ATTACHMENT</b>	Attachment 1 Perth and Peel@3.5 Million spatial plan Attachment 2 Transit routes Attachment 3 City of Joondalup submission
<b>AUTHORITY / DISCRETION</b>	Advocacy – Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

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#### PURPOSE

For Council to be informed of the draft *Perth and Peel@3.5 million* suite of documents released by the Western Australian Planning Commission (WAPC) and to endorse a submission on the documents.

#### EXECUTIVE SUMMARY

The State Government, through the WAPC, has recently released a draft suite of land use planning documents known as *Perth and Peel@3.5 Million* (PP3.5). The publication consists of the PP3.5 report and four draft planning frameworks for the Central, North-West, North-East and South Metropolitan Peel sub-regions.

The overarching PP3.5 report provides a snapshot of where Perth and Peel are currently at and expands on the vision set out in the WAPC's *Directions 2031 and Beyond (Directions 2031)* for a more consolidated, connected City. It provides an updated spatial plan outlining where development should occur over the next 35 - 40 years (Attachment 1 refers).

The four draft planning frameworks provide guidance on where development, employment and infrastructure should occur within the four sub-regions. Once finalised, the frameworks will become sub-regional structure plans, which will guide future amendments to the *Metropolitan Region Scheme*, local planning schemes and structure plans.

A draft submission on these documents has been prepared for Council consideration and endorsement (Attachment 3 refers). Generally, the principles and challenges outlined in the PP3.5 report are considered sound and the draft frameworks will provide some value, particularly with regard to confirmed expansion and consolidation areas.

However, the documents do not contain any new significant proposals for the future development of the City of Joondalup itself, other than a 'proposed transit priority route' linking the Joondalup Activity Centre (JAC) to the Wanneroo town centre, south to the Whitfords Train Station, Whitford Activity Centre, Hillary's Boat Harbour and on to the Warwick Train Station (Attachment 2 refers). It should also be noted that despite the City's vision for the JAC to become a Primary Centre, the centre is not recognised as such in PP3.5 and it appears that this designation is unlikely to be applied to any centre in the future.

The main point of the draft submission promotes a more bold and ambitious vision for Joondalup and the sub-region. The City's own commercial needs assessment and employment forecasts show significantly higher commercial development and employment occurring in Joondalup compared to that indicated in PP3.5. Given this, the submission recommends that a much greater focus be placed on Joondalup, particularly the City Centre, over the next 35 years, through investment in commercial development, such as State Government offices and the Ocean Reef Marina, community services to accommodate the growing population and changing demographic and transport infrastructure to better connect the population of the sub-region to what is the Primary Centre north of Perth.

*It is therefore recommended that Council ENDORSES the draft submission to the WAPC on the draft Perth and Peel@3.5 million suite of documents.*

## **BACKGROUND**

### Directions 2031 and beyond

Currently, the highest strategic land use planning document for Perth and Peel is the State Government's planning framework *Directions 2031*. It builds on many of the aspirational themes of *Network City*, the superseded blueprint for the future growth of the metropolitan Perth and Peel region. *Directions 2031* provides the framework for the detailed planning and delivery of housing, infrastructure and services necessary to accommodate future growth in the Perth and Peel regions.

*Directions 2031* has been hugely successful at influencing the development of Perth and Peel over the past five years. In particular the target set by *Directions 2031*, for 47% of all new housing to be accommodated in existing areas, has seen a huge increase in the density of development in the central areas of Perth. In addition, *Directions 2031* set out the network and hierarchy of activity centres for both Perth and Peel and, with the overarching State Planning Policy - *Activity Centres for Perth and Peel* (SPP 4.2), the area has seen significant strategic planning and redevelopment of a number of its shopping centres into more diverse mixed use centres that will ensure the equitable distribution of jobs, services and amenity for the area in the future.

PP3.5 builds on the vision and principles outlined by *Directions 2031* for a connected, consolidated City.

### North-West Corridor Structure Plan (1992)

The *North-West Corridor Structure Plan* provides the framework for the development of the North-West Corridor to the year 2021, and serves as an advisory document with proposals for residential development and local employment, the provision of services and infrastructure, and conservation and protection of the natural environment. The draft *North-West sub-regional planning framework*, when finalised as a sub-regional structure plan, will supersede the current *North-West Corridor Structure Plan*.

## DETAILS

The State Government, through the WAPC, recently released the draft PP3.5 suite of documents consisting of the PP3.5 report and four draft planning frameworks for the Central, North-West, North-East and South Metropolitan Peel sub-regions.

