

# agenda

## Briefing Session

A BRIEFING SESSION WILL BE HELD IN  
CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP

**ON TUESDAY 12 APRIL 2016**

**COMMENCING AT 6.30pm**

**GARRY HUNT**  
Chief Executive Officer  
8 April 2016

[joondalup.wa.gov.au](http://joondalup.wa.gov.au)

*This document is available in alternate formats upon request*



#### **PUBLIC QUESTION TIME**

Members of the public are requested to lodge questions in writing by close of business on **Monday 11 April 2016**

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

#### **QUESTIONS TO**

[council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

PO Box 21 Joondalup WA 6919

[www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au)

## BRIEFING SESSIONS

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

### INTRODUCTION

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

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

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

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

### PURPOSE OF BRIEFING SESSIONS

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

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

### PROCEDURES FOR BRIEFING SESSIONS

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

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

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

## PROCEDURES FOR PUBLIC QUESTION TIME

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

### Questions asked verbally

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

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

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

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

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

#### **DISCLAIMER**

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



## PROCEDURES FOR PUBLIC STATEMENT TIME

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

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

## PROCEDURES FOR DEPUTATIONS

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

### **RECORDING OF THE PROCEEDINGS OF THE BRIEFING SESSION**

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

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#### **LATE ITEMS / ADDITIONAL INFORMATION**

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

[Additional Information160412.pdf](#)

## CITY OF JOONDALUP – BRIEFING SESSION

To be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 12 April 2016** commencing at **6.30 pm**.

### ORDER OF BUSINESS

#### 1 OPEN AND WELCOME

#### 2 DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

##### **Disclosures of Financial Interest/Proximity Interest**

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

##### **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 Kerry Hollywood.</b>
<b>Item No./Subject</b>	Item 14 - Burns Beach Café/Restaurant - Expressions of Interest.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hollywood lives within 500 metres of the proposed facility.

#### 3 DEPUTATIONS

#### 4 PUBLIC QUESTION TIME

## 5 PUBLIC STATEMENT TIME

The following statements were made at the Briefing Session held on 8 March 2016.

**Mr A Hill, Burns Beach:**

*Re: Item 4 - Burns Beach Masterplan.*

Mr Hill spoke in relation to the Burns Beach Masterplan stating that the Burns Beach Residents Association's preferred option is option 6. Mr Hill requested that the masterplan be revised/updated before the community consultation process is undertaken as there is a lot of outdated information currently provided within the masterplan.

**Ms M O'Byrne, Kinross:**

*Re: Item 4 - Burns Beach Masterplan.*

Ms M O'Byrne spoke in relation to the Burns Beach Masterplan and requested the City list its preferred design option in the masterplan as well as include a concept design as part of the community consultation process.

**Mr S Joy, Hocking:**

*Re: Late Report 2 - Warwick Hockey Centre – Request for Additional Funds.*

Mr Joy spoke in support of additional parking bays at Warwick Hockey Centre.

## 6 APOLOGIES AND LEAVE OF ABSENCE

**Leave of Absence Previously Approved:**

Cr Sophie Dwyer	17 April to 21 April 2016 inclusive;
Cr Mike Norman	19 April to 27 April 2016 inclusive;
Cr John Logan	20 April to 24 April 2016 inclusive;
Cr Russ Fishwick, JP	26 April to 6 June 2016 inclusive.

## 7 REPORTS

### ITEM 1 DEVELOPMENT AND SUBDIVISION APPLICATIONS – FEBRUARY 2016

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	07032, 101515
<b>ATTACHMENT</b>	Attachment 1 Monthly Development Applications Determined – February 2016 Attachment 2 Monthly Subdivision Applications Processed – February 2016
<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 during February 2016.

#### EXECUTIVE SUMMARY

Schedule 2 (deemed provisions for local planning schemes) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) provide for Council to delegate powers under a local planning scheme to the Chief Executive Officer (CEO), who in turn has delegated them to employees of the City.

The purpose of delegating certain powers to the CEO and officers is to facilitate the timely processing of development and subdivision applications. The framework for the delegations of those powers is set out in resolutions by Council and is reviewed every two years, or as required.

This report identifies the development applications determined by the administration under delegated authority powers during February 2016 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during February 2016 (Attachment 2 refers).

#### BACKGROUND

Schedule 2 clause 82 (deemed provisions for local planning schemes) of the Regulations enables Council to delegate powers under a local planning scheme to the CEO, and for the CEO to then delegate powers to individual employees.

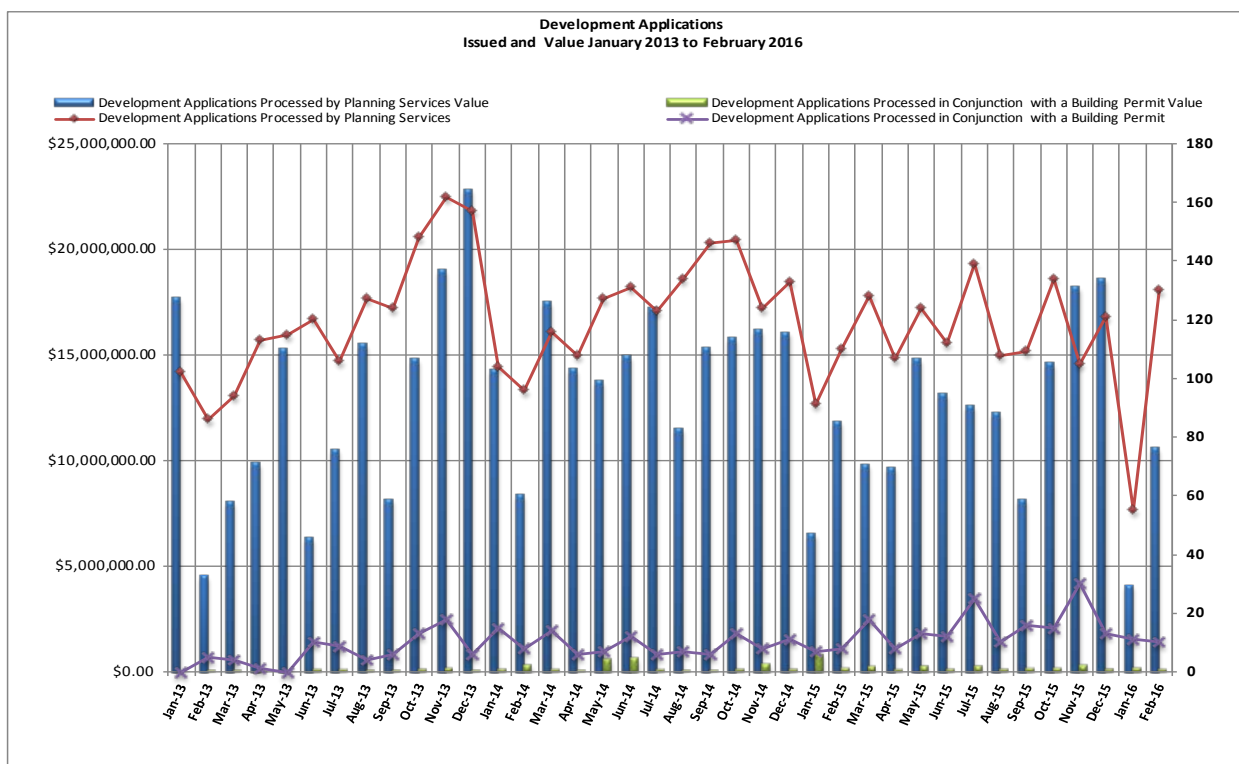
At its meeting held on 6 October 2015 (CJ167-10/15 refers) Council considered and adopted the most recent Town Planning Delegations, necessitated by the Regulations taking effect from 19 October 2015.

**DETAILS**

The number of development applications determined under delegated authority during February 2016 is shown in the table below:

Development Applications determined under delegated authority – February 2016		
Type of Application	Number	Value (\$)
Development applications processed by Planning Services	130	\$ 10,569,575
Development applications processed by Building Services	10	\$104,645
<b>TOTAL</b>	<b>140</b>	<b>\$ 10,674,220</b>

The total number and value of development applications determined between January 2013 and February 2016 is illustrated in the graph below:



The number of development applications received during February was 137. (This figure does not include any development applications to be processed by building as part of the building permit approval process).

The number of development applications current at the end of February was 262. Of these, 64 were pending additional information from applicants and 17 were being advertised for public comment.



In addition to the above, 213 building permits were issued during the month of February with an estimated construction value of \$19,813,564.

The number of subdivision and strata subdivision referrals processed under delegated authority during February 2016 is shown in the table below:

<b>Subdivision referrals processed under delegated authority for February 2016</b>		
<b>Type of referral</b>	<b>Number</b>	<b>Potential additional new lots</b>
Subdivision applications	1	107
Strata subdivision applications	2	4

### **Issues and options considered**

Not applicable.

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

**Legislation** *City of Joondalup District Planning Scheme No. 2. Planning and Development (Local Planning Schemes) Regulations 2015.*

### **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.

Schedule 2 clause 82 of the Regulations permits the local government to delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties. Development applications were determined in accordance with the delegations made under Schedule 2 clause 82 of the Regulations.

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 140 development applications were determined for the month February with a total amount of \$52,336 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 and the Regulations.

**COMMENT**

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

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

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

- 1 Development applications described in Attachment 1 to this Report during February 2016;**
- 2 Subdivision applications described in Attachment 2 to this Report during February 2016.**

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf160412.pdf](#)

## **ITEM 2                    CHANGE OF USE FROM SINGLE HOUSE TO DISPLAY HOME AT LOT 4 (17) LEVANZO WAY, SORRENTO**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	105294, 101515
<b>ATTACHMENT</b>	Attachment 1        Location plan Attachment 2        Development plans Attachment 3        Signage details
<b>AUTHORITY / DISCRETION</b>	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

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### **PURPOSE**

For Council to determine an application for change of land use from 'Single House' to 'Display Home' at Lot 4 (17) Levanzo Way, Sorrento.

### **EXECUTIVE SUMMARY**

An application for development approval has been received to change the land use of the existing vacant lot at Lot 4 (17) Levanzo Way, Sorrento from 'Single House' to 'Display Home'.

Development approval was granted under delegated authority on 3 February 2016 for a new two storey dwelling at the subject site. The applicant now seeks to use the dwelling for the purposes of a 'Display Home' for a period of two years.

The site is zoned 'Urban Development' under the City of Joondalup *District Planning Scheme No. 2* (DPS2) and is subject to the requirements of the *Hillarys Structure Plan*. Under the structure plan, the site is within the 'Residential' zone, with a residential density code of R30. Under DPS2 a 'Display Home' is a permitted ("P") land use within the 'Residential' zone.

DPS2 requires five on-site car bays for a 'Display Home'. The development provides for only two car parking bays within a garage, being a shortfall of three bays. As the three car bay shortfall exceeds 10%, the development application is required to be determined by Council.

Council's discretion is sought for the 'Display Home' in relation to parking. Given the close proximity of on-street car bays located on Levanzo Way and the limited operating hours proposed there is however considered to be sufficient parking to service customers and staff of the 'Display Home'.

It is recommended that the application for change of use from ‘Single House’ to ‘Display Home’ be approved, subject to conditions.

## BACKGROUND

<b>Suburb/Location</b>	Lot 4 (17) Lenanzo Way, Sorrento.
<b>Applicant</b>	Webb & Brown-Neaves.
<b>Owner</b>	Maranello Pty Ltd.
<b>Zoning</b>	<b>DPS</b> Urban Development. <b>MRS</b> Urban.
<b>Site area</b>	393m <sup>2</sup> .
<b>Structure plan</b>	<i>Hillarys Structure Plan.</i>

The subject site is located within the recently released estate of “Harbour Rise Sorrento” located at the corner of Hepburn Avenue and West Coast Drive. The subject site itself is located at the southern corner of Levanzo Way and Delos Way, with vehicle access provided from Lanikai Lane (Attachment 1 refers).

The site is zoned ‘Urban Development’ under the City’s DPS2 and is subject to the provisions of the Sorrento Small Lot Residential precinct as contained within the *Hillarys Structure Plan*. Under the structure plan, the site is located within the ‘Residential’ zone, with a residential density code of R30. A ‘Display Home’ is a permitted (“P”) land use within the ‘Residential’ zone.

While the site is currently vacant, development approval was granted under delegated authority on 3 February 2016 for a new two storey dwelling. The approved dwelling (Attachment 2 refers) initially sought the City’s discretion for a minor variation to the deemed-to-comply provisions of the *Residential Design Codes of Western Australia* (R-Codes). Modifications however were made to the development and the dwelling subsequently was assessed against and met all relevant development provisions of the *Hillarys Structure Plan*, the City’s *Residential Development Local Planning Policy* and the R-Codes.

The City is not aware of any further proposals for display homes within the estate.

## DETAILS

Development approval has been granted by the City for a two storey ‘Single House’ at Lot 4 (17) Levanzo Way, Sorrento. The applicant proposes to change the land use to utilise the dwelling for the purposes of a ‘Display Home’ with the following opening hours:

- Monday and Wednesday – 2.00pm to 5.00pm.
- Saturday, Sunday and Public Holidays – 1.00pm to 5.00pm.
- Tuesday, Thursday and Friday – closed.

It is intended that the ‘Display Home’ will operate for a period of two years after which time development approval will be required to extend the approval period or the land use will revert to ‘Single House’.

The development plans are provided as Attachment 2.

### Car Parking

Table 2 of DPS2 requires that a total of five on-site car bays be provided for each display home. The development currently has approval for two car bays within the rear garage. It is intended that these bays will be utilised for the purposes of staff parking, with access to these provided from Lanikai Lane at the rear of the lot.

Ten on-street car bays are located along Levanzo Way for the purposes of visitor parking for the nine laneway lots which front Levanzo Way (Attachment 1 refers). Additional on-street bays are also available within Seaward Loop.

### Signage

A monolith sign is proposed to be located within the front setback area of the 'Display Home'. Monolith signs appear as a solid structure where the supporting columns cannot be seen from ground level to the top of the sign.

The sign proposed as a part of this development is to have a height of three metres, a width of 800mm and depth of 250mm (Attachment 3 refers). Monolith signs are not expressly permitted within the Residential zone under Council Policy – *Signs*, and therefore regard is required to be given to the objectives of the policy and DPS2.

### **Issues and options considered**

Council must consider whether the on-site car parking shortfall and signage is appropriate.

Council may determine an application for development approval by:

- granting development approval without conditions
- granting development approval with conditions
- or
- refusing to grant development approval.

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

<b>Legislation</b>	<i>City of Joondalup District Planning Scheme No. 2. Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).</i>
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Quality Urban Environment.
<b>Objective</b>	Quality built outcomes.
<b>Strategic initiative</b>	Buildings and landscaping is suitable for the immediate environment and reflect community values.
<b>Policy</b>	<i>Residential Development Local Planning Policy. Signs Policy.</i>

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

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

4.5 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS.

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

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

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

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

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

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

4.8 CAR PARKING STANDARDS

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

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

Clause 5 .1 of DPS2 sets out the objectives for the provision of control of advertisements.

## 5.1 CONTROL OF ADVERTISEMENTS

### 5.1.1 Objectives

*The objectives of the provisions for control of advertisements are:*

- (a) to ensure that the visual quality and character of particular localities and transport corridors are not eroded;*
- (b) to achieve advertising signs that are not misleading or dangerous to vehicular or pedestrian traffic;*
- (c) to minimise the total area and impact of outdoor advertising commensurate with the realistic needs of commerce for such advertising;*
- (d) to prohibit outdoor advertising which is considered to be superfluous or unnecessary by virtue of their colours, height, prominence, visual impact, size, relevance to the premises on which they are located, number and content;*
- (e) to reduce and minimise clutter; and*
- (f) to promote a high standard of design and presentation in outdoor advertising.*

### Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

Clause 67 of Schedule 2 of the Regulations sets out the matters to be considered by Council when determining an application for development approval.

*In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development of the subject of the application:*

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) any policy of the Commission;*
- (f) any policy of the State;*
- (g) any local planning policy for the Scheme area;*

- (h) *any structure plan, activity centre plan or local development plan that relates to the development;*
- (i) *any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*
- (j) *in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (k) *the built heritage conservation of any place that is of cultural significance;*
- (l) *the effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following:*
  - (i) *environmental impacts of the development;*
  - (ii) *the character of the locality;*
  - (iii) *social impacts of the development;*
- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslide, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of —*
  - (i) *the proposed means of access to and egress from the site; and*
  - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *the availability and adequacy for the development of the following —*
  - (i) *public transport services;*
  - (ii) *public utility services;*
  - (iii) *storage, management and collection of waste;*
  - (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
  - (v) *access by older people and people with disability;*



- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*
- (w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate.*

#### *Residential Development Local Planning Policy*

The *Residential Development Local Planning Policy* provides guidance on the assessment criteria to be used for residential development within the City of Joondalup. The policy is essentially a replacement set of R-Code provisions, containing replacement deemed-to-comply criteria and objectives that have changed or are additional to several of the deemed-to-comply criteria of the R-Codes.

The land use 'Display Home' is classified as residential development for the purposes of the policy, with the dwelling satisfying all applicable requirements.

#### *Signs Policy*

This policy provides guidance on the extent and location of various forms of signage that are not exempt from planning approval under DPS2.

The policy has a number of objectives, being:

*To provide guidance on the design and placement of signs located within the City of Joondalup.*

*To protect the quality of the streetscape and the amenity of adjoining and nearby residents by minimising the visual impact of signs.*

*To encourage signs that are well-designed and well-positioned and appropriate to their location, which enhance the visual quality, amenity and safety of the City of Joondalup.*

*To facilitate a reasonable degree of signage to support business activities within the City of Joondalup.*

*To complement the provisions for signs as specified in the City of Joondalup's Signs Local Law 1999.*

The signage proposed as a part of this development has been assessed against the monolith signage provisions of this policy. As it does not meet the relevant development provisions, Council must determine if the sign adequately addresses the above objectives of this policy and DPS2.

**Risk management considerations**

The applicant has a right to seek a review of any planning decision made under the *Planning and Development Act 2005* and the *State Administrative Tribunal Act 2004*.

**Financial / budget implications**

The applicant has paid fees of \$295 (excluding GST) in accordance with the City's Schedule of Fees and Charges for the assessment of the application.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The application was advertised via letter to six adjoining landowners for a period of 14 days, from 11 February to 25 February 2016. One submission was received.