### Perth and Peel@3.5 Million report

This report is the overarching document that links the four sub-regional planning frameworks. It provides a snapshot of Perth and Peel currently and highlights several challenges associated with the City's future projected growth to 3.5 million by 2050.

*Directions 2031* cited three possible growth scenarios, these being a 'linear city', 'connected City' and 'compact City', and identified a 'connected City' as the best model for directing future growth. The PP3.5 report further promotes this model as the preferred future growth pattern, which is characterised by an increased amount of urban infill when compared to greenfield fringe development and improved connectivity between activity centres as alternative places to live and work.

The report makes the following assumptions about the future growth of the Perth and Peel regions:

- Approximately 800,000 new homes will be required to accommodate an additional 1.5 million people by 2050.
- In order to fulfil the *Directions 2031* infill target of 47%, 380,000 new dwellings will be developed in infill locations.
- The majority of these infill dwellings – approximately 215,000 – will be constructed in the Central sub-region, with a further 165,000 in the outer sub-regions.
- The remaining 420,000 new homes will be constructed as greenfield development in fringe areas.
- If the above infill and greenfield density targets are met, then the current stock of urban zoned or identified land can extend as far as 2073.

To achieve the *Directions 2031* vision, the report provides the following overarching objectives for the draft frameworks to:

- achieve a consolidated urban form for the efficient use of existing infrastructure
- promote employment opportunities and greater employment self-sufficiency in the sub-regions
- provide a wide range of community and social infrastructure while promoting co-location and optimising the use of existing facilities and infrastructure
- provide an efficient and effective regional movement network for people and freight that is integrated with land use and employment opportunities
- ensure the effective and timely delivery of service infrastructure while encouraging the shared use of infrastructure corridors by service providers
- preserve and enhance the existing environment
- manage the availability and use of natural resources.

### Sub-regional draft frameworks

The purpose of the draft frameworks is to provide guidance on where development should occur in each sub-region and provide certainty on the amount of land available for future urban and industrial expansion. In guiding future growth, they aim to minimise impacts on areas of environmental significance, protect heritage and maximise the use of existing available land and infrastructure.

Once finalised, the draft frameworks will become sub-regional structure plans to be used by state agencies and local governments to guide residential and industrial development and supporting infrastructure.

Of most relevance to the City is the draft *North-West Sub-Regional Framework* (NWSR Framework), which comprises the cities of Joondalup and Wanneroo.

The key features of the NWSR Framework are as follows:

- The population of Wanneroo and Joondalup is anticipated to almost double to more than 740,000 by 2050. This represents an addition of more than 418,000 people over the next 35 years, the largest growth out of any of the Perth sub-regions.
- 46,507 new homes will be provided in Joondalup and Wanneroo through infill development at activity centres, transport corridors and station precincts.
- 122,286 new homes will be provided as greenfield development with the majority of these new homes in east Wanneroo, Eglinton, Alkimos, Two Rocks and Yanchep.
- Potential extension of the northern suburbs passenger railway from Butler to Yanchep post 2025.
- Investigation of a new eastern railway line, post 2031, extending up Tonkin Highway, through east Wanneroo and connecting to the northern suburbs railway line at a new station between Clarkson and Butler.
- A 'proposed transit priority route' linking the JAC to the Wanneroo town centre, south to the Whitfords Train Station, Whitford Activity centre, Hillary's Boat Harbour and on to the Warwick Train Station (Attachment 3 refers).
- An increase in the employment self-sufficiency of the sub-region from the 2031 target of 60% set out in *Directions 2031*, to 60.9% by 2050.
- A total of 20,181 for the JAC by 2050 (an increase of around 3,000 jobs from current levels) and a total of 23,282 new jobs in the Yanchep Activity Centre by 2050 (development of this centre has not yet commenced and no jobs exist).
- More than 55% the land in the sub-region reserved for parks and recreation or State forest.
- Development of further industrial land in Nowergup, North and South Pinjar, Carabooda, Neerabup and Wangara.

### **Issues and options considered**

The options available to Council in considering the draft PP3.5 suite of documents and the proposed submission are:

- endorse the draft submission, with or without modifications, and forward it to the WAPC  
or
- not endorse the draft submission.

**Legislation / Strategic Community Plan / policy implications**

<b>Legislation</b>	The sub-regional planning frameworks, when finalised as sub-regional structure plans, will be recognised within the Western Australian planning framework under <i>State Planning Policy 1 State Planning Framework (Variation No. 2)</i> .
<b>Strategic Community Plan</b>	The submission applies to a number of key themes, objectives and strategic initiatives in the City's <i>Strategic Community Plan</i> .
<b>Policy</b>	Not applicable.

**Risk management considerations**

Should Council choose not to endorse the submission and forward it to the WAPC, there is the risk that the aspirations and vision outlined in the City's own strategic planning documents will not be adequately captured by the final North-West Sub-Region (NWSR) structure plan. This could compromise the City's role as the major commercial, civic and cultural focus of the NWSR.

**Financial / budget implications**

The City has engaged an external consultant to prepare the submission on behalf of the City, which involved a total fixed fee of \$10,800 for the review of the suite of documents and preparation of the City's submission.

**Regional significance**

Over the next decade PP3.5 is likely to be one of the most important documents for land use planning in Perth and Peel, two regions which stretches over 150 kilometres from Two Rocks in the north to Bouvard in the south. As such, these documents will affect the Cities of Joondalup and Wanneroo beyond their individual boundaries and will have implications for the State as a whole.

Under *Directions 2031*, the Perth and Peel regions are divided into four sub-regions. The draft frameworks released for these sub-regions will eventually be finalised as structure plans and used as strategic documents with key principles and objectives to guide future amendments to the *Metropolitan Region Scheme*, local planning schemes and structure plans.

**Sustainability implications**

The four draft sub-regional planning frameworks set out urban growth proposals to achieve a range of environmental, social and economic sustainability goals.

**Environmental**

One of the objectives of the NWSR Framework is to preserve and enhance the existing environmental and landscaping values of the sub-region for future generations to enjoy.

As part of this, the NWSR Framework identifies ecological linkages where natural area sites are connected to enable the retention of habitat for fauna dispersal and movement. The NWSR Framework proposes that these ecological linkages also be supported by green

networks, which include green spaces and water systems, to deliver further social benefits to the community.

It is also important to note that urban consolidation areas were determined in conjunction with the ongoing Strategic Assessment for the Perth and Peel Regions (SAPPR) to ensure protection of areas of significant regional environmental values.

### Social

The documents outline several objectives to support greater social sustainability in the Perth and Peel regions. In particular, the overarching report promotes a more consolidated urban form and advances the infill target rate of 47% found in *Directions 2031*, directing that 380,000 dwellings be developed in strategic infill locations. These are considered to be areas located in close proximity to employment and services, while maximising the use of existing infrastructure. The remaining 420,000 homes required to accommodate the projected population growth will be located in areas that are suitable for development in the greenfield fringe areas of the outer sub-regions. This will facilitate a wider range of housing choice and the report implies that this could lead to greater housing affordability in high amenity areas.

The report emphasises that a fundamental consideration is to minimise the impacts of infill on existing suburbs, directing that urban consolidation should only occur in appropriate areas such as around activity centres, public transport corridors and station precincts.

### Economic

A key planning principle of the NWSR Framework is to ensure the provision of a wider range of local job opportunities, thus removing the need to commute to locations outside the sub-region and, thereby, increase the employment self-sufficiency of the sub-region. There is an emphasis in the documents on strategic employment, with job opportunities to be mainly located within the strategic metropolitan centres and strategic industrial centres. Ultimately, the draft NWSR Framework aims to achieve a self-sufficiency target of 60.9% for the sub-region and an additional 5,998 jobs to be provided in the Joondalup City Centre by 2050. The self-sufficiency target aligns with the 2031 target of 60%, rather than builds upon, the target outlined in *Directions 2031*.

### **Consultation**

The draft PP3.5 suite of documents was released by the WAPC for public comment for a period of three months, with the submission period closing on 31 July 2015.

### **COMMENT**

The City is supportive of the development of a long-term strategy to guide future planning within the Perth and Peel region. The principles and challenges outlined in the draft PP3.5 are generally considered sound and the objectives broadly supported. Furthermore, the draft frameworks will provide some utility in regard to confirmed expansion and consolidation areas.

However, the City's submission addresses a number of areas that are believed to require further consideration in PP3.5 to enable the development of a more visionary and implementable strategy, particularly for the NWSR.

The key areas that the City believes require further consideration are:

- the need for a bold vision and plan for the north-west sub-region
- increase employment self-sufficiency in the north-west sub-region
- focus on growing the Joondalup Activity Centre (JAC)
- sub-regional tourism development
- improve sub-regional transport connections
- other key recommendations required to address a rapidly growing and changing population.