The concerns raised in this submission were in relation to the following matters:

- Loss of parking for visitors.
- Noise associated with a display home.
- Identity of landowner being exposed to display home customers.

These comments are further addressed within the comments section below. The concern regarding the identity of the adjoining land owner is a non-planning matter and has not been taken into consideration during the assessment of the application.

**COMMENT****Land use**

Under the *Hillarys Structure Plan*, land use permissibility is as per the 'Residential' zone under DPS2. 'Display Home' is a permitted ("P") land use within the zone, and therefore is considered appropriate.

**Car parking**

The application is for a stand-alone 'Display Home' that does not form part of a display village. Two bays will be provided within the garage and the applicant has confirmed that these will be used for sales consultant parking.

The display home is proposed to operate between the hours of:

- Monday and Wednesday – 2.00pm to 5.00pm.
- Saturday, Sunday and Public Holidays – 1.00pm to 5.00pm.

Ten on-street car bays constructed at the time of subdivision of the estate are located along Levanzo Way, providing visitor parking for the nine adjacent lots. Additional on-street bays are also located within the immediate vicinity along Seaward Loop. The nine adjacent lots have direct access to these bays, of which four of these lots (including the subject site) have either development or building approval. The two lots located to the east of the subject site have not yet applied for approval to develop.

Based on statistics on the operation of other display homes provided by the applicant, it is estimated that up to ten vehicles may visit the site on the weekend. Visitors would arrive at various intervals over the four hour opening time, equating to two or three vehicles simultaneously. The applicant in addition advises that the visitors tend to stay on site for approximately 15 minutes with very few remaining for longer 30 minutes, so the turnover of bays can be adequately accommodated for via the existing street infrastructure. It would be expected that these numbers would be less during the Monday to Wednesday opening period.

The limited nature of both the opening hours and frequency of customers experienced in other similar display homes demonstrates that there will be adequate on-street parking to service customers of the display home and visitors to the adjoining dwellings. It is therefore considered that the residential amenity of the immediate area will not be significantly impacted.

### Signage

A monolith sign to the 'Display Home' is proposed and forms an essential part of promoting the business, as well as providing a line of sight for potential customers, ensuring that the on-street bays located closest to the display home are utilised in the first instance.

The sign is located within the front setback area of the display home and has been positioned to ensure that adequate vehicle sightlines are maintained. The sign is modern in appearance, and is considered to be of a reasonable scale that will enable the signage to support the display home activity with limited impact on the adjoining and nearby residents. The sign is not proposed to be illuminated, and no further external signage is proposed to the display home.

The signage is considered to meet the objectives of DPS2 and the *Signs Policy*, and will not impact on the residential amenity. The signage will be required to be removed at the end of the two year approval period.

### Response to submitter

The relevant planning matters raised in the submission related to concerns for the loss of visitor parking and noise associated with the display home.

As set out above, there is considered to be adequate on-street parking to service the display home and the adjoining residential dwellings. The display home is not expected to generate noise any greater than that of a residential dwelling given the limited operating hours proposed.

## Conclusion

The proposed 'Display Home' will present to the street as a two storey dwelling, designed to meet the intended character of the 'Residential' zone and the "Harbour Side Sorrento" estate. The limited operating hours proposed ensure that the use of the on-street car bays result in minimal impact on the future residents of Levanzo Way, with sufficient on-street car bays provided to support both the development and the estate for the two year period of operation.

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

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 APPROVES under clause 68(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the application for development approval submitted by Webb & Brown-Neaves on behalf of the owners, Maranello Pty Ltd, for a 'Display Home' on Lot 4 (17) Levanzo Way, Sorrento, subject to the following conditions:**
  - 1.1 The approval period for the 'Display Home' is limited to 19 April 2018 in accordance with clause 72 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
  - 1.2 The opening hours for the 'Display Home' shall be from 2.00pm to 5.00pm Monday, Tuesday and Wednesday, and 1.00pm to 5.00pm Saturday, Sunday and Public Holidays;**
  - 1.3 All signage associated with the display home shall be removed at the end of the approval period specified in part 1.1 above;**
  - 1.4 The sign must not include fluorescent, reflective or retro reflective colours;**
  - 1.5 The signage is to be established and thereafter maintained to a high standard to the satisfaction of the City;**
- 2 NOTES that at the expiration of the approval period specified in part 1.1 above, the land use will revert back to a 'Single House', unless further approval is sought and obtained from the City.**

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf160412.pdf](#)

## ITEM 3 SECURITY LIGHTING AND LIGHT SPILL

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	09717, 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.

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### PURPOSE

For Council to consider information on the City's capacity to control light spill and note the actions being undertaken by the City in relation to light spill issues.

### EXECUTIVE SUMMARY

At its meeting held on 19 February 2013 (CJ04-02/13 refers), Council requested a report on the "City's capacity to control inappropriately placed high intensity security lights which spill onto roadways causing a visual traffic hazard."

The emission of light in and of itself is not considered development. Therefore development approval is not required for the installation of security lighting and planning legislation cannot be used to take compliance action on existing light spill issues. In addition, the *Building Act 2011* prohibits the City imposing any conditions on a building permit that does not relate to the particular building work being applied for.

However, the impacts of lighting is a relevant planning consideration for the City when assessing development applications that propose significant lighting infrastructure, such as floodlighting of advertising signage opposite residential properties or intersections. In these cases the City uses the *Australian Standard AS4282-1997* to assess the appropriateness of the proposed lighting and imposes conditions on the development approval to ensure the lighting does not have an inappropriate impact on residents and road users. Any breaches to these conditions can then be addressed through the compliance mechanisms available under the City's scheme and the *Planning and Development Act 2005*.

The City also has the ability to respond to existing light spill issues under provisions of the *Local Government Act 1995*, which allow a local government to give a notice to the owner or occupier of land requiring them to take specific measures to prevent artificial light being emitted from their land. The City uses the relevant Australian Standard (*AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting*) as a guide when considering potential light spill issues and whether to give a notice under the *Local Government Act 1995*.

The City is developing an outdoor lighting information sheet for landowners and business operators proposing external lighting. This information sheet is intended to explain the Australian Standard and details how to design security lighting and other outdoor lighting to ensure the effects of the light spill are not inappropriate. It is also proposed that the information sheet provides information on how to remediate existing installations that are considered to be a visual traffic hazard or nuisance.

## BACKGROUND

At its meeting held on 19 February 2013 (CJ04-02/13 refers), Council requested a report on the “City’s capacity to control inappropriately placed high intensity security lights which spill onto roadways causing a visual traffic hazard.” The following reasons were cited for the motion:

*“Throughout the City, many high intensity security lights can be found attached to pre-existing poles located at the sides of buildings or corners of car parks. This often results in security lights inappropriately facing outwards or sideways rather than directly on to the fronts of buildings and away from roadways.*

*The glare from inappropriately directed lights will significantly impair a driver’s ability to clearly see pedestrians and other road traffic.*

*Therefore, it would be appropriate at this time to have available for companies/businesses intending to install such lighting clearly stated...*

- 1 *guidelines explaining the need for proper and careful placement of security lighting;*
- 2 *procedures for the remediation of existing lighting which is considered to be a visual traffic hazard.”*

## DETAILS

Provisions relating to light spill are contained in the *Local Government Act 1995*, which allow a local government to give a notice to the owner or occupier of land requiring them to take specific measures to prevent artificial light being emitted from their land. The City uses the relevant Australian Standard (*AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting*) as a guide when considering potential light spill concerns and whether to issue a notice under the *Local Government Act 1995*. This Australian Standard refers to the potential effects of lighting systems on nearby residents and users of adjacent roads and transport signalling systems, and provides recommended limits to contain these effects within tolerable levels. The Australian Standard also provides guidelines explaining the importance of correct design, installation, operation and maintenance, as well as remedial measures for existing installations that are considered to be a visual traffic hazard.

The City is in the process of developing an outdoor lighting information sheet for landowners and business operators proposing external lighting. This information sheet is intended to explain the Australian Standard and details how to design security lighting and other outdoor lighting to ensure the effects of the light spill are not inappropriate. It is also proposed that the information sheet provides information on how to remediate existing installations that are considered to be a visual traffic hazard or nuisance.

### Planning requirements

Under the current planning legislation, the emission of light in and of itself is not considered development. As a result, development approval is not required for the instillation of security lighting and planning legislation cannot be used to undertake compliance action on existing light spill issues.

However, the impacts of lighting is a relevant planning consideration for the City when assessing development applications that propose significant lighting infrastructure, such as floodlighting opposite residential properties or intersections. In these cases the City again uses the *Australian Standard AS4282-1997* to assess the appropriateness of the proposed lighting location, the hours of operation, illumination levels and design. The City will then impose conditions on the development approval to ensure the lighting complies with the Australian Standard and does not have an inappropriate impact on residents and road users. Any breaches to these conditions can then be addressed through the compliance mechanisms available under the City's scheme and the *Planning and Development Act 2005*.

### Illuminated advertising signage

The *Australian Standard AS4282-1997* does not apply to advertising signage and there are no Australian Standards that provide guidance on the appropriate levels of lighting for advertising signage.

Despite this, the City still uses *Australian Standard AS4282-1997* as a guide when assessing any proposed signage that includes illumination. In these instances the City will still impose conditions on the development approval to control the effect it may have on the community.

However, these conditions will be unable to reference the *Australian Standard AS4282-1997*, given they specifically exclude advertising signage. Instead, the proposed design and location of the signage will be considered as part of the assessment and conditions will be applied that control the hours the lighting is operating, rather than illumination levels and design. This ensures that the illumination aligns with the guidelines set out in the Australian Standard and does not have an inappropriate impact on surrounding residents and road users.

Where illumination is not proposed as part of a development application for signage, the City imposes a standard condition prohibiting any illumination whatsoever. This ensures that any subsequent proposal to illuminate a sign is assessed to determine the impact on the community.

### Building Act requirements

It should also be noted that the *Building Act 2011* section 27 (2) (a) prohibits the City imposing any conditions on a building permit that does not relate to the particular building work being applied for. The City may only apply conditions that relate to the construction of the building.

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

### **Legislation**

*Local Government Act 1995.*  
*Planning and Development Act 2005.*  
*Building Act 2011.*

## Strategic Community Plan

<b>Key theme</b>	Community Wellbeing.
<b>Objective</b>	For residents to feel safe and confident in their ability to travel and socialise within the community.
<b>Strategic initiative</b>	Build a healthy community that is aware of and responsive to current public health risks.
<b>Policy</b>	Not applicable.

### Local Government Act 1995

Section 3.25(1) of the *Local Government Act 1995* grants local government the power to give a notice to the owner or occupier of land requiring them to take specific measures to prevent artificial light being emitted from their land.

#### 3.25. *Notices requiring certain things to be done by owner or occupier of land*

- (1) *A local government may give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that —*
  - (a) *is prescribed in Schedule 3.1, Division 1; or*
  - (b) *is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.*
- (2) *Schedule 3.1 may be amended by regulations.*
- (3) *If the notice is given to an occupier who is not the owner of the land, the owner is to be informed in writing that the notice was given.*
- (4) *A person who is given a notice under subsection (1) is not prevented from complying with it because of the terms on which the land is held.*
- (5) *A person who is given a notice under subsection (1) may apply to the State Administrative Tribunal for a review of the decision to give the notice.*
- (6) *A person who fails to comply with a notice under subsection (1) commits an offence.*

### SCHEDULE 3.1

#### *Division 1 - Things a notice may require to be done*

13. *Take specific measures to prevent -*
  - (a) *artificial light being emitted from the land; or*
  - (b) *natural or artificial light being reflected from something on the land, creating a nuisance.*



Building Act 201127. *Conditions imposed by permit authority*

- (1) *A permit authority may impose conditions on the grant of a building permit or demolition permit in addition to any provided for in the regulations.*
- (2) *A condition imposed by a permit authority —*
  - (a) *is to relate to the particular building work or demolition work to which the permit applies rather than to work of that kind generally; and*
  - (b) *cannot modify the applicable certificate of design compliance or the plans and specifications that are specified in that certificate.*

**Risk management considerations**

Glare onto roadways and cycle paths from lighting that does not meet the Australian Standard, could potentially prove to be a safety risk to users of roads and pathways. If inappropriate light source is identified, the City can take action under the *Local Government Act 1995* to require an owner or occupier of land to take specific measures to remediate the issue.

**Financial / budget implications**

Not applicable.

**Regional significance**

No applicable.

**Sustainability implications**Social

Further community education of the impacts of light spill and clear information on how to design outdoor lighting to reduce its impact will potentially lead to reductions in the impact of security lighting on the community and enhance the amenity of the City's public spaces.

**Consultation**

No external consultation was required in preparation of this report.

**COMMENT**

The City has the ability to respond to inappropriately placed high intensity security lights though the provisions of the *Local Government Act 1995*. The City uses the relevant Australian Standard (*AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting*) as a guide when considering potential light spill concerns and whether to issue a notice under the *Local Government Act 1995*.

The City is developing an outdoor lighting information sheet for landowners and business operators proposing external lighting which will explain how to design outdoor lighting to ensure the effects of the light spill are not inappropriate. It will also provide information on how to remediate existing installations that are considered to be a visual traffic hazard or nuisance.

Any specific enquiries regarding light spill should be made in writing to the City and will be investigated and actioned accordingly. This will include informing owner or occupiers of the Australian Standard, providing them with the City's outdoor lighting information sheet, and if necessary taking action in accordance with the *Local Government Act 1995*, using the Australian Standard as a guide.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council NOTES the information contained in this report and that an outdoor lighting information sheet will be provided for landowners and business operators proposing or remediating external lighting.**

## ITEM 4 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 8 March 2016.
<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 8 March 2016 (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 for the 8 March 2016 executed by means of affixing the Common Seal, as detailed in Attachment 1 to this Report.*

### BACKGROUND

On the 8 March 2016, three documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Amendment No. 84 to <i>District Planning Scheme No. 2.</i>	1
Amendment No. 82 to <i>District Planning Scheme No. 2.</i>	1
Amendment No. 78 to <i>District Planning Scheme No. 2.</i>	1

### Issues and options considered

Not applicable.

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

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

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

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

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Schedule of Documents for the 8 March 2016, executed by means of affixing the Common Seal, as detailed in Attachment 1 to this Report.**

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf160412.pdf](#)

## ITEM 5 MINUTES OF EXTERNAL COMMITTEES

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	41196
<b>ATTACHMENTS</b>	Attachment 1 Minutes of Tamala Park Regional Council meeting held on 18 February 2016.  <i>(Please Note: These 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 various bodies on which the City has current representation.

### EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of Tamala Park Regional Council meeting held on 18 February 2016.

### DETAILS

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

#### **Tamala Park Regional Council meeting – 18 February 2016.**

A meeting of the Tamala Park Regional Council was held on 18 February 2016.

At the time of this meeting Cr John Chester and Cr Kerry Hollywood were Council's representatives on the Tamala Park Regional Council.

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

#### 9.6 Project Budget 2015/2016 – Mid Year Review

It was resolved by the Tamala Park Regional Council as follows:

*“That the Council:*

1. *RECEIVES the Mid Year Review of the Project Budget FYE 2016 (July 2015) submitted by the Satterley Property Group (dated 22 January 2016).*
2. *ACCEPTS that the Satterley Property Group has achieved Key Performance Indicator - Financial Management 4.5 Monitor the performance against the Approved Project Budget requiring the completion of a six monthly review of the approved Project Budget.”*

#### 9.7 TPRC Budget 2015/2016 Review

It was resolved by the Tamala Park Regional Council as follows:

*“That the Council ADOPTS the Budget Review with the variations for the period 1 July 2015 to 30 June 2016 as detailed in the Budget Analysis Worksheet attached to Appendix 9.7.”*

#### 9.8 Review of Catalina Sales Office Opening Hours

It was resolved by the Tamala Park Regional Council as follows:

*“That the Council:*

1. *RECEIVES the Satterley Property Group correspondence on the proposed revised opening hours for the Catalina Sales Office, dated 14 January 2016.*
2. *APPROVES the extension of the current trial Sales Office opening hours (approved by Council in December 2014) for a further 6 months, until the end of July 2016.*
3. *REQUESTS the Satterley Property Group to provide a comprehensive report on the operation of the trial Sales Office opening hours, including advice on competing estates, sales against budget and feedback from the public and display builders to be presented for Council’s consideration at its October 2016 meeting.”*

#### 9.9 Extension of Early Construction Sales Rebate

It was resolved by the Tamala Park Regional Council as follows:

*“That the Council APPROVES the extension of the payment of an Early Construction Rebate to the value of \$8,000 per lot for selected lots that have been on the market for longer than six months with lot sizes up to 380m<sup>2</sup> for contracts entered into after 18 February 2016 and until 30 June 2016, subject to the purchaser providing a copy of a signed Building Contract prior to settlement, with the rebate being paid to the purchaser(s) nominated builder within 6 months of the settlement of the lot.”*

9.10 Local Government Compliance Audit for year ended 31 December 2015

It was resolved by the Tamala Park Regional Council as follows:

*“That the Compliance Audit Return for the TPRC for the year ended 31 December 2015 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Executive Director of the Department of Local Government, in accordance with the Local Government Act and Regulations.”*

9.11 Code of Conduct for Council Members and Staff

It was resolved by the Tamala Park Regional Council as follows:

*“That the Council ADOPTS the Tamala Park Regional Council Code of Conduct for Council Members and Staff (dated February 2016), subject to:*

1. *Clause 1.1 Role of Council Members being amended to reflect TPRC Establishment Agreement, in accordance with report circulated at the meeting.*
2. *Clause 2.4 (d) being amended as follows: “The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c). The register of notifiable gifts is to be public and maintained on the TPRC website.”*

9.12 Neerabup Road Phase 2 and Stage 14b Civil Works Tender (Tender 8/2015)

It was resolved by the Tamala Park Regional Council as follows:

*“That the Council:*

1. *ACCEPTS the RJ Vincent Tender submission (dated December 2015) for Civil and Infrastructure Works in accordance with Tender 08/2015 (Neerabup Road Phase 2 and Stage 14B Civil Works) for the lump sum value of \$1,770,003.39, excluding GST.*
2. *AUTHORISES the Chairman and the CEO to sign and affix the TPRC common seal to the Contracts.”*

9.13 Catalina Earthworks and Subdivision Works Fixed Rates Tender (Tender 9/2015)

It was resolved by the Tamala Park Regional Council as follows:

*“That the Council:*

1. *ACCEPTS the RJ Vincent Tender submission (dated December 2015), for earthworks and subdivision works in accordance with Tender 09/2015 (Catalina Earthworks and Subdivision Works).*
2. *ACCEPTS the fixed rates provided by RJ Vincent in the tender submission (dated December 2015) for the award of earthworks and subdivision works for further stages for a period of two years until April 2018, with an option to extend the contract a further 12 months to April 2019 at the absolute discretion of the TPRC.*

3. *APPROVES the award of further stages of works during the term of the Tender 09/2015 at the absolute discretion of the TPRC and subject to:*
  - a. *Approval of a lump sum, in accordance with the Tender 9/2015 rates;*
  - b. *The contract lump sum being in accordance with the approved TPRC budget and program for the works;*
  - c. *Market conditions and Sales Rates;*
  - d. *Ongoing satisfactory performance of the contractor, during the execution of each separable portion of the contract.*
4. *AUTHORISES the Chairman and the CEO to sign and affix the TPRC common seal to the Contract.”*

9.14 Catalina Fencing Services Tender (Tender 1/2016)

It was resolved by the Tamala Park Regional Council as follows:

*“That the Council:*

1. *ACCEPTS the Treacy Fencing tender submission (dated January 2016), for the provision of fencing services in accordance with Tender 1/2016 (Catalina Fencing Services).*
2. *AUTHORISES the Chairman and the CEO to sign and affix the TPRC common seal to the Contract.”*

9.15 Review of Project Milestones – Confidential

It was resolved by the Tamala Park Regional Council as follows:

*“That Council:*

1. *RECEIVES the Satterley Property Group report on Project Milestones (February 2016).*
2. *ADVISES the Satterley Property Group that Key Performance Indicator 2.10 requires that the Development Manager completes two Milestone Reviews in each financial year to meet the KPI. The Council will reassess Key Performance Indicator 2.10 when the second Milestone Review is satisfactorily completed.*
3. *ADVISES the Satterley Property Group that it notes that a number of the designated Milestones in the Annual Plan have not been met and that these need to be satisfactorily addressed so that they do not adversely affect the Project.”*

9.16 CEO Performance Review 2014/2015 – Confidential

It was resolved by the Tamala Park Regional Council as follows:

*“That the CEO Performance Review 2014/2015 be REFERRED to a Special Meeting of the Council to be arranged at the next appropriate time to finalise the CEO Performance Review.”*



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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Strong leadership.