#### The Need for a Bold Vision and Plan for the North-West Sub-Region

There is some concern that PP3.5 appears to be established on a layering of existing plans and previously developed strategies. While it is acknowledged that regard to current approved plans and strategies is required, this is an opportunity to look beyond the current planning horizon and take a truly visionary approach to the long-term future growth of the Perth and Peel regions.

This includes implementing a plan that adequately positions the sub-regions for the future and responds to disruptive industries and generational changes, while considering the role of each sub-region in the broader Perth and Peel Regions and how they are positioned to respond to national and global changes.

This is particularly important for the NWSR, which is one of the fastest growing residential locations in Australia and is projected to account for more than 75% of the Perth and Peel Regions' growth. This has significant implications on the future planning of the City of Joondalup, with increasing pressure on our regional transport networks, existing infrastructure and natural assets. This is evidenced by the recently released *Infrastructure Australia Audit Report (2015)*, which outlines that three of the six worst congested road corridors in Australia by 2031 will be in the NWSR, Mitchell Freeway, Marmion Avenue and Wanneroo Road.

It is therefore evident that we cannot persist with current policies and trajectories. Fortunately, the NWSR has multiple strengths and opportunities, from which it can leverage future benefits in terms of economic, social and environmental sustainability, that the NWSR framework needs to capture.

#### Increase Employment Self Sufficiency

Increasing the employment self-sufficiency of the NWSB is the key to relieving the challenges outlined above, particularly in regards to congestion. PP3.5 understands that greater self-sufficiency is created through the promotion of decentralised employment centres and its recommended increase in the self-sufficiency target, from the current level of 49%, for the NWSR is fully supported by the City. However, a greater self-sufficiency target can, and needs to be achieved, by the NWSR than outlined in the framework. Intrinsic to this, is the role of the JAC and its demonstrated ability to provide strategic employment opportunities for the sub-region.

The NWSR framework proposes for the JAC to have a total of 20,181 jobs by 2050, which is only an increase of around 3,000 jobs from current levels (2015). However, as outlined above, the JAC is likely to grow much more rapidly than this projection. Since 2008 it is estimated that employment in the City Centre has grown from 13,994 to over 17,000, an average of more than 400 jobs per year.

The City's own commercial needs assessment and employment forecasts also show significantly higher commercial development and employment occurring in the JAC by 2050 and it is estimated that the JAC will likely accommodate a total of 45,000 employees by 2050. While this figure is more than double the estimate set by PP3.5, this intensity is achievable in the timeframe based on historical development rates and will ensure that land is used efficiently in the NWSR.

The NWSR is proposed to have the highest population growth of any sub-region and will continue to have a highly professional labour force. The framework acknowledges the need to provide jobs that match its labour force. However, it is also recommended that the NWSR framework highlights the long term nature of employment generation activities and focuses on the future labour force and the need to accommodate potential future industries. As such, importance should also be placed on positioning the NWSR to accommodate "jobs of the future" in the achievement of further local economic sustainability. This could be by:

- elevating the classification of Joondalup in the activity centre hierarchy or by including a Specialised Centre at Joondalup's knowledge precinct, alongside the existing Strategic Metropolitan Centre which covers Joondalup's CBD
- promoting tourism in the NWSR by committing to the Ocean Reef Marina redevelopment and connecting the Joondalup Activity Centre and train station to the coast
- improving the transport connections in the NWSR, particularly those linking the population to the JAC.

#### Focus on the Growth of the Joondalup Activity Centre

There are currently 10 designated Strategic Metropolitan Centres in the Perth Metropolitan and Peel Regions and attaining the designation of Primary Centre has become an aspirational target for most of them. In seeking to elevate their position within the activity centre hierarchy, there is already strong competition between centres for investment and large-scale infrastructure projects. This competition will not deliver an equitable distribution of jobs, services and amenity for the regions in the future. To address this, as well as strategically address sub-regional and regional balance of competition, it is recommended that Primary Centres or 'emerging Primary Centres' be designated within PP3.5 and this designation be applied to the JAC. Alternatively, if the JAC is to remain as a Strategic Metropolitan Centre (SMC), then Joondalup's knowledge precinct should also be designated as a Specialised Centre alongside this. This would allow for strategic alignment and focusing of investment and development within the sub-region.

However, regardless of its designation, Joondalup will continue to strengthen as an activity centre through its growing strategic employment and leverage of its unique assembly of regionally significant uses. It is therefore recommended that greater commentary be provided in the NWSR Framework around the JAC's potential and capability to continue to support the region in a primary role into the future.

Joondalup is currently the largest and most established centre in the NWSR. With the provision of existing infrastructure, a major rail transport hub and significant land development and redevelopment opportunities to attract investment and strategic employment, it will continue to grow as the major commercial, civic and cultural focus of the sub-region. As such, it is recommended that the assumptions around employment and the development potential of JAC, as outlined by PP3.5, account for this continued growth, as well as outline specific initiatives and actions to help deliver the employment targets required within the JAC by 2050.

In reference to development within the JAC, the NWSR Framework identifies that “*there is little incentive or viability in redeveloping sites in the short-to-medium term.*” However, it is considered that the JAC can accommodate a greater number of jobs, floor space and infill development than outlined by the NWSR Framework, as outlined below:

- Preliminary land capacity analysis of the JAC has found that there are approximately 60 ha of vacant land suitable for high intensity infill development. This figure comprises 13.8% of the JAC’s total 434 hectare area and does not include the significant redevelopment opportunity of areas such as the Winton Road service industrial area or Joondalup Gate.
- The NWSR Framework proposes for the JAC to have a total of 20,181 jobs by 2050, which is only an increase of around 3,000 jobs from current levels (2015). However, since 2008 it is estimated that employment in the city centre has grown from 13,994 to over 17,000, an average of more than 400 jobs per year. The JAC will likely accommodate a total of 45,000 employees by 2050.
- The JAC (434 ha) is comparable to the Perth CBD (483 hectares) in terms of total area and features an average growth of 25,000m<sup>2</sup> floor space (including commercial, industrial and public purpose survey uses) per annum.

It is also recommended that the NWSR Framework highlights the long term nature of employment generation activities and focuses on the future labour force and the need to accommodate potential future industries. The NWSR is proposed to have the highest population growth of any sub-region and will continue to have a highly professional labour force. As such, importance should also be placed on positioning Joondalup to accommodate “jobs of the future” in the achievement of further local economic sustainability.

### **Focus on Sub-Regional Tourism Opportunities**

The NWSR Framework identifies that the need to increase employment self-sufficiency and self-containment is a strategic priority for the sub-region. As part of this, it identifies that ‘Metropolitan Attractors’ (for example Hillary’s Boat Harbour) can assist by providing localised employment opportunities. This is fully supported by the City and it is recommended that the NWSR Framework expands on this by providing more detailed proposals on the potential of the tourism industry as a major employment generator within the sub-region.

As part of this, it is imperative that the NWSR Framework identifies the Ocean Reef Marina as a future tourist centre and key employment node, in accordance with the City’s *Local Planning Strategy*. The City holds a vision for the Ocean Reef Marina site as a world class recreational, residential and tourism development that encapsulates high levels of environmental sustainability, community amenity and delivers economic growth and social benefit to the residents of the City of Joondalup and the broader region. The City has signed an Ocean Reef Marina Memorandum of Understanding with the State Government, which is

a formal agreement that acknowledges a strategic alliance and the shared commitment of the City and State Government as joint landowners of the site in bringing the Ocean Reef Marina project to fruition.

In addition to Ocean Reef Marina, the sub-region possesses a number of regional attractors including Hillarys Boat Harbour, broader Sunset Coast, Yellagonga Regional Park and Yanchep National Park. These are major attractors for the sub-region and key drivers of the local economy.

#### Improve Sub-Regional Transport Connections

Historically, development within the NWSR has been Perth-centric, evidenced by the concentration of north-south linkages. However, it is now necessary to strengthen the connections to the main activity centres in the sub-region. As such, the City supports the NWSR framework's aims to improve the integration of land uses and employment with the movement network and to improve movement network challenges such as congestion and increased demand for public transport.

In supporting these aims, the City considers the following transport connections to be of the highest priority:

#### *JAC to Wanneroo Secondary Centre and Neerabup*

A 'proposed transit priority route' is included in the framework connecting the JAC and the Wanneroo Secondary Centre by 2025. Currently peak hour congestion levels from Joondalup Drive to Wanneroo Road are extremely high. This is projected to worsen in the future, therefore linking Wanneroo Secondary Centre and the East Wanneroo growth area to JAC is considered essential. The connection should also extend north-east to the future Neerabup and south Pinjar industrial areas (post-2025).