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

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the minutes of the Tamala Park Regional Council meeting held on 18 February 2016 forming Attachment 1 to this Report.**

To access this attachment on electronic document, click here: [Externalminutes160412.pdf](#)

## ITEM 6 STRATEGIC POSITION STATEMENTS – REVIEW

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	103936, 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.

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### PURPOSE

For Council to consider proposed revisions to the City's strategic position statements and the adoption of new strategic position statements relating to homelessness, economic development international activity and the Tri-Cities Alliance.

### EXECUTIVE SUMMARY

Since 2008, Council has developed and reviewed strategic position statements biennially to provide an agreed position on strategic matters of interest to the City. The primary purpose of the statements is to provide flexibility for Council in capitalising on unplanned opportunities for external funding and investment. A secondary purpose is to guide the development of future strategic planning documents where current gaps may exist.

In February 2016 Elected Members gave consideration to reviewing the City's existing strategic position statements, which cover the following issues:

- Community facilities.
- Leisure centre operations.
- Arena Joondalup.
- Tamala Park.
- Tamala Park income.
- CBD land.
- Third Australian Football League team in Western Australia.
- Regional Governance Framework for the North West Corridor.
- City of Joondalup leadership and representation.
- International recognition and innovation.
- Sustainable borrowing.
- Significant event attraction.

The addition of several new position statements relating to homelessness, economic development international activity and Tri-Cities Alliance were also considered by Elected Members to fill potential strategic gaps identified by the City.

Following these discussions, this report recommends that Council:

- adopts the new strategic position statements relating to homelessness, economic development international activity and Tri-Cities Alliance
- amends the existing statements relating to Arena Joondalup and CBD land
- revokes the existing statement relating to Regional Governance Framework for the North West Corridor.

## BACKGROUND

At its meeting held on 15 July 2008 (CJ120-07/08 refers), Council gave consideration to a number of strategic, priority issues. Position statements were subsequently developed to provide the Council and City with a basis for lobbying and to effect expedient changes should opportunities from state and federal governments or the commercial industry arise.

Since their inception, the strategic position statements have been subject to biennial reviews in 2010, 2012 and 2014. As a result of these review processes the following changes have been adopted by the Council over the past six years:

Original Statements 2008	2010 Review	2012 Review	2014 Review
<b>Community facilities</b>	Retained.	Retained.	Major amendment to consider private commercial facilities in upgrade projects and to include opportunities for the decentralisation of services to other community facilities.
<b>Leisure centre operations</b>	Retained.	Retained.	Minor amendment to replace the term “recreation” with “centre”.
<b>Arena Joondalup</b>	Minor amendment to adjust conditions of transfer of the facility to the City.	Retained.	Minor amendment to clarify the use of potential state government funds to off-set operational losses.
<b>Tamala Park</b>	Retained.	Major amendment to require the Mindarie Regional Council to coordinate fund contributions.	Retained.
<b>Debt strategy</b>	Revoked.	Not applicable.	Not applicable.
<b>Tamala Park Income</b>	Minor amendment to align programs to the 20 Year Strategic Financial Plan.	Minor amendment to refer generically to a “significant one-off community facility”.	Retained.
<b>Residential Density</b>	Retained.	Major amendment to align with the state government’s <i>Direction 2031 and Beyond</i> strategy.	Revoked.

Original Statements 2008	2010 Review	2012 Review	2014 Review
<b>Local Centres</b>	Retained.	Major amendment to align with the state government's <i>Direction 2031 and Beyond</i> strategy.	Revoked.
<b>CBD Land</b>	Major amendment to align the statement with recently adopted project philosophies and parameters.	Retained.	Retained.
	<b>NEW – Third AFL team in Western Australia.</b>	Retained.	Retained.
	<b>NEW – Regional Governance Framework for the Northwest Corridor.</b>	Retained.	Retained.
	<b>NEW – City of Joondalup leadership and representation.</b>	Minor amendment to refer to the leveraging of new opportunities.	Retained.
		<b>NEW – International recognition and innovation.</b>	Retained.
			<b>NEW – Sustainable borrowing.</b>
			<b>NEW – Significant event attraction.</b>

In February 2016, Elected Members were again presented with information to assist in the review of current strategic position statements, as well as the introduction of new statements where strategic gaps were identified.

## DETAILS

Below is an outline of the City's current strategic position statements as adopted by Council in August 2014 (in bold), updated background information on the current status of these statements and recommendations for retention, amendment (in italics) or removal of the statement.

### 1 COMMUNITY FACILITIES

#### *Master Planning*

**Each significant facility should be developed in accordance with a Masterplan rather than being the subject of small ad hoc fixes.**

**Private commercial facilities should also be considered within upgrades and developments of master planned community facilities.**

### ***Usage***

**Facilities should be multi-use and be used at all times where possible. Facilities should include complementary services where possible.**

**Opportunities for decentralised service centres should be considered for master planning upgrades of community facilities such as libraries and leisure centres.**

### **Background:**

The Council has adopted a master planning process (CJ062-04/08 refers) that develops an overall design and layout for an area. The process considers the current and future needs of the community to develop a concept plan that designs facilities, infrastructure and areas to best meet these identified needs. Council has endorsed a set of principles and a process that will be used in the master planning of leisure and recreation facilities.

The master planning principles include:

- community participation
- sustainability
- quality facility provision
- community engagement
- multi-purpose and shared use.

A seven step master planning process has been designed to apply to all future community sport, leisure and recreational infrastructure developments and upgrades within the City of Joondalup.

The City is currently undertaking two master planning projects: the *Edgewater Quarry Masterplan* and the *Heathridge Park Masterplan*.

Where possible the City should investigate with the state government, opportunities for land swaps or crown land acquisition arrangements to fund new facilities.

In 2014 the position statement was amended as follows:

- To expand opportunities for the City to increase the affordability of its major projects where private funding may offset costs to the City. Example projects where this may apply include proposed redevelopments at Burns Beach, Whitfords and Warwick.
- To align with the City's strategic initiative within *Joondalup 2022* to "employ facility design principles that will provide for longevity, diversity and inclusiveness and where appropriate, support decentralising the delivery of City services".

**Recommendation:     RETAIN**

This position statement remains relevant and should therefore be retained.

## 2 LEISURE CENTRE OPERATIONS

**Leisure Centre operations overall should aim to be self-sufficient and meet all operating costs.**

Background:

The City's Premier Leisure Centre in Craigie is considered one of the busiest leisure facilities in Western Australia. The facility records over 1.1 million patrons attending per annum, which equates to 3,257 customers per day. Up to 60% of patrons are visiting the aquatic facility and the remaining 40% of patrons are attending dry side programs and services.

The City of Joondalup Leisure Centres currently operate on a user pay principle. The fees and charges for the leisure centres are reviewed against an annual price review of similar leisure facilities throughout the State. From a market position the City's leisure centres operate in line with industry averages. To support access to the leisure facilities in price sensitive markets, the City offers one of the highest concession discounts in Western Australia.

A 25% discount is offered to seniors and concession card holders below the age of 75, and a 33% discount for those over the age of 75 who are residents or ratepayers in the City of Joondalup for memberships, casual swim, crèche entry and lifestyle program activities. This benefit is not available to non-residents. The City subsidises the concession at a cost of \$195,000 per annum.

While Craigie performs well financially against similar facilities in Western Australia, the full cost of operations for Craigie, Heathridge and Duncraig Leisure Centre (including operating costs, overhead costs and capital finance costs) requires the City to subsidise the centres operations by approximately \$1,300,000.

Council has recently contributed \$2.3 million towards the upgrade of the Warwick Stadium (formerly known as Warwick Leisure Centre), which includes four new basketball courts, 450m<sup>2</sup> gymnasium, and a number of other internal areas remodelled including cafe and crèche.

The Craigie Leisure Centre is exempt from the Council's *Facility Hire Subsidy Policy*, due to the commercial realities of operating a large multi-purpose leisure facility.

The leisure centres current management model is proving successful in attracting large participation rates from the community across a variety of facilities and programs with competitive fees and charges being applied.

In 2014 a minor amendment to the Position Statement was made to delete the words "and recreation" and replace with the word "Centre" so that the statement reflects the intent of the heading which is about the leisure centres only and does not include the City's broader recreation operations.

Recommendation:     RETAIN

This position statement remains relevant and should therefore be retained.

### 3 ARENA JOONDALUP

In the event that the state government agrees to the transfer of this large scale leisure and recreation facility to the City, the transfer is supported on the following conditions as a minimum:

- **Commitment from the Minister for Transport and Perth Transport Authority that the site be designated as a special train station as part of future plans.**
- **Maintenance of existing issues to be addressed before transfer.**
- **A funding stream from the state government to offset operational losses.**
- **All caveats on the land which impede alternative land uses to be withdrawn.**
- **The state government to contribute to the construction of an independent facility within the *Structure Plan* area for a West Perth Football Club facility.**
- **Extension of facility to include basketball facilities.**

Background:

The facility, in its current form, was principally developed by LandCorp (Joondalup Development Corporation) as part of the implementation of the *Joondalup CBD Masterplan*. It is the only facility of its type that is operated by the State Government, under the auspices of Venues West. All other Venues West facilities are predominantly used for elite sports.

Should a situation arise where transferring ownership of the facility to the City is considered, the City supports the protection of its current financial position by requiring minimum conditions in agreeing to any transfer.

The City has contributed \$7 million to the Arena so far and has agreed to contribute a further \$4 million towards development for the West Perth Football Club and basketball facilities, which are in the tender stage.

In 2014, the position statement was amended to improve wording relating to potential funding support from the state government in the event of the venue being transferred to the City.

Recommendation: AMEND

The following minor amendments are proposed to better align the statement with the status of current projects underway on the Arena Joondalup site and to broaden potential public transport opportunities in the future.

- *Replace the first bullet point with the following:*
  - *Bullet point 1: “Consideration from the Minister for Transport and Perth Transport Authority for the site to incorporate improved public transport linkages with the Joondalup City Centre.”*
- *Replace the word “issues” in the second bullet point with “facility”.*

- *Delete the following bullet points, as these initiatives are currently underway:*
  - *Bullet point 5: The State Government to contribute to the construction of an independent facility within the Structure Plan area for a West Perth Football Club facility.*
  - *Bullet point 6: Extension of facility to include basketball facilities.*

#### **4 TAMALA PARK**

**The contribution of funds for the development of future regional recreation facilities at Tamala Park should be coordinated by the Mindarie Regional Council, with contributions provided by all current member Councils.**

Background:

Over the next decade, the Tamala Park land, which is currently under the management and utilisation of the Mindarie Regional Council (MRC), will be released back to the owners. The site, which comprises 151 hectares, will be available as a regional recreation facility.

The land is held in fee simple and is the southern portion of Lot 9504 on Deposited Plan 52070. The land is currently zoned Regional Open Space and/or Bush Forever and an interim zoning exists for 57 hectares of land under the classification 'public utility'.

The MRC has been requested by the seven member owner Chief Executive Officers to develop a masterplan for this portion of the site and the portion of the site currently used for waste management landfill purposes.

Council's position was determined in terms of both the strategic implications and financing of such a facility which, while located within the City of Wanneroo, has an interface with the border of the City of Joondalup.

While the contribution of City funds to develop future facilities at the Tamala Park site is still supported, it is considered appropriate that such contributions are coordinated by the MRC following detailed assessment of options for development of the land.

Recommendation:     **RETAIN**

This position statement remains relevant and should therefore be retained.

#### **5 TAMALA PARK INCOME**

**Funds from Tamala Park should be used for programs aligned to the 20 Year Strategic Financial Plan, but for the following purposes as a minimum:**

- **To invest in income producing facilities.**
- **To build a significant one-off community facility.**



Background:

The City of Joondalup, along with six other local governments, has a strategic land investment (Tamala Park) which is currently being developed and sold as a residential lot subdivision. It is projected that in the financial period from 2013-14 – 2028-29 there is potential for the City to receive an income stream of approximately \$64 million.

While the overall total projected income stream is largely unchanged from previous projections the timeframe has been extended from 2024-25 to 2028-29 as a result of market conditions.

The Council has adopted the current position as the basis on which it will manage these funds and for the purposes the funds might be allocated.

The City has established a Tamala Park Land Sales Reserve which holds \$7.02m as at 30 June 2015, received from dividends and interest earned.

Recommendation:     **RETAIN**

This position statement remains relevant and should therefore be retained.

**6     CBD LAND**

**Development of high rise commercial office space within the City Centre on City owned land is supported under the following conditions:**

- **High quality, environmentally sustainable, landmark development that will strengthen the local economic and employment base for the City.**
- **Enhances the vitality and vibrancy of the Joondalup City Centre increasing the number of people attracted to the City Centre for work, retail and commercial purposes.**
- **Provides a fast growing location for business, commercial operators and Government agencies surrounded by existing infrastructure with an increasing population base.**

Background:

At its meeting held on 25 May 2010 (CJ073-05/10 refers), Council endorsed the Joondalup City Centre Commercial Office Development – Project Philosophy and Parameters.

The endorsement of the Joondalup City Centre Commercial Office Development – Project Philosophy and Parameters, provided the following vision for the project:

- High quality, environmentally sustainable, landmark development that will strengthen the local economic and employment base for the City.
- Enhances the vitality and vibrancy of the Joondalup City Centre increasing the number of people attracted to the City Centre for work, retail and commercial purposes.
- Provides a fast growing location for business, commercial operators and Government agencies surrounded by existing infrastructure with an increasing population base.

An initial Expression of Interest (EOI) for the site was called and a preferred proponent identified, but negotiations failed to finalise a Memorandum of Association (MOU) between the parties.

A new Expression of Interest process was issued, with submissions closing in October 2014.

Approaches have previously been made to the State Government regarding the re-location of a State Government agency to the Joondalup City Centre. In July 2013, the City of Joondalup lodged a submission in response to the State Government Expression of Interest for office accommodation.

When the City issued the revised EOI in October 2014, Devwest Pty Ltd was endorsed as the preferred developer and an MOU for construction of an integrated, mixed used development for the City Centre site was signed and executed in December 2014.

In July 2015, the City in association with Devwest Group, submitted a proposal to the State Government in compliance with its updated EOI for an office development proposal in the Joondalup City Centre. At the time of endorsement of the City's submission, the Council also endorsed the Joondalup City Centre Concept Plan, known as "Boas Place" for Lot 496 (70) Davidson Terrace, Lot 507 (90) Boas Avenue and Lot 497 (102) Boas Avenue, Joondalup. The Boas Place concept plan articulates the City's project vision and provides an office building, hotel/short stay and residential accommodation, commercial/retail opportunities and a public car park.

Recommendation: AMEND

The following minor amendments are proposed to better align the statement with the current vision of the Boas Place development, as follows:

- *Replace the first sentence with the following wording:*
  - *"Development of high rise commercial office space and other City Centre uses, including high density residential development within the City Centre on City-owned land, is supported under the following conditions".*
- *Add the words "and residential" in the second bullet point after the word "commercial".*

## **7 THIRD AUSTRALIAN FOOTBALL LEAGUE TEAM IN WESTERN AUSTRALIA**

**In the event that the Australian Football League (AFL) decides to establish a third AFL football team in Western Australia, the City of Joondalup support the licence being located within the City of Joondalup, with the club base located at Arena Joondalup.**

Background:

At its meeting held on 20 April 2010 (C14-04/10 refers), Council adopted the above position. It was proposed that Council adopts the statement to demonstrate its willingness to fully support any bid for a third licence within WA, and to allow the City to lobby its position where considered appropriate.

The State Government has agreed to provide the funding for the West Perth Football Club (WPFC) for the club facilities.

The AFL acknowledges that the North West corridor of Perth (Joondalup and Wanneroo) is a major growth corridor and should be a focus of the AFL and Western Australian Football Commission (WAFC). There have been discussions about an AFL Centre of Excellence at the Arena Joondalup.

The WPFC has 290 registered players, 25 staff and 85 volunteers. The City of Joondalup has committed \$4 million towards the upgrade of facilities at the Arena Joondalup which includes the WPFC facilities and basketball courts to enable the Wanneroo Basketball Association to relocate to the same site from the Collier Pass, Joondalup facilities.