#### *JAC to Wangara and future east Wanneroo*

The framework proposes an upgrade to the Ocean Reef Road – Gnangara Road corridor, to designate it as a Primary Distributor Road classification by-2025. High levels of congestion along this corridor means that the City is supportive of an increase in classification.

To support this increased classification, this corridor must include a transit priority public transport route linking the rapidly growing Wangara industrial area and East Wanneroo residential area to JAC and Edgewater Train Station by-2025. The Principle Shared Path network, usually associated with north - south cycle (Mitchell Freeway) traffic should also be included for major regional roads such as Ocean Reef Road and Gnangara Road. This initiative would provide commuters with an alternative transport mode to the private car.

#### *JAC to the Coastline and Ocean Reef Marina*

It is essential that a high quality transit priority public transport route connect JAC to the coastline and the future Ocean Reef Marina by-2025. The Ocean Reef Marina is to be developed as a tourism node and key employment generator. This link will improve JAC's relationship with the coast and help to strengthen the east-west movement network. It will also make a strong contribution to employment self-sufficiency through generating localised employment opportunities.

### *JAC to Burns Beach Coastal Node*

The bus service to the Burns Beach area needs to be extended in line with the *Burns Beach Structure Plan* by 2025. If this cannot be achieved, an interim service is to be provided whereby the existing service deviates through the estate. The long-term objective is to provide a transit priority route that efficiently connects Burns Beach with the Currambine Train Station post 2025.

### *JAC to Whitfords Secondary Centre*

A 'proposed transit priority route' is included in the framework connecting the Whitfords Train Station to Whitfords Secondary Centre and Hillarys Boat Harbour by 2025. Whitfords Avenue currently experiences high levels of congestion. It is considered essential to connect the City's second largest centre to the northern suburbs railway line and Hillarys Boat Harbour by 2025.

### Additional Recommendations to Address a Rapidly Growing and Changing Population

Further to the key recommendations above, the City will also be making a number of other key recommendations in its detailed analysis below to address the challenges of a rapidly growing and changing population. These include recommendations relating to Joondalup Health Campus as a full tertiary hospital, further consideration of sustainable infrastructure and changing demographics in PP3.5 and the need for a more detailed whole-of-government implementation strategy.

### Summary

The submission recommends that a much greater focus be placed on Joondalup, particularly JAC, over the next 35 years, through investment in commercial development, such as state government offices and the Ocean Reef Marina, community services to accommodate the growing population and changing demographic and transport infrastructure to better connect the population of the sub-region to what is the primary centre north of Perth.

A submission on the draft documents has been developed from the comments in this report. It is recommended that Council endorses the submission on the draft *Perth and Peel @ 3.5 million* suite of documents as shown in Attachment 3 to this Report.

## **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Amphlett, SECONDED Cr McLean that Council ENDORSES the City of Joondalup's submission of the draft *Perth and Peel @ 3.5 Million* suite of documents shown as Attachment 3 to Report CJ127-07/15 and forwards it to the Western Australian Planning Commission.**

**The Motion was Put and**

**CARRIED (11/0)**

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

*Appendix 13 refers*

To access this attachment on electronic document, click here: [Attach13agn280715.pdf](#)

*Cr Taylor left the Chamber at 8.37pm.*

## **URGENT BUSINESS**

Nil.

## **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

### **C37-07/15            NOTICE OF MOTION – CR GEOFF AMPHLETT, JP – HELIUM BALLOON LITTER – [04103, 01369]**

In accordance with Clause 4.6 of the *Meeting Procedures Local Law 2013*, Cr Geoff Amphlett, JP gave notice of his intention to move the following Motion at the Council meeting to be held on Tuesday, 28 July 2015:

***“That Council REQUESTS the Chief Executive Officer to prepare a report on the impacts of releasing helium balloons into the environment and identify options for the City of Joondalup to minimise litter from balloons.”***

#### **Reason for Motion**

Historically, balloon releases have occurred as part of community events or special commemorative occasions. It is often seen as an activity which does not have an environmental impact. However, research indicates that releasing helium balloons can have a detrimental environmental impact.

While balloons may eventually break down into smaller pieces in the environment, they do not breakdown quickly or biodegrade. There may also be attachments to the balloons which do not break down. Recent Australian research shows that turtles consume balloon fragments in preference to other types of plastic marine debris. Studies also show that balloons are consumed by marine birds.