Recommendation:     RETAIN

This position statement remains relevant and should therefore be retained.

## 8     REGIONAL GOVERNANCE FRAMEWORK FOR THE NORTH WEST CORRIDOR

**The City, in conjunction with the City of Wanneroo, should have a *Regional Governance Framework* for the North West Corridor that provides:**

- **an effective, transparent and co-ordinated implementation mechanism to strategically respond to the needs of the Corridor**
- **a reporting mechanism to State and Federal Government**
- **engagement and commitment from key stakeholders**
- **a high level of consensus of direction in infrastructure priorities**
- **mechanisms and planning strategies to generate timely key employment land supply**
- **integrated infrastructure planning to activate economic development in a timely manner.**

Background:

In 2010, the Councils of the Cities of Wanneroo and Joondalup endorsed a draft *Regional Governance Framework* for the North West Corridor for the purposes of providing:

- an effective, transparent and co-ordinated implementation mechanism to strategically respond to the needs of the corridor
- a reporting mechanism to State and Federal Government
- engagement and commitment from key stakeholders
- a high level of consensus of direction in infrastructure priorities
- mechanisms and planning strategies to generate timely key employment land supply
- Integrated infrastructure planning to activate economic development in a timely manner.

The role of the North West Corridor *Regional Governance Framework* was to coordinate and manage economic development and infrastructure planning in the North West Corridor and its key outputs were to be:

- to develop the North West Corridor Structure Plan
- to develop a North West Corridor Transport Strategy
- to develop and implement strategies to deliver employment and skills outcomes
- to develop and implement investment attraction strategies and action plans
- to identify and prioritise major projects required for a healthy North West Corridor economy
- to lobby key stakeholders for commitment to major projects
- to ensure that key projects are included in treasury forecasts.

It was considered essential that any regional governance structure should have legislative legitimacy leveraged through an appropriate State Government agency. This was to avoid replicating the ad-hoc approach to strategic planning and development that has occurred in the North West Corridor.

While there has been limited traction on securing any commitment from the State Government on a regional governance framework for the North West Corridor, the Cities of Wanneroo and Joondalup have been collaborating to draft the *Regional Economic Development Framework* to enable the progression of some of the key outputs of the draft *Regional Governance Framework*.

A draft *Regional Economic Development Framework* has been developed by the Cities of Joondalup and Wanneroo which aims to highlight and provide focus on a number of potential areas of collaboration and joint partnership activity. This framework directly aligns with the Cities' respective *Strategic Community Plans* and State and Federal Government priorities.

This draft framework has been developed by the Cities of Joondalup and Wanneroo during 2013-14 and covers the following 10 key strategic areas of potential activity:

- Business Growth.
- Regional Investment Attraction.
- Regional Tourism.
- Cluster Development.
- Digital Futures and Innovation.
- Infrastructure Improvements.
- Low Carbon Economy.
- Workforce and Skills Development.
- Regional Data Observatory.
- Lobbying and Advocacy.

This draft *Regional Economic Development Framework* and key areas of potential activity have also been included within the City's new *Economic Development Strategy*. The Framework was presented to Elected Members at a Strategy Session in June 2015. The item has not yet progressed to Council for endorsement as the City of Wanneroo have yet to endorse its new *Economic Development Strategy* (anticipated early 2016). Once the City of Wanneroo adopts its overarching Economic Development Strategy the two Cities will be better placed to jointly present the *Regional Economic Development Framework* to maximise alignment of regional economic activity.

Recent engagement with the City of Stirling has sought to canvas the potential broadening of regional economic planning activities across the corridor. As this engagement progresses in the future, additional and/or modified outputs and key strategic activities may be identified, requiring amendments to the current strategic position statement. Reference might also be made to the Strategic Position Statement related to the Tri-Cities Alliance.

Recommendation: REVOKE

This strategic position statement has been superseded by the draft *Regional Economic Development Framework*, following unsuccessful attempts to obtain State Government support for the development of a *Regional Governance Framework*.

The draft *Regional Economic Development Framework*, once adopted by the Cities of Joondalup and Wanneroo Councils in 2016, will aim to ensure the economic prosperity of the region through a series of eight regional outcome areas and a set of specific strategies. This approach will result in an increased regional profile at State and Federal government level as well as recognition by the private sector that the region works collaboratively to achieve economic goals.

As such, there is considered no need to retain this strategic position statement.

## 9 CITY OF JOONDALUP LEADERSHIP AND REPRESENTATION

**The City supports and encourages Elected Members and Senior Officers to actively participate in professional and/or industry associations that will further enhance the image of the City and provide a mechanism for leveraging new opportunities that benefit the City and its community.**

Background:

As the third largest local government (by population) in Western Australia and one of the largest local governments in Australia, it is considered that the City of Joondalup has a role to play with regard to representation and leadership within the local government sector, at both an Elected Member and senior officer level.

While the City already plays a leadership role as a local government in the sector, it is considered important that support and encouragement is provided to Elected Members and senior officers to actively participate in professional or industry disciplines that will further enhance the image of the City of Joondalup, as well as influence regional, state and national goals for the benefit of the City.

The following examples demonstrate the leadership exhibited by the Mayor, CEO and Directors in the local government sector:

- Mayor Troy Pickard is currently President of the Australian Local Government Association; member of the Council of Australian Governments (COAG), and Member of the Australian Council of Local Government Steering Committee.
- Chief Executive Officer, Garry Hunt, is a member of the Local Government Chief Officers Group, was a former President of the Western Australian Institute of Municipal Management (now LGMA) and has served on the National Board of the Institute of Municipal Management (IMM), and as the International Vice President of the International City/Country Management Association (ICMA).
- Director of Governance and Strategy, Jamie Parry, is a Director on the Board of the Local Government Managers Australia WA Division.

Recommendation:   RETAIN

This position statement remains relevant and should therefore be retained.

## 10   INTERNATIONAL RECOGNITION AND INNOVATION

**The City should build upon its international recognition for liveability by continuing to demonstrate and embrace innovation and best practice in all fields of service, which are comparable on a global scale.**

Background:

In 2011, the City was awarded the prestigious honour of the “World’s Most Liveable City” for the population category of 150,001 – 400,000 in the UN-backed annual International Awards for Liveable Communities (LivCom), and the 2012 United Nations Environment Award – *Excellence in Overall Management in Local Government*.

The LivCom Awards are the world’s only awards competition focusing on international best practice regarding the management of the local environment with the further objective of improving the quality of life of individual citizens through the creation of ‘liveable communities’.

To win the award, the City was required to meet comprehensive criteria in the areas of environmental best practice, healthy lifestyles, community engagement and arts and cultural heritage.

The City continues to build on its international recognition in the following ways:

- The City hosted the 2013 International BiodiverCities Conference in collaboration with ICLEI - Local Governments for Sustainability and the Western Australian Local Government Association. The conference assembled local, national and international environmental experts to discuss the topic of addressing biodiversity conservation within the context of a changing climate.
- Joondalup is also home to some world leading research and unique educational facilities. The City will continue to support, new research activity or the development of centres of excellence in partnership with key organisations including Edith Cowan University, Joondalup Health Campus, West Coast Institute and other public/private service providers.
- In 2015, the City’s *Climate Change Strategy 2014-2019* was showcased at COP21, the 21st Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC), by Mayor Troy Pickard. In the lead up to COP21, the City also committed to the Compact of Mayors Program, which requires the City to measure and publicly report to a global audience, its progress on climate change actions and initiatives. The City was identified as one of three Cities in Australia to be fast-tracked in achieving full compliance with the program.
- The Mayor also addressed a United Nations sustainable development summit in New York in 2015, enabling further international attention on the City’s biodiversity initiatives.

Recommendation:   RETAIN

This position statement remains relevant and should therefore be retained.

## 11 SUSTAINABLE BORROWING

The City supports borrowing as an appropriate form of financing capital expenditure in the achievement of objectives contained within the *Strategic Community Plan 2012-2022* and the *20 Year Strategic Financial Plan*.

Sustainable borrowing parameters should be determined as follows:

- Long term borrowing requirements will be identified as part of the *20 Year Strategic Financial Plan* and specific borrowings will be approved as part of the annual budget process.
- Borrowings should only be considered where the impacts are within the range of the key ratio targets contained within the *20 Year Strategic Financial Plan – Guiding Principles*, in particular, the Debt Service Coverage Ratio.

### Background:

At its meeting held on 15 December 2015 (CJ223-12/15 refers), Council adopted the most recent version of the *20 Year Strategic Financial Plan – Guiding Principles*, which includes the following guidance in relation to borrowing:

- The City is an asset intensive business, and as such, loan funding could be expected to be used to fund Capital Expenditure. Loans may be planned for, but only where:
  - it is in accordance with the City Borrowing Strategy
  - debt Service Coverage Ratio is not to exceed five consecutive years with an annual debt service cover ratio of between two and five, with all other periods exceeding a ratio of five
  - building infrastructure of a capital nature may be funded by loans but with a loan term not exceeding 50% of the life of the asset.

With regard to the application of borrowings, it is unlikely that the City will earn a higher rate of interest on its own cash compared to the rate of interest on borrowings. Therefore, the City is normally better off to use its own cash (including reserves) in the first instance than to pursue debt options.

The City may determine from time to time, however, that it is prudent that cash is to be set aside into reserve funds for specific future purposes, and may therefore decide to use borrowings to fund other projects rather than using its own cash. It is acknowledged that this is likely to result in a net overall cost to the City.

Recommendation:     RETAIN

This position statement remains relevant and should therefore be retained.

## 12 SIGNIFICANT EVENT ATTRACTION

The City will attract and support significant events that are unique to Joondalup and enhance its image as an attractive destination for visitors, tourists and business.

**These significant events will deliver economic development benefits for local businesses while promoting Joondalup’s reputation statewide, nationally and internationally as the cultural, civic and entertainment centre of the north-west region of the Perth metropolitan area.**

Background:

In the development of *Joondalup 2022*, the following strategic initiatives were adopted by Council to support the enhanced vibrancy of the City and to promote the area as a “Destination City”:

- *Actively promote and sponsor significant events and activities.*
- *Actively engage event promoters to host iconic, cultural and sporting events within the City.*

In order to provide context to the initiatives described above, a strategic position statement is required to inform a potential definition and parameters for significant event attraction activities.

In early 2012 the City was approached by Eventscorp WA and various other event promoters regarding the City’s willingness and capacity to host significant events in the region. Without an agreed position or a dedicated budget allocation for attracting significant events it was difficult for the City to enter into negotiations and the opportunities were declined.

Since then, the City has identified a desire to attract significant events and activities to the region through the strategic initiatives outlined and adopted in *Joondalup 2022*.

The most recent example of an internationally-focused event that may be considered of a ‘significant’ nature is the City’s 2013 International BiodiverCities Conference.

In August 2015, the Council accepted a tender submitted by Mellen Events for the planning, coordination, delivery and management of a significant lighting and music event for a period of three years commencing November 2016, with a total City contribution of \$1,150,000.

Recommendation:     RETAIN

This position statement remains relevant and should therefore be retained.

## **Proposed New Strategic Position Statements**

### **HOMELESSNESS**

Background:

At its meeting held on 31 March 2015 (C14-03/15 refers), Council approved a notice of motion requesting the Chief Executive Officer to conduct research and prepare a report into the prevalence of homelessness and people sleeping rough within the northern corridor; the possibility of partnering with adjoining local governments to share resources; the allocation of space for a drop-in centre; and active participation in the local Homelessness Action Group.



In August 2015, the City commissioned Shelter WA to undertake research in accordance with the issues highlighted in the above. This included the collation and analysis of available data; interviews with key stakeholders; and a review of relevant literature from which to develop recommendations for the City's consideration in responding to homelessness within the region.

Council received the outcomes of the research report in December 2015 and in doing so, supported the development of a strategic position statement to clarify the roles and responsibilities in responding to the issue of homelessness on a regional basis.

Issues Identified:

- Lack of clarity regarding roles and responsibilities of all spheres of government and not-for profit agencies in addressing homelessness.
- Fragmented and uncoordinated service delivery.
- Requirement for a regional homelessness strategy within the north metropolitan region.

Proposed Statement:

*The City of Joondalup recognises that a whole of community response is required to reduce and prevent homelessness and minimise the impact of homelessness on families, individuals and the community.*

*The City's role in addressing homelessness will be one of coordination, support and advocacy in responding to homelessness in collaboration and partnership with the State and Federal Government, neighbouring local governments, homeless support services, community organisations and other relevant stakeholders to ensure that people experiencing homelessness are provided with effective and coordinated responses.*

## **ECONOMIC DEVELOPMENT INTERNATIONAL ACTIVITY**

Background:

Since the launch of the City of Joondalup's *Strategic Community Plan Joondalup 2022*, which has a clear vision of "A global City: bold, creative and prosperous", several informing strategies have been developed to facilitate achievement of the vision. Informing strategies endorsed by Council include *Expanding Horizons - An Economic Development Strategy for a Global City* and a digital strategy entitled *Joondalup: Digital City*.

Expanding Horizons supports the achievement of the City's vision with seven themes:

- Business growth and Innovation
- Employment Skills and Development
- Business Clusters and Investment
- City and Regional Infrastructure
- Global City
- Digital City
- Destination City.

The Global City and Destination City themes relate directly to international economic development while the Digital City theme acts as a delivery mechanism to enable efficient digital engagement and commerce in the international marketplace.

Issues Identified:

Following the recent delegation to China, it is apparent that the City needs to be clear on what international engagement and activity is required to achieve its vision and strategic goals. The City also needs clarity on what its role is in attracting international investment and to understand how it can assist businesses located in the City to diversify into the international marketplace.

Expanding Horizons includes a number of focus areas which have a global dimension, in particular attracting investment, promoting trade links, developing clusters and promoting and attracting 'global talent'. The Strategy also states that: *“Through this activity, consideration will be given to explore any potential economic links with Jinan, via continued education/research activity and potential opportunities to connect with industry through, for example, the Jinan hi-tech business incubator and Qilu software park and Jinan Hi-Tech Industrial Development Zone”*.

While the Economic Development Strategy is clear that the Sister City Relationship is important and should be explored further in terms of its potential economic, socio-cultural and environmental benefits, it also identifies China, Hong Kong, Malaysia, Mongolia, Philippines, Singapore, Taiwan, Brunei Darussalam and parts of Indonesia that share the same time zone as Western Australia and present significant potential trade and investment opportunities.

In order to determine the significance of these potential trade and investment opportunities for the City of Joondalup and its stakeholders and to focus effort and limited resources effectively, the City is developing an International Economic Development Activities Plan (IEDAP). In the interim, the City needs an appropriate Strategic Position Statement to ensure a consistent approach to fostering international economic development.

Proposed Statement:

*The City supports the pursuance of international economic development activities that seek to achieve:*

- *local economic growth*
- *investment attraction*
- *export growth in local goods and services*
- *return on investment.*

*The City's role in achieving the above should include:*

- *facilitating linkages between local businesses and industries to international markets*
- *providing financial contributions to pilot programs and initiatives with partner organisations that support international investment within the City*
- *leveraging current international sister city relationships, such as Jinan, China*
- *delivering a focussed economic development international activities program to support the economic growth of the City of Joondalup for the benefit of ratepayers, Joondalup businesses, and other key stakeholders.*

*Activities should also align with the specialist themes contained within the City's Economic Development Strategy, namely: Global City, Destination City and Digital City.*

## **TRI-CITIES ALLIANCE**

### Background:

The City of Joondalup, along with the Cities of Stirling and Wanneroo, are responsible for governing one of the fastest growing regions in Australia – the North West Corridor of the Perth metropolitan area, which accounts for over 23% of the total population of Perth.

The Cities of Joondalup, Stirling and Wanneroo successfully launched Tri-Cities Alliance in late 2014 to actively promote the metropolitan northern corridor of Perth to the State and Federal Governments.

The Tri-Cities Alliance has to date involved a series of meetings with, and presentations to, Federal and State Government representatives including delegations to Canberra in November 2014 and August 2015, and presentation to the WA Liberal Party in June 2015, and the WA Labor Party in November 2015.

A delegation also visited Canberra in February 2016.

### Issues Identified:

The Tri-Cities Alliance provides an opportunity:

- for the City to actively build upon relationships with Federal Government representatives and help foster economically beneficial outcomes for the community
- to present a strong and united front to the relevant parties on short, medium and long term priorities for the northern corridor of Perth
- to ensure that the Northern corridor of Perth, one of the fastest growing regions of Australia, has the required infrastructure and services to provide its rapidly growing population with a sustainable and vibrant place for communities to live and work.

### Proposed Statement:

*The Tri-Cities Alliance will provide a platform for the Cities of Joondalup, Wanneroo and Stirling to adopt a collaborative and strategic approach to engagement with the State and Federal Government in order to promote and progress regionally agreed economic development and infrastructure priorities that will provide benefits across municipal boundaries.*

## **Issues and options considered**

The Council may adopt the strategic position statements as recommended or raise alternative amendments as required.

It is considered that the position statements demonstrate the Council's agreed position in relation to strategic matters and assist the City with regard to any lobbying of positions where considered appropriate. As such, it is recommended that the revised and new position statements be adopted by Council to reiterate its commitment to matters considered significant to the growth and development of the City.

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

**Legislation** This item relates to the general function of local government to provide for the good government of persons in its district.

**Strategic Community Plan**

**Key theme** The strategic position statements relate to themes across the City's *Strategic Community Plan 2012-2022*.

**Objective** Not applicable.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

**Risk management considerations**

Consideration of future strategic issues supports the City's responsibility and accountability for the stewardship of community resources. The position statements consider the risks associated with the overall goals and objectives of the City, and set a broad direction for how the City will progress a number of key matters.

**Financial / budget implications**

Not applicable.

**Regional significance**

A number of the position statements relate to regional issues or facilities.

**Sustainability implications**

The item has a general connection to sustainability in that it establishes a set of position statements on a number of key issues, and plans for sustainable success.

**Consultation**

Not applicable.

**COMMENT**

The position statements establish a general direction on a number of key strategic issues and provide direction to assist the City to progress a number of key projects.

It is recommended that the strategic position statements detailed in this report and recommendation be adopted.

**VOTING REQUIREMENTS**

Simple Majority.

## RECOMMENDATION

That Council:

1 ENDORSES the following strategic position statements:

### 1.1 COMMUNITY FACILITIES

#### *MASTER PLANNING*

Each significant facility should be developed in accordance with a master plan rather than being the subject of small ad hoc fixes.