Local governments have the ability to control what activities occur at their events and events held on local government property. Council can adopt a position which prohibits the release of helium balloons at local government events and include this prohibition when requests to use local government reserves are received.

#### **Officer’s Recommendation**

A report can be prepared.

*Cr Taylor entered the Chamber at 8.39pm.*

*Cr Thomas left the Chamber at 8.40pm and returned at 8.42pm.*

**MOVED Cr Amphlett, SECONDED Cr Chester that Council REQUESTS the Chief Executive Officer to prepare a report on the impacts of releasing helium balloons into the environment and identify options for the City of Joondalup to minimise litter from balloons.**

**The Motion was Put and**

**CARRIED (8/3)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Chester, Fishwick, Hamilton-Prime, Hollywood, McLean and Thomas.

**Against the Motion:** Crs Corr, Ritchie and Taylor.

**C38-07/15                    MOTION TO CLOSE MEETING TO MEMBERS OF THE PUBLIC – [02154, 08122]**

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

**1** in accordance with Sections 5.23(2)(e)(iii) and 5.23(2)(h) 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      **CJ122-07/15**            **Confidential - Proposed Disposal of Lot 23 (77) Gibson Avenue, Padbury;**
- 1.2      **CJ123-07/15**            **Confidential - Proposed Disposal of Lot 745 (103) Caridean Street, Heathridge;**
- 1.3      **CJ124-07/15**            **Confidential - Pinnaroo Point Café/Kiosk Project – Interim Status Report;**
- 1.4      **C39-07/15**                **Confidential - Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.**

**2** **PERMITS** the following employees to remain in the Chamber during discussion on Item CJ122-07/15, CJ123-07/15, CJ124-07/15 and C39-07/15 while the meeting is sitting behind closed doors as detailed in Parts 1.1 to 1.4 above:

- 2.1      **Chief Executive Officer, Mr Garry Hunt;**
- 2.2      **Director Corporate Services, Mr Mike Tidy;**
- 2.3      **Director Governance and Strategy, Mr Jamie Parry;**
- 2.4      **Director Planning and Community Development, Ms Dale Page;**
- 2.5      **Director Infrastructure Services, Mr Nico Claassen;**
- 2.6      **Manager Governance, Mr Brad Sillence;**
- 2.7      **Manager City Projects, Mr Blignault Olivier;**
- 2.8      **Governance Coordinator, Mr John Byrne;**
- 2.9      **Governance Officer, Mrs Lesley Taylor;**
- 2.10     **Governance Officer, Mrs Rose Garlick.**

**The Motion was Put and**

**CARRIED (11/0)**

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

*Members of the staff (with the exception of the Chief Executive Officer, Director Corporate Services, Director Governance and Strategy, Director Planning and Community Development, Director Infrastructure Services, Manager Governance, Manager City Projects, Governance Coordinator and two Governance officers) and members of the public and press left the Chambers at this point; the time being 8.47pm.*

## REPORTS – STRATEGIC FINANCIAL MANAGEMENT COMMITTEE – 14 JULY 2015

### CJ122-07/15      **CONFIDENTIAL - PROPOSED DISPOSAL OF LOT 23 (77) GIBSON AVENUE, PADBURY**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	53562, 101515
<b>ATTACHMENTS</b>	Attachment 1      Location Plan  <i>(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	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 Amphlett, SECONDED Cr McLean that Council:**

- 1** in accordance with Section 3.58(3) of the *Local Government Act 1995*, AGREES to give local public notice of the proposed disposal of Lot 23 (77) Gibson Avenue, Padbury to The Stephens Group for an amount of \$2,146,500 inclusive of GST;
- 2** NOTES that after the conclusion of public advertising, a further report will be submitted to Council to enable it to consider any submissions received prior to agreeing to dispose of the property.