Private commercial facilities should also be considered within upgrades and developments of master planned community facilities;

#### *USAGE*

Facilities should be multi-use and be used at all times where possible. Facilities should include complementary services where possible.

Opportunities for decentralised service centres should be considered for master planning upgrades of community facilities such as libraries and leisure centres;

### 1.2 LEISURE CENTRE OPERATIONS

Leisure centre operations overall should aim to be self sufficient and meet all operating costs;

### 1.3 ARENA JOONDALUP

In the event that the state government agrees to the transfer of this large scale leisure and recreation facility to the City, the transfer is supported on the following conditions as a minimum:

1.3.1 Consideration from the Minister for Transport and Perth Transport Authority for the site to incorporate improved public transport linkages with the Joondalup City Centre;

1.3.2 Maintenance of the existing facility to be addressed before transfer;

1.3.3 A funding stream from the state government to off-set operational losses;

1.3.4 All caveats on the land which impede alternative land uses to be withdrawn;

### 1.4 TAMALA PARK

The contribution of funds for the development of future regional recreation facilities at Tamala Park should be coordinated by the Mindarie Regional Council, with contributions provided by all current member Councils;

## **1.5 TAMALA PARK INCOME**

Funds from Tamala Park should be used for programs aligned to the 20 Year Strategic Financial Plan, but for the following purposes as a minimum:

- 1.5.1 To invest in income producing facilities;
- 1.5.2 To build a significant one-off community facility;

## **1.6 CBD LAND**

Development of high rise commercial office space and other City Centre uses, including high density residential development within the City Centre on City-owned land, is supported under the following conditions:

- 1.6.1 High quality, environmentally sustainable, landmark development that will strengthen the local economic and employment base for the City;
- 1.6.2 Enhances the vitality and vibrancy of the Joondalup City Centre increasing the number of people attracted to the City Centre for work, retail and commercial and residential purposes;
- 1.6.3 Provides a fast growing location for business, commercial operators and Government agencies surrounded by existing infrastructure with an increasing population base;

## **1.7 THIRD AUSTRALIAN FOOTBALL LEAGUE TEAM IN WESTERN AUSTRALIA**

In the event that the Australian Football League (AFL) decides to establish a third AFL football team in Western Australia, the City of Joondalup support the licence being located within the City of Joondalup, with the club base located at Arena Joondalup;

## **1.8 CITY OF JOONDALUP LEADERSHIP AND REPRESENTATION**

The City supports and encourages Elected Members and Senior Officers to actively participate in professional and/or industry associations that will further enhance the image of the City and provide a mechanism for leveraging new opportunities that benefit the City and its community;

## **1.9 INTERNATIONAL RECOGNITION AND INNOVATION**

The City should build upon its international recognition for liveability by continuing to demonstrate and embrace innovation and best practice in all fields of service, which are comparable on a global scale;

## **1.10 SUSTAINABLE BORROWING**

The City supports borrowing as an appropriate form of financing capital expenditure in the achievement of objectives contained within the *Strategic Community Plan 2012-2022* and the *20 Year Strategic Financial Plan*;

**Sustainable borrowing parameters should be determined as follows:**

- 1.10.1 Long Term borrowing requirements will be identified as part of the 20 Year Strategic Financial Plan and specific borrowings will be approved as part of the annual budget process;
- 1.10.2 Borrowings should only be considered where the impacts are within the range of the key ratio targets contained within the 20 Year Strategic Financial Plan – Guiding Principles, in particular, the Debt Service Coverage Ratio;

#### **1.11 SIGNIFICANT EVENT ATTRACTION**

The City will attract and support significant events that are unique to Joondalup and enhance its image as an attractive destination for visitors, tourists and business.

These significant events will deliver economic development benefits for local businesses while promoting Joondalup's reputation statewide, nationally and internationally as the cultural, civic and entertainment centre of the North West region of the Perth metropolitan area;

#### **1.12 HOMELESSNESS**

The City of Joondalup recognises that a whole of community response is required to reduce and prevent homelessness and minimise the impact of homelessness on families, individuals and the community.

The City's role in addressing homelessness will be one of coordination, support and advocacy in responding to homelessness in collaboration and partnership with the State and Federal Government, neighbouring local governments, homeless support services, community organisations and other relevant stakeholders to ensure that people experiencing homelessness are provided with effective and coordinated responses;

#### **1.13 ECONOMIC DEVELOPMENT INTERNATIONAL ACTIVITY**

The City supports the pursuance of international economic development activities that seek to achieve:

- 1.13.1 Local economic growth;
- 1.13.2 Investment attraction;
- 1.13.3 Export growth in local goods and services;
- 1.13.4 Return on investment;

The City's role in achieving the above should include:

- 1.13.5 Facilitating linkages between local businesses and industries to international markets;
- 1.13.6 Providing financial contributions to pilot programs and initiatives with partner organisations that support international investment within the City;

- 1.13.7 Leveraging current international sister city relationships, e.g. Jinan, China;
- 1.13.8 Delivering a focussed economic development international activities program to support the economic growth of the City of Joondalup for the benefit of ratepayers, Joondalup businesses, and other key stakeholders,

Activities should also align with the specialist themes contained within the City's Economic Development Strategy, namely: Global City, Destination City and Digital City;

#### 1.14 TRI-CITIES ALLIANCE

The Tri-Cities Alliance will provide a platform for the Cities of Joondalup, Wanneroo and Stirling to adopt a collaborative and strategic approach to engagement with the State and Federal Government in order to promote and progress regionally agreed economic development and infrastructure priorities that will provide benefits across municipal boundaries;

## 2 REVOKES the following strategic position statement:

### 2.1 REGIONAL GOVERNANCE FRAMEWORK FOR THE NORTH WEST CORRIDOR

The City, in conjunction with the City of Wanneroo, should have a *Regional Governance Framework* for the North West Corridor that provides:

- 2.1.1 An effective, transparent and co-ordinated implementation mechanism to strategically respond to the needs of the Corridor;
- 2.1.2 A reporting mechanism to State and Federal Government;
- 2.1.3 Engagement and commitment from key stakeholders;
- 2.1.4 A high level of consensus of direction in infrastructure priorities;
- 2.1.5 Mechanisms and planning strategies to generate timely key employment land supply;
- 2.1.6 Integrated infrastructure planning to activate economic development in a timely manner.



## ITEM 7 LIST OF PAYMENTS DURING THE MONTH OF FEBRUARY 2016

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER</b>	09882, 101515	
<b>ATTACHMENT</b>	Attachment 1	Chief Executive Officer's Delegated Municipal Payment List for the month of February 2016
	Attachment 2	Chief Executive Officer's Delegated Trust Payment List for the month of February 2016
	Attachment 3	Municipal and Trust Fund Vouchers or the month of February 2016
<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 list of accounts paid under the Chief Executive Officer's delegated authority during the month of February 2016.

### EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of February 2016 totalling \$11,747,324.04.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for February 2016 paid under delegated authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 in Attachments 1, 2 and 3 to this Report, totalling \$11,747,324.04.*

### 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 February 2016. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Municipal Account	Municipal Cheques & EFT Payments 102793 - 102920 & EF053377 – EF054013 Net of cancelled payments.	\$7,298,603.56
	Vouchers 1594A -1617A	\$4,420,115.48
Trust Account	Trust Cheques & EFT Payments 206940 - 206949 & TEF000605 – TEF000634 Net of cancelled payments.	\$28,605.00
	<b>Total</b>	\$11,747,324.04

### Issues and options considered

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

#### Option 1

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

#### Option 2

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

### Legislation / Strategic Community Plan / policy implications

#### Legislation

The Council has delegated to the Chief Executive Officer the exercise of its authority to make payments from the Municipal and Trust Funds, therefore in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Officer is prepared each month showing each account paid since the last list was prepared.

#### Strategic Community Plan

**Key theme** Financial Sustainability.

**Objective** Effective management.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

#### Risk management considerations

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

**Financial / budget implications**

All expenditure from the Municipal Fund was included in the Annual Budget as adopted or revised by Council.

**Regional significance**

Not applicable.

**Sustainability implications**

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

**Consultation**

Not applicable.

**COMMENT**

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the 2015-16 Annual Budget as adopted by Council at its meeting held on 23 June 2015 (CJ085-06/15 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Chief Executive Officer's list of accounts for February 2016 paid under Delegated Authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* forming Attachments 1, 2 and 3 to this Report, totalling \$11,747,324.04.**

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf160412.pdf](#)

## **ITEM 8 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 29 FEBRUARY 2016**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	07882, 101515
<b>ATTACHMENT</b>	Attachment 1 Financial Activity Statement for the period ended 29 February 2016
<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 Financial Activity Statement for the period ended 29 February 2016

### **EXECUTIVE SUMMARY**

At its meeting held on 16 February 2016 (CJ027-02/16 refers), Council adopted the Mid Year Budget Review for the 2015-16 Financial Year. The figures in this report are compared to the Revised Budget.

The February 2016 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$2,836,578 for the period when compared to the Revised Budget. This variance does not represent the end of year position. It represents the year to date position to 29 February 2016. 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 \$2,718,041 higher than budget, made up of higher operating revenue \$1,011,958 and lower operating expenditure of \$1,706,082.

Operating revenue is higher than budget on Rates \$72,563, Specified Area Rates \$1,526, Profit on Asset Disposals \$1,026,848, Interest Earnings \$39,974 and Other Revenue \$48,221, partly offset by lower than budget revenue from Grants and Subsidies \$11,229, Contributions, Reimbursements and Donations \$44,794 and Fees and Charges \$121,150.

Operating Expenditure is lower than budget on Materials and Contracts \$1,674,165, Utilities \$116,924, Loss on Asset Disposals \$175,348 and Interest expenses \$2,069. These are partly offset by higher than budget expenditure on Employee Costs \$230,417, Depreciation and Amortisation \$27,423 and Insurance Expenses \$4,583.

The Capital Deficit is \$1,337,808 lower than budget. This is due to lower than budgeted expenditure on Capital Projects \$696,883 and Capital Works \$1,854,077 along with higher than budgeted Capital Contribution revenue \$27,273, offset by lower than budgeted revenue for Capital Grants and Subsidies \$262,471 and Equity Distribution TPRC \$833,333, and higher than budgeted expenditure on Vehicle and Plant Replacements \$144,622.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 29 February 2016 forming Attachment 1 to this Report.*

## **BACKGROUND**

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

## **DETAILS**

### **Issues and options considered**

The Financial Activity Statement for the period ended 29 February 2016 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* requires the local government to prepare each month a statement of financial activity reporting on the source and application of funds as set out in the annual budget.

### **Strategic Community Plan**

**Key theme** Financial Sustainability.

**Objective** Effective management.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

### **Risk management considerations**

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

**Financial / budget implications**

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

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

**Consultation**

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

**COMMENT**

All expenditure included in the Financial Activity Statement are incurred in accordance with the provisions of the 2015-16 Revised Budget or have been authorised in advance by Council where applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Financial Activity Statement for the period ended 29 February 2016 forming Attachment 1 to this Report.**

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf160412.pdf](#)*

**ITEM 9 COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF) - OUTCOME OF 2016-17 ANNUAL/FORWARD PLANNING GRANT APPLICATION FOR ADMIRAL PARK SPORTS FLOODLIGHTING**

<b>WARD</b>	North Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	08434
<b>ALT FILE NUMBER</b>	101515 22209
<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.

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**PURPOSE**

For Council to consider the funding announcement for the Admiral Park Sports Floodlighting project from the Department of Sport and Recreation's (DSR) Community Sporting and Recreation Facilities Fund (CSRFF) grant application.

**EXECUTIVE SUMMARY**

The Department of Sport and Recreation (DSR) has an annual grant program called the Community Sporting and Recreation Facilities Fund (CSRFF) that has an allocation of \$7 million each year for small grants (projects between \$7,500-\$150,000), annual grants (projects between \$150,001 - \$500,000) and forward planning grants (projects up to \$12 million).

In August 2015, Council considered a project to upgrade the sports floodlighting at Admiral Park, Heathridge as well as its submission for a CSRFF grant in 2016-17 (CJ141-08/15 refers). The project was valued at \$519,313 with the City seeking \$173,104 from the DSR. The City currently has \$600,000 listed within the *Five Year Capital Works Program* for the project with \$400,000 of this listed as reserve funds and \$200,000 as CSRFF funds.

In March 2016, the City received notification from DSR on the City's CSRFF applications, with the Admiral Park Sports Floodlighting project being successful for partial funding only. The DSR has offered \$136,000 in funding, \$37,104 less than what was sought.

A number of options are provided to manage the budget shortfall, these include:

- proceed with the project and the City to fund the project shortfall

- proceed with the project and the City to seek the primary home club of Admiral Park (Joondalup and Districts Rugby League Club) to fund the project shortfall or
- do not proceed with the project.

The preferred option is to proceed with the project, to be funded either from options one or two.

This option will ensure the development of sporting infrastructure at Admiral Park which will help to better manage reserve space and bookings while also providing the capacity for the club to host night fixtures.

While the successful CSRFF funding is less than expected the reduction in funding will not result in the City's contribution from reserve funds identified within *Five Year Capital Works Program* increasing.

*It is therefore recommended that Council:*

- 1 *NOTES the reduction in CSRFF funding for the proposed sports floodlighting project at Admiral Park, Heathridge from \$173,104 to \$136,000;*
- 2 *NOTES the current 2016-17 Five Year Capital Works Program includes a municipal funded portion of \$400,000, however the revised project cost estimate only requires \$383,313 of municipal funding;*
- 3 *APPROVES the proposed sports floodlighting project at Admiral Park, Heathridge to proceed to tender as detailed in Report CJ141-08/15 at a project cost estimate of \$519,313.*

## **BACKGROUND**

At its meeting held on 27 May 2013 (CJ84-15/13 refers), Council requested that a figure of \$411,600 be listed for consideration within 2016-17 of the *Five Year Capital Works Program* for an upgrade of the sports floodlighting at Admiral Park, Heathridge. This was considered as part of a larger project which included the redevelopment of the Admiral Park Community Sporting Facility which was completed in 2014 at a cost to the City of \$842,344. In July 2014 (CJ116-07/14 refers), Council amended the amount listed for consideration for the Admiral Park floodlighting project to \$600,000 (total cost with income from DSR of \$200,000 included) based on other recent floodlighting project costs.

At its meeting held on 17 August 2015 (CJ141-08/15 refers), Council endorsed an application to the Department of Sport and Recreation seeking funding support through the Community Sporting and Recreation Facilities Fund for the Admiral Park sports floodlighting project. The project was planned by the City and presented to Council for consideration at a cost of \$519,313. Council endorsed an application to DSR for funding through the CSRFF of \$173,104.

## **DETAILS**

On Wednesday 2 March 2016 the City was advised by the Minister of Sport and Recreation that the City was successful for partial CSRFF funding for the Admiral Park Sports Floodlighting project. The City requested \$173,104 and was successful in receiving \$136,000 for the project resulting in a funding shortfall of \$37,104.



The Admiral Park sports floodlighting project was prepared by the City to ensure that both playing fields (north and south) met the Australian Standards for football (All codes) amateur level training and club competition standard (AS 2560.2.3-2007). This is the standard that is endorsed by the Department of Sport and Recreation as well as identified by the National Rugby League *Preferred Facilities Standard* document for local level play.

### **Issues and options considered**

Three options have been prepared for consideration.

#### **Option 1 – Proceed with the project and the City to fund the project shortfall**

The City could choose to fund the budget shortfall for the project of \$37,104. This would raise the City's expected contribution from \$346,209 to \$383,313, allowing the project to continue as planned providing the best result for the users.

#### **Option 2 – Proceed with the project and the City to seek the primary home club of Admiral Park (Joondalup and Districts Rugby League Club) to fund the project shortfall**

The City could seek a financial contribution from the primary sporting club that would utilise the infrastructure to ensure the project commences as planned and provides the club with the best result. The primary user group in the winter months when sports floodlighting is most used is the Joondalup and Districts Rugby League Club, who historically have utilised the park for training three nights of the week as well as fixtures on Saturdays and Sundays.

The City could seek a financial contribution from the club of \$37,104 to fund the budget shortfall.

#### **Option 3 – Do not proceed with the project.**

The City could choose to not proceed with the project for the 2016-17 period and re-consider the project for a future year.

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

**Legislation** Not applicable.

#### **Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Quality facilities.

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

**Policy** The assessment process undertaken for the CSRFF program is in line with the following:

- *Community Funding Policy.*
- *Community Consultation and Engagement Policy.*
- *Asset Management Policy.*
- *Leisure Policy.*

### Risk management considerations

Any capital project brings risks in relation to contingencies and over runs against original design. The City includes amounts as contingencies within the project budget however a final project amount cannot be confirmed until the tender process has been completed.

### Financial / budget implications

The City currently has \$600,000 listed within the *Five Year Capital Works Program* in 2016-17 for the Admiral Park Sports Floodlighting project (STL2049), this consists of \$400,000 reserve funds and \$200,000 of CSRFF funding.

The table below identifies the costs associated with the project as originally prepared as well as the three options presented above.

	Capital Works Program	Cost Estimate	Option 1	Option 2	Option 3
Total Project Cost	\$600,000	\$519,313	\$519,313	\$519,313	\$0
DSR Contribution (CSRFF)	\$200,000	\$173,104	\$136,000	\$136,000	\$0
Club Contribution	\$0	\$0	\$0	\$37,104	\$0
City Contribution (Municipal)	\$400,000	\$346,209	\$383,313	\$346,209	\$0

All amounts quoted in this report are exclusive of GST.

### Regional significance

Not applicable.

### Sustainability implications

Not applicable.

### Consultation

The City undertook community consultation on the proposal to upgrade the sports floodlighting at Admiral Park in June 2015. The results were noted by Council at its meeting held on 17 August 2015 (CJ141-08/15 refers).

### COMMENT

The City also requested funding for the Penistone Park Redevelopment project through the same CSRFF grant round which was also successful for only partial funding. This has been addressed in a separate report which is also being presented for consideration.

The City has also recently completed a project to redevelop the community facility at Admiral Park at a cost of \$842,343. This project included demolishing the existing “shed” style structure which had been erected by the club and constructing a new multi-purpose community facility that better met the requirements of the local clubs and community groups. This project included works to increase the power supply to the Admiral Park site to accommodate a future sports floodlighting project.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION****That Council:**

- 1**      **NOTES** the reduction in CSRFF funding for the proposed sports floodlighting project at Admiral Park, Heathridge from \$173,104 to \$136,000;
- 2**      **NOTES** the current *2016-17 Five Year Capital Works Program* includes a municipal funded portion of \$400,000, however the revised project cost estimate only requires \$383,313 of municipal funding;
- 3**      **APPROVES** the proposed sports floodlighting project at Admiral Park, Heathridge to proceed to tender as detailed in Report CJ141-08/15 at a project cost estimate of \$519,313.

## **ITEM 10 COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF) - OUTCOME OF 2015-16 FORWARD PLANNING GRANT APPLICATION FOR PENISTONE PARK**

<b>WARD</b>	South-East
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	02184
<b>ALT FILE NUMBER</b>	101515
<b>ATTACHMENT</b>	Attachment 1 Penistone Park proposed site plan
<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 the options for the Penistone Park redevelopment project submitted as part of the Department of Sport and Recreation's 2015-16 Community Sporting and Recreation Facilities Fund (CSRFF), following the recent notification on the City's application.

### **EXECUTIVE SUMMARY**

The Department of Sport and Recreation (DSR) has an annual grant program called the Community Sporting and Recreation Facilities Fund (CSRFF) that has an allocation of \$7 million each year for small grants (projects between \$7,500 - \$200,000), annual grants (projects between \$200,001 - \$500,000) and forward planning grants (projects up to \$12 million).

In August 2015, Council considered the project proposed for the 2015-16 CSRFF application submission and agreed to submit the Penistone Park redevelopment project (CJ141-08/15 refers). The project is proposed for construction in 2016-17 and 2017-18 and was estimated to cost \$3,780,000 with the City requesting \$829,100 from the DSR.

Due to the time elapsed since the last cost estimate was developed by an external Quantity Surveyor, a revised cost estimate has been developed and the new total project cost is \$3,704,000 (excluding GST).

In March 2016, the City received notification from the DSR on the City's CSRFF application with the project receiving only partial funding. The DSR offered \$550,000 in funding resulting in a budget shortfall of \$203,100, based on the revised project cost estimate of \$3,704,000.

As the project did not receive full CSRFF grant funding a number of options are possible. These include:

- do not proceed with the project  
or
- proceed with the project and the City to fund the project shortfall.

The preferred option is option two which is to proceed with the project and the City to fund the project shortfall by increasing the reserve funding allocation for the project in 2017-18. The project is considered important to ensure that Penistone Park continues to service the current user groups and the wider local community's needs. The challenges of the site and the facility in relation to storage, drainage, car parking, toilets and sporting infrastructure will be addressed by the redevelopment.

*It is therefore recommended that Council:*

- 1 *REQUESTS that a further \$203,100 of reserve funding be listed for consideration within the City's 2017-18 Five Year Capital Works Program for the Penistone Park redevelopment project noting that:*
  - 1.1 *in 2016-17 the CSRFF allocation would reduce to \$137,500;*
  - 1.2 *in 2017-18 the CSRFF allocation would reduce to \$412,500;*
  - 1.3 *in 2017-18 the reserve funding allocation would increase to \$2,413,000;*
- 2 *subject to a further \$203,100 being listed for the Penistone Park redevelopment project BY AN ABSOLUTE MAJORITY AMENDS part 3 of its decision of 17 August 2015 (CJ141-08/15 refers) to read as follows:*

*“3 APPROVES the proposed redevelopment project for Penistone Park as presented in Option 3A at a revised project cost estimate of \$3,704,000;”;*
- 3 *in accordance with City Policy 'Naming of Public Facilities', AGREES to name the facility to be constructed at Penistone Park, Greenwood, 'Penistone Park Community Sporting Facility'.*

## **BACKGROUND**

The Department of Sport and Recreation (DSR) has an annual grant program called the Community Sporting and Recreation Facilities Fund (CSRFF) that has an allocation of \$7 million each year for small grants (projects between \$7,500 - \$200,000), annual grants (projects between \$200,001 - \$500,000) and forward planning grants (projects up to \$12 million).

The CSRFF program aims to increase participation in physical activity through the provision of funding that assists the development of well designed infrastructure for sport and recreation. It also represents a partnership opportunity for community organisations to work with local government authorities and the DSR. Applications for funding may be submitted by a community organisation or a local government authority. 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 authority.

For the 2015-16 grant funding round, the City had two applications for the forward planning round; Penistone Park redevelopment project and Admiral Park floodlighting upgrade project.

Penistone Park is located on Penistone Street, Greenwood and has two active sporting fields, a clubroom, floodlighting, car parking, three cricket practice nets, two outdoor basketball courts, two tennis courts, a tennis shelter and a playground.

Over 1,300 registered members from the following seven user groups hire the ovals and/or the clubroom on a regular basis:

- Penistone Playgroup.
- Warwick/Greenwood Cricket Club.
- Warwick/Greenwood Junior Cricket Club.
- Wanneroo Lacrosse Club.
- Warwick/Greenwood Junior Football Club.
- Greenwood Little Athletics Club.
- Perth Outlaws Softball Club.

The Perth Outlaws Softball Club were previously based at Warwick Open Space and have recently been relocated to Penistone Park due to the development of hockey infrastructure.

At its meeting held on 16 September 2014 (CJ167-09/14) Council agreed to decommission the tennis courts as part of the redevelopment project due to low utilisation rates being recorded, the close proximity of other tennis courts (Warwick Open Space, Kingsley Park, Glengarry Park and Percy Doyle Reserve) and the estimated cost of replacing the tennis courts (\$277,000).

Following the submission of a petition to retain the tennis courts at Penistone Park, at its meeting held on 23 June 2015 (CJ29-06/15 refers) Council agreed to add the replacement of the tennis courts to the project and list an additional amount of \$277,000 for consideration in the City's 2017-18 *Five Year Capital Works Program*.

At its meeting held on 17 August 2015 (CJ141-08/15 refers), Council approved the Penistone Park redevelopment project subject to a successful CSRFF grant application.

The project is proposed for construction in 2016-17 and 2017-18 and includes the development of the following (Attachment 1 refers):

- New multipurpose community sporting facility.
- New four lane cricket practice net.
- New twin tennis courts and tennis hit up wall.
- 3 on 3 basketball pad.
- Additional car parking.
- New playground with connected pathways.
- Barbecue and picnic shelter.

<b>Total project cost:</b>	<b>\$3,780,000 (excluding GST)</b>
City of Joondalup contribution (reserve funds):	\$2,950,900 (excluding GST)
CSRFF Grant requested:	\$829,100 (excluding GST)

## DETAILS

The previous cost estimate from an external Quantity Surveyor for the Penistone Park redevelopment project was developed in mid-2015. A revised cost estimate has been developed and the new total project cost is \$3,704,000 (excluding GST).

In March 2016, the City received notification from the DSR on the City's CSRFF application. The Penistone Park redevelopment project did not receive full CSRFF support at this time. It is understood that full grant funding for this project was not approved due to the number of CSRFF applications received by the DSR exceeding the available funds.

The DSR offered \$550,000 in funding towards the project, resulting in a budget shortfall of \$203,100, based on the revised project cost estimate of \$3,704,000. Options for progressing with the project are detailed in the Issues and Options section of this report.

At its meeting held on 19 May 2015 (CJ076-05/15) Council agreed to list \$240,000 for consideration in the City's 2015-16 *Five Year Capital Works Program* to prepare tender documentation. The preparation of such documentation has not proceeded to date as it was subject to notification of funding from the DSR to determine if the project was to proceed.

Recently constructed facilities which have been built based on shared-use principles have included the words 'Community and Sporting Facility' in their name. In accordance with the City's naming policy, the proposed name of the redeveloped Penistone Park facility is the *Penistone Park Community Sporting Facility*.

### Issues and options considered

As the Penistone Park redevelopment project did not receive full CSRFF grant funding a number of options are possible. These include:

- 1 do not proceed with the project
- 2 proceed with the project and the City to fund the project shortfall.

The advantages and disadvantages of each option are outlined in the table below:

Option	Advantages	Disadvantages
1 Do not proceed with the project.	<ul style="list-style-type: none"> <li>• Existing City funds are reserve funds and can be retained in the reserve.</li> </ul>	<ul style="list-style-type: none"> <li>• Not proceeding with the project would be a lost opportunity to redevelop an ageing building and address the challenges of the site and the facility regarding storage, drainage, car parking, toilets and sporting infrastructure.</li> </ul>
2 Proceed with the project and the City to fund the shortfall.	<ul style="list-style-type: none"> <li>• The ageing building would be redeveloped and the challenges of the site and the facility regarding storage, drainage, car parking, toilets and sporting infrastructure would be addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• Additional City funds would be required to cover the project shortfall. This would need to be additional reserve funds either reallocated from other projects; or increased rates; or increased municipal funding; or loan.</li> </ul>

Recommended option

The preferred option is option two which is to proceed with the Penistone Park redevelopment project and the City to fund the budget shortfall. The project is considered important to ensure that Penistone Park continues to service the current user groups and the wider local community's needs. The challenges of the site and the facility in relation to storage, drainage, car parking, toilets and sporting infrastructure will be addressed by the redevelopment.

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

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Quality facilities.

**Strategic initiative**

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

**Policy** Not applicable.

**Risk management considerations**

Any capital project brings risks in relation to contingencies and over runs against original design. The capital cost estimates that were used to determine the project budget and CSRFF application amount were based on concept designs and may differ once further detailed designs are undertaken for the project.

**Financial / budget implications**

If the City were to fund the project shortfall, reallocated or additional reserve, municipal, or loan funds would be required. The impacts in the City's *20 Year Strategic Financial Plan* are summarised as follows:

- Cash – the overall 20 year impacts of this shortfall (whether the impacts are funded from Reserve or Municipal) is estimated to be approximately \$500,000. This cost is calculated as the overall cumulative impact, including lost interest.
- Ratios - the adopted *20 Year Strategic Financial Plan* projected that 83 ratios out of 100 would be achieved, this is far from ideal as the City should be achieving at least 90 out of 100. The shortfall in CSRFF funding will not impact on the projected outcome of 83 ratios, however it does become harder for the City to address the gaps. The specific ratios affected by the gap are the Operating Surplus Ratio and the Debt Service Coverage Ratio.

A summary of the financial implications of each option for the Penistone Park redevelopment project is outlined in the table below:



Option	Existing City funds allocated for Penistone Park	Additional funds required	Overall financial impact
1 Do not proceed with the project.	\$2,950,900	\$0	Reserve funds of \$2,950,900 retained.
2 Proceed with the project and the City to fund the shortfall.		\$203,100	Reallocated or increased use of municipal, reserve or loan funds of \$203,100, which result in a total 20 year impact of approximately \$500,000.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

#### Environmental

The development will consider and minimise impact to important flora and fauna in the area. The facility will be planned to reduce the impact of the carbon footprint and consider environmental sustainability design features.

#### Social

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

#### Economic

One of the main principles of the City's endorsed *Master Planning Framework*, which was used in the planning for the project, is the development of 'shared' and 'multipurpose' facilities to avoid their duplication, and to reduce the ongoing maintenance and future capital expenditure requirements.

### **Consultation**

Consultation for the project was conducted in accordance with the City's approved *Community Consultation and Engagement Policy and Protocol*.

### **COMMENT**

The DSR, through the CSRFF program, 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 program provides the City with an excellent opportunity to upgrade community facilities and City infrastructure with the support of the state government and the sporting clubs that will directly benefit from the upgrades.

As the Penistone Park redevelopment project did not receive full CSRFF grant funding the preferred option for the project is option two which is to proceed with the project and the City to fund the budget shortfall of \$203,100. This shortfall can be accommodated by increasing the reserve funding for this project in 2017-18. The project is considered important to ensure that Penistone Park continues to service the current user groups and the wider local community's needs. The challenges of the site and the facility in relation to storage, drainage, car parking, toilets and sporting infrastructure will be addressed by the redevelopment.

The design of the proposed redevelopment at Penistone Park (Attachment 1 refers) includes a variety of interrelated components (clubroom, car parking, sporting infrastructure, playground, BBQ, picnic shelter). Modifying the design of the site or the scope of the project in order to reduce the project budget would have a significant impact on the project, therefore it is not recommended to remove any proposed project components.

## VOTING REQUIREMENTS

Absolute Majority.

## RECOMMENDATION

### That Council:

- 1 **REQUESTS that a further \$203,100 of reserve funding be listed for consideration within the City's 2017-18 *Five Year Capital Works Program* for the Penistone Park redevelopment project noting that:**
  - 1.1 **in 2016-17 the CSRFF allocation would reduce to \$137,500;**
  - 1.2 **in 2017-18 the CSRFF allocation would reduce to \$412,500;**
  - 1.3 **in 2017-18 the reserve funding allocation would increase to \$2,413,000;**
- 2 **Subject to a further \$203,100 being listed for the Penistone Park redevelopment project BY AN ABSOLUTE MAJORITY AMENDS part 3 of its decision of 17 August 2015 (CJ141-08/15 refers) to read as follows:**
  - “3 ***APPROVES the proposed redevelopment project for Penistone Park as presented in Option 3A at a revised project cost estimate of \$3,704,000;*”;**
- 3 **in accordance with City Policy 'Naming of Public Facilities', AGREES to name the facility to be constructed at Penistone Park, Greenwood, 'Penistone Park Community Sporting Facility'.**

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf160412.pdf](#)

## ITEM 11                      NATURAL                      AREA                      KEY                      PERFORMANCE INDICATORS

<b>WARD</b>	All
<b>RESPONSIBLE ACTING DIRECTOR</b>	Mr Jamie Parry Infrastructure Services
<b>FILE NUMBER</b>	102082, 101515
<b>ATTACHMENT</b>	Attachment 1    Proposed Key Performance Indicators Attachment 2    Costs of proposed Key Performance Indicators
<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 information relating to the establishment of key performance indicators to monitor the implementation of natural area management plans and endorse the key performance indicators for natural areas.

### EXECUTIVE SUMMARY

At its meeting held on 17 February 2015 (CJ022-02/15 refers), Council adopted the draft Marmion Coastal Foreshore Reserve Management Plan and resolved in part the following:

- “2        *NOTES that the implementation of the draft Marmion Coastal Foreshore Reserve Management Plan 2014 – 2019 and the delivery of positive outcomes will be undertaken through annually reporting progress against recommended management actions as detailed in Part 4.6 and Appendices 5 and 6 of the Plan;*
- 3        *NOTES that measurable targets will be developed in conjunction with the annual reporting and considered by Council in 12 months.”*

A set of key performance indicators have been established that will enable the City to monitor natural areas and ascertain whether current management practices are leading to positive environmental outcomes. While specific targets are not being proposed, it is suggested that the key performance indicators, with a preferred trend, are applied to all natural areas that are subject to a natural area management plan.

### BACKGROUND

The City is responsible for the management of a diverse number of natural areas and undertakes conservation activities to enhance and protect the biodiversity values within these areas in order to reduce the impact of environmental threats.

Environmental threats have the potential to degrade natural areas and reduce biodiversity values. Environmental threats include weeds, plant diseases, fire, non-native fauna species, human impacts and inappropriate access and infrastructure. In order to provide strategic ongoing management of the City's natural areas and protect native vegetation and ecosystems, natural area management plans are being developed for the City's natural areas.

Natural area management plans identify baseline information on the current state of natural areas and identify environmental threats that pose a risk to biodiversity values. They are developed according to a reserve's priority ranking based on ecological assessments that were conducted in 2004-2005 as part of the City's participation in the Perth Biodiversity Project.

The draft *Marmion Coastal Foreshore Reserve Management Plan 2014 – 2019* was presented to Council for endorsement at the February 2015 meeting (CJ022-02/15 refers). At this meeting Council requested that, in addition to annually reporting on the progress made in implementing actions from within the plan, targets be developed to measure the performance of actions associated with the management of the City's natural areas.

## **DETAILS**

The objective of each natural area management plan is to provide mechanisms to protect and conserve biodiversity values of the reserve while maintaining appropriate community access and awareness of natural areas. Management plans include a number of strategies to address the key environmental risks within a reserve, and may include implementing weed control, pest and disease management, improving appropriate access and ongoing monitoring of fauna and flora populations. The progress made in implementing actions from within the plans is reported annually.

The City's management plans are developed to provide a framework to minimise environmental threats within the site while ensuring biodiversity values are conserved. Plans are designed to be implemented over a five year period and therefore having annual targets to measure performance is not an accurate indicator of the implementation of management actions. A number of external factors can also impact the condition of a natural area; this includes fire occurrences, disease outbreaks and changes in climatic conditions.

The City currently collects and reports on data relating to certain attributes of natural areas to assist in monitoring environmental values of bushland areas. Currently information is collected on an annual basis for the density of weeds, waste present in reserves and the amount of natural area that is protected within the City of Joondalup. The vegetation condition of specific areas is also monitored to provide an overall assessment of the health of a natural area. Due to the costs associated with obtaining this information, these assessments are only carried out at the time of developing or reviewing management plans. In order to provide further indication of the performance of the City's natural areas, a series of new indicators are proposed. These indicators relate to vegetation vigour and canopy cover.

Details of the new and existing environmental indicators are provided in Attachment 1.

It is not considered feasible to set specific targets for individual reserves due to the number of external factors that can affect the condition of natural areas. The City will however monitor and report on changes in the condition of a natural area (using the Keighery Scale of vegetation condition) during the development and review of management plans.

The City will however assess and re-assess the vegetation condition of all natural areas that are subject to a management plan at the time of developing the plan and during the review process. The changes in condition, whether positive or negative, will be included within the updated management plan and the important volunteer work of the City's Friends Groups will be acknowledged within management plan documentation.

While specific targets are not being proposed, a set of draft key performance indicators have been developed which will enable the City to monitor specific aspects of natural areas and ascertain whether current management practices are leading to positive environmental outcomes. It is proposed that the key performance indicators are applied to all natural areas that are subject to a natural area management plan. It is proposed that a trend be allocated to each indicator. The use of a trend provides a useful tool to determine whether the indicator is tracking in the preferred direction, for example for vegetation condition an increase in condition would be the preferred trend.

The use of key performance indicators with an assigned trend, rather than developing targets is consistent with the City's current approach to environmental reporting as established with the endorsement of the City's *Environment Plan 2014-2019*.

The indicators will be measured and reported on an annual, biennial and five yearly basis, as shown in Attachment 1.