**The Motion was Put and**

**CARRIED (10/1)**

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

**Against the Motion:** Cr Corr.



## **CJ124-07/15      CONFIDENTIAL - PINNAROO POINT CAFÉ/KIOSK PROJECT - INTERIM STATUS REPORT**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Chief Executive Officer
<b>FILE NUMBER</b>	102656, 101515
<b>ATTACHMENTS</b>	Attachment 1      Site Plan  <i>(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	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)(e)(iii) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

*A matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.*

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

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

- 1      NOTES the Pinnaroo Point Café/Kiosk Project - Interim Status Report;**
- 2      REQUESTS the Chief Executive Officer negotiate a lease agreement with Rock (WA) Pty Ltd T/as White Salt to facilitate the development at Pinnaroo Point for Council's endorsement.**

**AMENDMENT MOVED Mayor Pickard, SECONDED Cr Amphlett that part 2 of the motion be amended to read as follows:**

**"2      REQUESTS the Chief Executive Officer undertake further negotiations with Rock (WA) Pty Ltd trading as White Salt in relation to redesign of the proposed development as the current design in relation to the second storey being assigned as an office area does not accord with the aspirations of the Council for the development of Pinnaroo Point."**

**The Amendment was Put and**

**CARRIED (11/0)**

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

**The Original Motion as amended, being:**

**That Council:**

- 1 NOTES the Pinnaroo Point Café/Kiosk Project - Interim Status Report;**
- 2 REQUESTS the Chief Executive Officer undertake further negotiations with Rock (WA) Pty Ltd trading as White Salt in relation to redesign of the proposed development as the current design in relation to the second storey being assigned as an office area does not accord with the aspirations of the Council for the development of Pinnaroo Point.**

**Was Put and**

**CARRIED (11/0)**

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

**Disclosures of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Tom McLean, JP.</b>
<b>Item No./Subject</b>	C39-07/15 - Confidential: Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A director of Probuild Constructions is a friend of Cr McLean.

<b>Name/Position</b>	<b>Ms Dale Page, Director Planning and Community Development.</b>
<b>Item No./Subject</b>	C39-07/15 - Confidential: Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Ms Page's brother is a Director of Probuild Constructions.

<b>Name/Position</b>	<b>Mr Blignault Olivier, Manager City Projects.</b>
<b>Item No./Subject</b>	C39-07/15 - Confidential: Joondalup City Centre Office Development - Submission for State Government Office Accommodation in Joondalup and Heads of Agreement.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A director of Probuild Constructions (part of the Devwest Group Pty Ltd team) is a personal friend of Mr Olivier.

**C39-07/15                      CONFIDENTIAL: JOONDALUP CITY CENTRE OFFICE DEVELOPMENT - SUBMISSION FOR STATE GOVERNMENT OFFICE ACCOMMODATION IN JOONDALUP AND HEADS OF AGREEMENT**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	103036, 101515
<b>ATTACHMENT</b>	Attachment 1      Draft Heads of Agreement  <i>(Please Note: This Report and Attachment is confidential and will appear in the official Minute Book only)</i>
<b>AUTHORITY / DISCRETION</b>	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)(c) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

*a contract entered into, or which may be entered into, 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 Mayor Pickard, SECONDED Cr McLean that Council:**

- 1 NOTES the Office Development Committee's endorsement of the City's submission in response to the State Government Request for the Proposal for Joondalup Office Accommodation, as tabled and as amended at the Office Development Committee held on 27 July 2015;**
- 2 ENDORSES the draft Heads of Agreement as amended to be executed between the City and Devwest Group Pty Ltd (Devwest) as detailed in Attachment 1 to Report C39-07/15;**
- 3 APPROVES the City's base submission and the Joondalup City Centre Concept Plan, known as "Boas Place", to be presented to the local members of Parliament for the Government in response to the State Government Request for Proposal for Joondalup Office Accommodation.**

**The Motion was Put and**

**CARRIED (11/0)**

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

**C40-07/15                    OPEN MEETING TO THE PUBLIC – [02154, 08122]**

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

**The Motion was Put and**

**CARRIED (11/0)**

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

*The doors re-opened at 9.09pm. Due to the fact that no members of the public were in attendance, it was not necessary for the Presiding Member to read aloud the motions resolved while the meeting was closed to members of the public as defined in the City's Meeting Procedures Local Law 2013.*

*The member of the press was present.*

**C41-07/15                    RESUMPTION OF ORDER OF BUSINESS – [08122, 02154]**

**MOVED** Mayor Pickard, **SECONDED** Cr Thomas that Council **RESUMES** the operation of clause 4.3 of the *City of Joondalup Meeting Procedures Local Law 2013 – Order of Business*.

**The Motion was Put and**

**CARRIED (11/0)**

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

**ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

Nil.

## **CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 9.10pm 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 GEOFF AMPHLETT, JP  
CR CHRISTINE HAMILTON-PRIME  
CR JOHN CHESTER  
CR BRIAN CORR  
CR RUSS FISHWICK, JP  
CR TERESA RITCHIE, JP