The key performance indicators will apply to all reserves that are subject to an adopted natural area management plan which currently includes the following:

- Lilburne Park, Duncraig.
- Warwick Open Space Bushland, Warwick.
- Hepburn Heights Conservation Area, Padbury
- Central Park, Joondalup.
- Marmion Coastal Foreshore Reserve, Marmion.
- Sorrento Coastal Foreshore Reserve, Marmion.

Natural area management plans are developed according to the individual priority ranking of reserves. A schedule has been established for the development of these plans and will be implemented by the City on an ongoing basis. Newly developed plans will also be subject to reporting of the endorsed key performance indicators.

### **Issues and options considered**

The proposed key performance indicators have been selected due to the usefulness in determining the success of management actions, availability of data on an ongoing basis, the accuracy of information being collected and consideration of costs associated with collection of the information.

Council may choose to either:

- endorse the proposed key performance indicators as shown in Attachment 1
- endorse the proposed key performance indicators as shown in Attachment 1, with amendments  
or
- not endorse the proposed key performance indicators as shown in Attachment 1.

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

**Legislation** Not applicable.

#### **Strategic Community Plan**

**Key Theme** The Natural Environment.

**Objective** Environmental resilience.

**Strategic Initiative** Identify and respond to environmental risks and vulnerabilities.

**Policy** *Sustainability Policy.*

#### **Risk management considerations**

A potential risk of the key performance indicators is the City's inability to achieve the preferred trend. A number of external factors influence the state of natural areas. Events such as fire or disease may cause significant impact on natural areas and consequently the measurements of the key performance indicators and meeting the preferred trend.

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

The financial implications associated with establishing the key performance indicators are summarised in Attachment 2.

The costs associated with ongoing monitoring of the key performance indicators will be subject to the City's annual budget approvals process. It should be noted that the majority of the costs associated with the indicators are available within existing City budgets.

Achieving a positive trend for the proposed indicators will require additional resources to be applied to the management of natural areas, this includes, but is not limited to, increased weed and pathogen management. It is likely that additional budget allocation will be required to fund this on ground work.

#### **Regional significance**

A number of bushland areas within the City are recognised as being regionally significant due to the type of vegetation on site and the limited amount of this vegetation remaining within the Perth Metropolitan Region.

#### **Sustainability implications**

The development and implementation of natural area management plans ensure that management actions are put in place in order to reduce negative impacts and increase resilience of the City's natural areas. The establishment of key performance indicators will track the effectiveness of the implementation of the management plans.

**Consultation**

Not applicable.

**COMMENT**

Ongoing monitoring of the implementation of natural area management plans is essential to assessing the suitability and success of management actions being implemented within the City's key natural areas. While establishing specific targets for the monitoring of natural areas is not viable, due to issues associated with usefulness of measures, data availability and costs associated with obtaining information; the development of a set of key performance indicators with an assigned trend for bushland areas that are subject to a natural area management plan is considered practical and appropriate.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ENDORSES the key performance indicators for Natural Areas as outlined within Attachment 1 of this Report.**

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf160412.pdf](#)*

## ITEM 12 CITY OF JOONDALUP BIKE PLAN 2016 – 2021

<b>WARD</b>	All
<b>RESPONSIBLE ACTING DIRECTOR</b>	Mr Jamie Parry Infrastructure Services
<b>FILE NUMBER</b>	56564, 101515
<b>ATTACHMENT</b>	Attachment 1 Bike Plan 2016-2021 with highlighted changes Attachment 2 Analysis of draft Bike Plan 2016-2021 Community Consultation Comments
<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 adopt the *City of Joondalup Bike Plan 2016-2021* (the Plan) following community consultation.

### EXECUTIVE SUMMARY

The *City of Joondalup Bike Plan 2009-2015* was developed to provide the strategic direction for cycling in the City in order to meet the needs of cyclists and increase cycling in the City. Following a review of the *Bike Plan 2009-2015* a new Plan has been developed.

*City of Joondalup Bike Plan 2016-2021* identifies a vision for the City to be recognised as *the bike friendly city* where riding a bike is considered an easy and convenient way to get around, part of a normal everyday healthy lifestyle and where all types and abilities of riders are catered for.

The Plan is based on a framework of the Four P's – People, Pathways, Places and Promotions. The Four P's form the four focus areas addressed within the Plan. Twelve projects will be identified across the four key focus areas and will be implemented over the life of the Plan.

The Plan includes a number of indicators that will be reported against on an annual basis in order to track the progress and effectiveness of the plan.

At its meeting held on 15 December 2015 (CJ221-12/15 refers), Council endorsed the release of the draft *Bike Plan 2015-2020* for community consultation (Attachment 1 refers) subject to changes to *Project 8 – A Bike Friendly Joondalup CBD*, identifying that a specific technical review is undertaken for the Joondalup City Centre to identify potential bike infrastructure improvements to enhance connectivity and functionality in the City Centre.



The results of the community consultation are now presented for consideration together with the new *Bike Plan 2016-2021*. The timeframe for the implementation of the Bike Plan has been amended from 2015-2020 to 2016-2021 to reflect its proposed endorsement in 2016 rather than 2015.

*It is therefore recommended that Council ADOPTS the Bike Plan 2016-2021 as shown in Attachment 1 to this Report.*

## BACKGROUND

*Bike Plan 2016 – 2021’s vision is “City of Joondalup is recognised as the bike friendly city”. The overarching aim is “to make bike riding a part of everyday life in the City of Joondalup”. The Plan will guide how the City promotes, celebrates and supports bike riding so the City can achieve its vision of a bike friendly city.*

The Plan identifies the Four P’s. The Four P’s – *people, pathways, places and promotions* represent the four approaches the City will take to increase bike riding within the City. Each of the Four P’s is an essential, integrated and equally important component of creating a bike friendly city.

To ensure a strategic, comprehensive and holistic approach to increasing bike riding in the City the Four P’s have been used as the key focus areas of the Plan. Expected outcomes for each key focus area are shown in Table 1.

<b>PEOPLE</b>	<ul style="list-style-type: none"> <li>• The who, where, why and how of bike riders is understood</li> <li>• Attitudes, behaviours and perceptions towards bike riding are positive</li> <li>• All types and abilities of bike riders are catered for</li> <li>• Bike riding is a part of an everyday, healthy lifestyle in the City of Joondalup</li> </ul>
<b>PATHWAYS</b>	<ul style="list-style-type: none"> <li>• Bike paths and bike lanes within the City are expanded, improved and maintained</li> <li>• City bike paths and bike lanes are improved</li> <li>• Local bicycle routes for riding within the City</li> <li>• Innovative design for bike paths, bike lanes and supporting infrastructure is applied.</li> </ul>
<b>PLACES</b>	<ul style="list-style-type: none"> <li>• Local destinations (Joondalup City centre, shops, schools, work, transport hubs and recreation sites) can be accessed easily and safely by bike</li> <li>• Local destinations cater for bike riders and provide end of trip facilities</li> <li>• Regional destinations can be connected to easily by bike</li> </ul>
<b>PROMOTIONS</b>	<ul style="list-style-type: none"> <li>• City of Joondalup is known as a bike-friendly city</li> <li>• Key City events can be accessed by bike</li> <li>• The City advocates for bike riding and bike riders</li> <li>• The community is aware of the City’s bike network</li> </ul>

Table 1- Focus areas and expected outcomes identified in *Bike Plan 2016-2021*

In order to achieve the outcomes, twelve projects have been identified across the four key focus areas, see Table 2. Projects will be implemented over the life of the Plan and will be subject to regular monitoring and review.

<b>PEOPLE</b>	P1	Counting Bike Riders
	P2	Understanding Bike Riders
	P3	Changing Behaviour
<b>PATHWAYS</b>	P4	Bike Infrastructure
	P5	Innovative Design
	P6	Local Bike Friendly Routes
<b>PLACES</b>	P7	Bike Friendly Planning Developments
	P8	A Bike Friendly Joondalup CBD
	P9	Strategic Partnerships
<b>PROMOTIONS</b>	P10	Promoting a Bike Friendly City
	P11	Bike Friendly City Events
	P12	Advocating for Bike Riding

Table 2- List of projects identified in *Bike Plan 2016-2021*

Infrastructure improvements to the City's bike network are included in Project 4 - Bike Infrastructure which outlines an approach for an annual program of bike infrastructure upgrades.

At its meeting held on 15 December 2015 (CJ221-12/15 refers), Council endorsed the release of the draft *Bike Plan 2015-2020* for community consultation subject to changes to *Project 8 - A Bike Friendly Joondalup CBD*, identifying that a specific technical review is undertaken for the Joondalup City Centre to identify potential bike infrastructure improvements to enhance connectivity and functionality in the City Centre. These changes were made prior to the draft Plan being released for community consultation and are highlighted in Attachment 1.

A number of key performance indicators have been developed to monitor progress towards the vision and aim of the Plan.

## DETAILS

The City consulted the general community within the City of Joondalup along with the following stakeholders:

- Western Australian Local Government Association (WALGA).
- Department of Transport.
- Main Roads WA.
- Public Transport Authority.
- Bicycle Transport Alliance.
- Bicycling Western Australia.
- Local Resident and Ratepayer Associations.
- Local Parliamentarians.
- Representative(s) from City of Joondalup's Strategic Community Reference Group.
- Representative(s) from City of Joondalup's Community Engagement Network.

The consultation was advertised to the general public via the Joondalup Voice column and the City's website which outlined the details of the consultation and the draft document. All stakeholder representatives also received personalised letters directing them to the City's website. Members of the public and stakeholders wishing to comment were encouraged to complete a survey form online via the City's website. The City collected a total of twenty-four valid responses throughout the 21-day advertised consultation period. A summary of the responses is provided in Attachment 2.

In the feedback about what the community likes about the draft plan, the following comments were received:

- They supported the Plan (in general).
- Support the overall direction and vision of the Plan.
- Likes that the Plan focuses on baseline data and research to inform its projects.
- Likes that the Plan is well structured.
- Likes that the Plan understands and acknowledges different types of riders.

Comments on what changes or improvements could be made to the Plan were varied. The most common responses (received four or more comments) are listed below:

- Would like the Plan to address issues at roundabouts and intersections.
- Would like the Plan to address speed limits on bike paths.
- Believe many bike paths need ongoing maintenance and upgrades.

The suggestions for improvements have been considered and the following responses provided.

A number of comments were received that related to ensuring all road infrastructure upgrades (particularly relating to roundabouts and intersections) give consideration to bike riders and appropriate bike infrastructure. All of the City's road infrastructure upgrades and local traffic management projects are undertaken in accordance with Main Roads WA and AUSTRROAD guidelines. These projects balance the needs and safety of all road users including vehicles, pedestrians and bike riders. Through *Project 5 – Innovative Design* the City will continue to identify innovations in bike infrastructure and design that have the potential to improve convenience and safety for bike riders, while meeting relevant standards and guidelines.

*Bike Plan 2016-2021* recognises the importance of reducing conflict between bike riders and other path and road users. A number of comments received as part of the consultation specifically relate to the use of speed limits on bike paths to reduce conflict and improve safety. The *Traffic Code 2000* provides the WA Police Service with the authority to enforce laws that relate to riding a bike recklessly on a path. The City currently promotes Share the Path messages and has installed a number of on-ground signs along the coastal dual use path. The City will continue to do this as part of *Project 3 – Changing Behaviour*. Innovative design which could contribute to improved safety will be identified through *Project 5 – Innovative Design*. In addition the bike infrastructure upgrades identified in *Project 4 - Bike Infrastructure* will be designed to improve the safety of all path users.

A number of comments received as part of the community consultation identified specific locations which required maintenance or upgrade. These locations will be included in the City's maintenance schedule and/or noted for future works where appropriate. A number of submissions specifically mentioned the design of West Coast Highway. This area experiences very high usage rates from vehicles, bike riders and pedestrians. There is also limited road reserve between the coastal foreshore and residential areas meaning design options are limited. The current road environment of West Coast Highway maximises the safety for all users of the area with the inclusion of median islands considered necessary to enable safe crossing for pedestrians.

While the suggested improvements have been noted there are no proposed amendments to the Plan as a result of the feedback.

The timeframe for the draft *Bike Plan 2015 - 2020* has been amended to reflect its proposed endorsement in 2016 rather than 2015 and will therefore be titled *Bike Plan 2016-2021*. The text throughout *Bike Plan 2016-2021* has been amended to reflect this change in timeframe.

### Issues and options considered

#### Option 1

Council can adopt the *Bike Plan 2016-2021*.

#### Option 2

Council can choose not to adopt the *Bike Plan 2016-2021*.

It is proposed that Council adopts the *Bike Plan 2016-2021* included as Attachment 1.

### Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	Not applicable.
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Quality Urban Environment.
<b>Objective</b>	Integrated spaces.
<b>Strategic initiative</b>	Provide for diverse transport options that promote enhanced connectivity.
	Understand issues arising from the interaction between current transport modes.
<b>Policy</b>	Development and implementation of the <i>Bike Plan 2016-2021</i> is consistent with the objectives within the <i>City's Sustainability Policy</i> .

### Risk management considerations

The provision of a well designed, constructed and maintained bike network within the City is important for minimising conflict and ensuring the safety of all road and path users. The design and construction of bike infrastructure requires significant resources and there is a limited amount of funding available annually for bike infrastructure improvements.

The outcomes of the technical review and the development and implementation of the Plan will ensure that the City's investment in bike infrastructure achieves the most positive outcomes for increasing bike riding and improving connectivity and safety.

### **Financial / budget implications**

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

New projects with budget requirements will be subject to detailed costing and the City's budget approval process prior to implementation.

### **Regional significance**

The City's bike network is part of the wider Perth Bicycle Network. Ensuring connectivity between local bike routes, the Perth Bicycle Network, public transport hubs and regional destinations is an important aspect of the Plan.

The Plan identifies the importance of working with adjoining local governments, state government departments and other stakeholders including developing partnerships that improve connectivity, increase bike riding and create better outcomes.

### **Sustainability implications**

The bike, as a form of transport provides many benefits for individuals, the community, the economy and the environment. Bike riders can be any age and any fitness level. Bikes are more affordable than a car to purchase and maintain. Bike riding is 100% greenhouse friendly and emits no noxious fumes or particulate matter. Bike riding will improve the health of those who ride and will make local streets and suburbs safer and more liveable.

By creating a bike friendly city, the City can create a healthier, safer and more liveable environment for everyone.

### **Consultation**

During the course of developing the Plan the following consultation and engagement has occurred:

- A proposed framework, for developing the draft Plan including a proposed purpose, themes and objectives was presented to the City's Strategic Community Reference Group (SCRG) in July 2015 for review and comment .
- Comments from the SCRG were used to develop a draft Plan. The draft Plan was provided to the City's Strategic Community Reference group in October 2015 for their further review and feedback.
- General community consultation for 21 days from 8 February to 29 February 2016.

The City received twenty-four responses during the 21 day consultation period. A summary of the feedback received as part of the general community consultation is provided in Attachment 2.

## COMMENT

The Plan is intended to be a high level strategic document that provides the long term vision, strategic framework and projects to move the City towards becoming a bike friendly City. The Plan couples strategic infrastructure improvements with promotion and education to facilitate change. This is a departure from the City's previous Bike Plans which had a stronger emphasis on bike infrastructure improvements including detailing localised infrastructure improvements. The majority of submissions were supportive of this new approach.

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

In approving the release of the draft *Bike Plan 2015 – 2020* for community consultation (CJ221-12/15 refers), Council requested changes to Project 8 of the draft Plan. Changes have been made to identify that a specific technical review is undertaken for the Joondalup City Centre to identify potential bike infrastructure improvements to enhance connectivity and functionality in the City Centre. These changes were made to the draft Bike Plan prior to being released for community consultation.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

**That Council ADOPTS the *Bike Plan 2016-2021* as shown in Attachment 1 to this Report.**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf160412.pdf](#)*

## REPORTS – FINANCE COMMITTEE – 4 APRIL 2016

### ITEM 13 STATUS REPORT ON CITY FREEHOLD PROPERTIES PROPOSED FOR DISPOSAL AND A PROPOSED CROWN LAND ACQUISITION

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO	
<b>FILE NUMBER</b>	63627, 101515	
<b>ATTACHMENTS</b>	Attachment 1	Lot 200 (24), Lot 201 (22) Lot 202 (20) Kanangra Crescent, Greenwood
	Attachment 2	Lot 23 (77) Gibson Avenue, Padbury
	Attachment 3	Lot 803 (15) Burlos Court, Joondalup
	Attachment 4	Lot 1001 (14) Camberwarra Drive, Craigie
	Attachment 5	Lots 642/643 (57/59) Marri Road, Duncraig
	Attachment 6	Lot 12223 (12) Blackwattle Parade, Padbury
<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 note the progress towards the disposal of a number of City owned freehold land sites and the potential acquisition of a Crown land community purpose reserve.

#### EXECUTIVE SUMMARY

The City's freehold land disposal project initially included 14 sites with two sites being withdrawn from consideration and seven sites having sold (Table 1 below refers). A private treaty negotiation is pending the result of the proposed purchasers' development application on one of the sites.

Of the four remaining properties, two are the subject of rezoning amendments that are awaiting the Minister for Planning's final approval. Receipt of this approval for one of the properties will not mean it is available for disposal immediately, as a building on the site is tenanted until the end of 2016.

A potential sales strategy with the remaining four properties to be disposed of could be calling public tenders. This is a cost-effective method of testing the market and those sites that can be considered immediately are Lot 803 (15) Burlos Court, Joondalup (Attachment 3 refers) and Lot 1001 (14) Camberwarra Drive, Craigie (Attachment 4 refers). Should the method prove successful for the first two sites, public tenders could also be called for the remaining two sites when they become available for sale. Reserve prices can be set by the Chief Executive Officer based on up-to-date market valuations.

Information detailed in Table 2 of this Report is a summarised account of the progress towards the disposal of the remaining sites. Table 2 also includes a summary on the status of the City's proposed acquisition of the State Government owned Lot 12223 (12) Blackwattle Parade, Padbury.

Council has determined that the proceeds from the sale of freehold land are to be transferred to the Joondalup Performing Arts and Cultural Facility Reserve Fund.

*It is therefore recommended that Council:*

- 1 *NOTES the status report on the progress of the City's proposed disposal of five freehold land sites and the proposed Crown land acquisition;*
- 2 *NOTES that Lot 202 (20) Kanangra Crescent, Greenwood did not sell at public auction in March 2013;*
- 3 *AUTHORISES the Chief Executive Officer to conduct public tenders on the following properties in accordance with section 3.58(2)(b) of the Local Government Act 1995 on setting reserve prices based on current market valuations:*
  - 3.1 *Lot 803 (15) Burlos Court, Joondalup;*
  - 3.2 *Lot 1001 (14) Camberwarra Drive, Craigie;*
  - 3.3 *Lot 200 (24), Lot 201 (22) and 202 (20) Kanangra Crescent, Greenwood when amalgamated and available for disposal;*
- 4 *NOTES that Council has previously provided its authorisation for the disposal of Lots 642/643 (57/59) Marri Road, Duncraig at its meeting held on 20 November 2012 (CJ243-11/12 refers) on conclusion of the current lease;*
- 5 *REQUESTS the Chief Executive Officer to report back to Council on the results of each public tender to enable Council to decide which is the most acceptable offer;*
- 6 *NOTES a further status report on the progress of the City's proposed disposal of freehold land and proposed acquisition of a Crown land site will be submitted to the Finance Committee meeting to be held on 8 June 2016.*

## **BACKGROUND**

The City's freehold land disposal project initially included 14 sites. Lot 181 (4) Rowan Place, Mullaloo (CJ096-05/12 refers) and Lot 971 (52) Creaney Drive, Kingsley (CJ103-06/14 refers) were withdrawn from sale. Table 1 indicates the seven sites that have sold to-date.

Except for the site that was sold to Masonic Care WA in Kingsley, Council approved the sale of these properties for the development of 'Aged or Dependent Persons' Dwellings' – or unit developments for people over 55 years of age.



**Table 1 (GST exclusive)**

Property	Date Sold	Sale Price
Lot 200 (18) Quilter Drive, Duncraig	March 2013	\$1,350,000
Lot 766 (167) Dampier Avenue, Kallaroo	March 2013	\$1,055,000
Lot 147 (25) Millport Drive, Warwick	March 2013	\$1,340,000
Lot 613 (11) Pacific Way, Beldon	March 2013	\$ 700,000
Lot 671 (178) Camberwarra Drive, Craigie	March 2013	\$ 828,000
Part Lot 549 (11) Moolanda Boulevard, Kingsley	August 2015	\$1,050,000
Lot 745 (103) Caridean Street, Heathridge	December 2015	\$ 874,000

A status update on the City's proposed acquisition of the State Government owned Lot 12223 (12) Blackwattle Parade, Padbury has been included in this report. Should the acquisition be successful, the City proposes to rezone the site and dispose of the land.

## DETAILS

**Table 2**

	Property Address	Land Disposals – Current Status
1	<p>Lot 200 (24), Lot 201 (22) and 202 (20) Kanangra Crescent, Greenwood.</p> <p>Land Area: 3005m<sup>2</sup>*</p> <p>Attachment 1 refers.</p> <p>*Approximate land area, once the three lots are amalgamated.</p>	<p>Lot 202 (20) Kanangra Crescent, Greenwood was one of the original 14 sites being considered. At its meeting held on 11 December 2012 (CJ284-12/12 refers) Council supported the disposal of Lot 202 by public auction. The site did not sell at auction and the subsequent highest offer post-auction did not meet the reserve price. Lot 202 was then withdrawn from sale in order to examine available options.</p> <p>At its meeting held on 31 March 2015, Council supported the amalgamation of Lot 200 (24), Lot 201 (22) and 202 (20) Kanangra Crescent, Greenwood and the initiation of an amendment to <i>District Planning Scheme No. 2</i> (DPS2) to recode the amalgamated land from R20 to R40 and to restrict the use to 'Aged or Dependent Persons' Dwellings.'</p> <p>Amendment No. 78 was advertised for public comment for 42-days closing on 4 December 2015. Council considered the submissions received at its meeting held on 16 February 2016 (CJ002-02/16 refers) and supported the amendment. Council's decision on Amendment No. 78 was forwarded to the Western Australian Planning Commission (WAPC) on 9 March 2016 requesting the Minister for Planning's final approval.</p> <p>The amalgamation process has commenced and should the Minister approve Amendment No. 78 and the amalgamation process is successful, the property may be available for disposal mid-2016.</p>
2	Lot 23 (77) Gibson Avenue, Padbury –	A public tender process was conducted concerning this site with the tenders received being rejected by Council.

	<b>Property Address</b>	<b>Land Disposals – Current Status</b>
	<p>Land Area: 5,159m<sup>2</sup></p> <p>Attachment 2 refers</p>	<p>This resulted in Council, at its meeting held on 18 November 2014 (CJ223-11/14 refers), providing its support to the sale of the site by public auction, or private treaty.</p> <p>The Stephens Group provided an acceptable offer for Lot 23 which was submitted to Council at its meeting held on 15 September 2015 (CJ163-09/15 refers). Council authorised the Chief Executive Officer to execute the Option to Purchase associated with the contract for a sum of \$2,146,500 inclusive of GST.</p> <p>A condition in the Option to Purchase is that the City agrees to allow a period of up to 150 days for The Stephens Group to undertake its due diligence and site evaluations, which included the lodgement of a development application.</p> <p>The City has recently received a request for an extension to the Option Period from The Stephens Group. The request is due to a substantial redesign of the proposed development to take account of planning concerns raised, one of which was the retention of a large tuart tree on the site. The City agreed to the request, taking the Option Period end date to 19 July 2016.</p>
3	<p>Lot 803 (15) Burlos Court, Joondalup –</p> <p>Land Area: 4,410m<sup>2</sup></p> <p>Attachment 3 refers</p>	<p>The main actions to facilitate the sale of the portion of this site zoned for ‘Aged or Dependent Persons’ Dwellings’ or over 55s, were two subdivisions and a rezoning amendment, all of which were finalised. Newly created Lot 803 is the site to be sold for over 55s, with the adjacent Lot 804 (17) Burlos Court, Joondalup, remaining in the City’s ownership. Lot 804 is land the City leases to telecommunication carriers for mobile communications infrastructure.</p> <p>This property is available for disposal.</p>
4	<p>Lot 1001 (14) Camberwarra Drive, Craigie</p> <p>Land Area: 2,055m<sup>2</sup></p> <p>Attachment 4 refers</p>	<p>To facilitate the proposed disposal of this site Council requested the initiation of an amendment to DPS2 to recode Lot 1001 from R20 to R40 and restrict the use to ‘Aged or Dependent Persons’ Dwellings. Amendment No. 80 was advertised from 23 April to 3 June 2015 and no objections were raised by residents.</p> <p>Amendment No. 80 was supported by Council and the Minister for Planning’s final approval was granted on 10 February 2016.</p> <p>In order for Lot 1001 to be available for sale, the relocation of the Craigie Child Health Centre (CHC) service to the Padbury CHC based at Lot 699 (2) Caley Road, Padbury was necessary and this has now taken place. The renovation costs of approximately \$212,000 (exclusive of GST) are to be recovered from the proceeds of the sale of Lot 1001. This property is available for disposal.</p>

	<b>Property Address</b>	<b>Land Disposals – Current Status</b>
5	<p>Lots 642/643 (57/59) Marri Road, Duncraig –</p> <p>Land Area: 1,366m<sup>2</sup> when amalgamated</p> <p>Attachment 5 refers</p>	<p>The main area of the facility on Lots 642/643 (57/59) Marri Road, Duncraig is leased to the Department of Education (DoE). An area of approximately 58m<sup>2</sup> of the facility is being utilised by the Department of Health's (DoH) Duncraig CHC.</p> <p>The intent is to dispose of this property once the DoE has vacated the premises at the end of 2016 and the Duncraig CHC service has been relocated to the Carine CHC at Lot 159 (487L) Beach Road, Duncraig. To facilitate this relocation, the facility on Lot 159 will be refurbished at the City's cost.</p> <p>In preparation for the eventual vacation of the facility by both parties, Council requested the initiation of an amendment to DPS2 at its meeting held on 28 July 2015 (CJ110-07/15 refers). Council adopted proposed Amendment No. 82 for the purposes of public advertising to recode the site from R20 to R40 and restrict the use to Aged or Dependent Persons' Dwellings.</p> <p>Council supported Amendment No. 82 at its meeting held on 16 February 2016 (CJ003-02/16 refers) after considering the submissions received during the 42-day advertising period. Council included a request that on disposal of the site, steps are taken to encourage the purchaser to retain existing significant trees as part of the development.</p> <p>The amalgamation of the two lots was also a requirement concerning the future disposal of this property for unit development. The application has progressed to the stage where it has been endorsed by the WAPC; a settlement agent has been instructed to apply for the new Certificate of Title.</p>

		<b>Acquisition – Current Status</b>
1	<p>Lot 12223 (12) Blackwattle Parade, Padbury</p> <p>Land Area: 3,332m<sup>2</sup></p> <p>Attachment 6 refers</p>	<p>The City proposes to acquire this site from the State Government. At its meeting held on 24 June 2014 (CJ104-06/14 refers), Council accepted in-principle the Department of Land's (DoL) concessional purchase price of \$88,000 (exclusive of GST) subject to the outcome of a 30-day public advertising period.</p> <p>As part of the offer to the City, the DoL advised that the Department of Planning's (DoP) support was required; the DoP's conditional support has been provided to the City. One of the DoP's conditions is that the proceeds of the proposed future sale of the site are spent on community projects in line with the definition of "Community Purposes" under DPS2. The DoP advised that projects connected with parking, traffic and pedestrian issues were not considered to fall within the above definition.</p> <p>Public consultation was undertaken and closed on 26 March 2015. The consultation dealt with the proposed</p>

<b>Acquisition – Current Status</b>	
	<p>acquisition, in addition to three capital improvement options for the area, including the installation of traffic lights at the intersection of Walter Padbury Boulevard and Hepburn Avenue, Padbury which was a Council preferred project. Main Roads WA does not support the installation of traffic lights at this location.</p> <p>A report was submitted to Council at its meeting held on 19 May 2015 (CJ082-05/15 refers) concerning the outcome of the community consultation. The community supported the acquisition and the three community projects, including Council's preferred project of the installation of traffic lights.</p> <p>The outcome of the community consultation that demonstrated the level of community support for the acquisition was forwarded to the DoL. The DoL advised that a Briefing Note would be prepared on the matter and forwarded to the Minister for Lands.</p> <p>Recent advice from the DoL is that based on challenging economic times, it was necessary to amend the Briefing Note to include additional information. The amended version is now with the Minister for Lands' Office awaiting the Minister's consideration.</p>

### **Issues and options considered**

As detailed in Table 2.

### **Multiple Dwellings**

It is noted that currently where land is coded R40 or higher, there is the potential for multiple dwellings to be developed in accordance with the provisions of the *Residential Design Codes (R-Codes)*. A multiple dwelling is basically defined as one dwelling vertically placed above another dwelling. It is not possible to determine the potential number of multiple dwellings that could be achieved on sites coded R40 or higher.

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

#### **Legislation**

Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property.

#### **Strategic Community Plan**

#### **Key theme**

Quality Urban Environment.

<b>Objective</b>	Quality built outcomes.
<b>Strategic initiative</b>	Buildings and landscaping is suitable for the immediate environment and reflect community values.
<b>Key theme</b>	Financial Sustainability.
<b>Objective</b>	Financial diversity.
<b>Strategic initiative</b>	Identify opportunities for new income streams that are financially sound and equitable.
<b>Policy</b>	<i>Asset Management Policy.</i>  <i>Sustainability Policy.</i>

### **Risk management considerations**

Disposal of property needs to comply with the requirements of sections 3.58 and 3.59 of the *Local Government Act 1995*, which are designed to ensure openness and accountability in the disposal process.

It is possible that the reserve price as per the market valuations obtained may not be realised and the City needs to determine reserve prices below which it will not sell.

The recommendations for disposal are based on a combination of the best financial return, planning outcomes and community benefit.

The proposed changes to the land use for some of the lots being considered for disposal may result in resident dissatisfaction.

Based on the conditions and comments provided by State Government departments to-date with regard to the City's acquisition of Lot 12223 (12) Blackwattle Parade, Padbury, this proposal may not proceed in accordance with Council's and the community's preference.

### **Financial / budget implications**

Council has agreed that the proceeds from the sale of freehold land are to be transferred to the Joondalup Performing Arts and Cultural Facility Reserve Fund.

The associated main expenditure costs related to the City's disposal of freehold land are legal and settlement fees, advertising costs, valuation costs, land surveying and costs related to subdivision/amalgamations.

### **Regional significance**

Not applicable.

### **Sustainability implications**

The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose addressing a community need. Concerning the freehold land disposal project to-date, Council has supported the restricted use of aged or dependent persons' dwellings providing alternative housing choices for the City's ageing population.

## Consultation

Regarding consultation, public auction, public tender and private treaty methods have been used with regard to the City's land disposal project. Advertising is a requirement with all three methods unless, in respect of private treaty, the disposal is exempt under Regulation 30 of the *Local Government (Functions and General) Regulations 1996*.

The statutory public advertising period of 42 days for amendments to DPS2 is generally when the community was first able to make a submission on proposed land disposals.

The City has the option to consult with residents using the process outlined in its *Community Consultation and Engagement Protocol* which was used for the consultation on the proposed acquisition of Lot 12223 (12) Blackwattle Parade, Padbury.

## COMMENT

The City currently has two properties that are ready for disposal, with a further property likely to be available within a few months on receipt of the Minister for Planning's final approval of an amendment. The last of the four remaining properties is also awaiting the Minister's approval of an amendment but on receipt of this, disposal cannot be considered immediately due to the building on the site being tenanted until the end of 2016.

Calling public tenders on the properties available for disposal could be considered a cost effective way to test current market conditions as the process is conducted in-house and there are no commissions payable.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The committee recommendation to Council for this Report (as detailed below) was resolved by the Finance Committee at its meeting held on 4 April 2016.

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

## RECOMMENDATION

### That Council:

- 1 NOTES the status report on the progress of the City's proposed disposal of five freehold land sites and the proposed Crown land acquisition;**
- 2 NOTES that Lot 202 (20) Kanangra Crescent, Greenwood did not sell at public auction in March 2013;**

- 3 AUTHORISES the Chief Executive Officer to conduct public tenders on the following properties in accordance with section 3.58(2)(b) of the *Local Government Act 1995* on setting reserve prices based on current market valuations:**
  - 3.1 Lot 803 (15) Burlos Court, Joondalup;**
  - 3.2 Lot 1001 (14) Camberwarra Drive, Craigie;**
  - 3.3 Lot 200 (24), Lot 201 (22) and 202 (20) Kanangra Crescent, Greenwood when amalgamated and available for disposal;**
- 4 NOTES that Council has previously provided its authorisation for the disposal of Lots 642/643 (57/59) Marri Road, Duncraig at its meeting held on 20 November 2012 (CJ243-11/12 refers) on conclusion of the current lease;**
- 5 REQUESTS the Chief Executive Officer to report back to Council on the results of each public tender to enable Council to decide which is the most acceptable offer;**
- 6 NOTES a further status report on the progress of the City’s proposed disposal of freehold land and proposed acquisition of a Crown land site will be submitted to the Finance Committee meeting to be held on 8 June 2016.**

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf160412.pdf](#)*

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Kerry Hollywood.</b>
<b>Item No./Subject</b>	Item 14 - Burns Beach Café/Restaurant - Expressions of Interest.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hollywood lives within 500 metres of the proposed facility.

## **ITEM 14                      BURNS                      BEACH                      CAFÉ/RESTAURANT                      - EXPRESSIONS OF INTEREST**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	102656, 101515
<b>ATTACHMENT</b>	Attachment 1      Locality Map – Indicative Development Area Attachment 2      Project Philosophy and Parameters
<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 consider terminating the current Expression of Interest process for the development of a café/restaurant facility at Burns Beach and initiating a new Expression of Interest (EOI) process for the development of a café/restaurant facility at Burns Beach.

**EXECUTIVE SUMMARY**

At its meeting held on 27 May 2013 (CJ069-05/13 refers), Council considered a report entitled 'The Provision of Cafés/Kiosks/Restaurants on City Owned or Managed Land – Project Status and Progression Options Report' and resolved in part:

*“That Council AUTHORISES the Chief Executive Officer to initiate an Expression of Interest process for the development of a café/restaurant facility at Burns Beach.”*

Subsequently a two stage EOI process was developed by the City and advertised on 18 December 2013.

At its meeting held on 6 October 2014 the Strategic Financial Management Committee (SFMC) considered the evaluation results from Stage One of the EOI, including details of the six submissions received. After due consideration of the report the SFMC resolved:

*“That the confidential item in relation to the Burns Beach Café/Restaurant – Expression of Interest be DEFERRED pending the adoption of the Burns Beach Master Plan by Council”.*



At its meeting held on 15 March 2016 (CJ031-03/16 refers), Council considered a report entitled '*Burns Beach Master Plan*'. The report in part addressed various design options for the coastal node precinct of Burns Beach. Council resolved in part that it:

*"ENDORSES the draft Burns Beach Master Plan and associated indicative Coastal Node concept design (Option 6), for the purposes of advertising for a period of 60 days"*

Now that Council has endorsed the proposed *Burns Beach Master Plan*, for the purposes of advertising, and given the time that has elapsed since the current Expression of Interest process was initiated (December 2013), it is now considered an opportune time to terminate the current EOI process and initiate a new EOI process for the development of café/restaurant facility at Burns Beach (attachment 1 refers).

*It is therefore recommended that Council AUTHORISES the:*

- 1 *Chief Executive Officer to terminate the current Expression of Interest process for the development of a café/restaurant at Burns Beach;*
- 2 *Chief Executive Officer to initiate a new Expression of Interest process for the development of a café/restaurant at Burns Beach.*

## **BACKGROUND**

The City owns and manages a number of strategically located land parcels that in terms of accommodating cafés/kiosks/restaurants have the potential to increase the enjoyment of popular recreational locations and provide the City with a level of commercial gain.

At its meeting held on 22 June 2010 (CJ103-06/10 refers), Council endorsed the Project Philosophy and Parameters for the cafés/kiosks/restaurants project.

At its meeting held on 27 May 2013 (CJ069-05/13 refers), Council considered a report entitled 'The Provision of Cafés/Kiosks/Restaurants on City Owned or Managed Land – Project Status and Progression Options Report' and resolved in part:

*"That Council AUTHORISES the Chief Executive Officer to initiate an Expression of Interest process for the development of a café/restaurant facility at Burns Beach."*

A two stage EOI process was developed by the City based on the process outlined in the 2013 report. The intent of Stage One of the process was for the City to gauge the general level of interest from the private sector in the development of a café/restaurant and for Respondents to provide the City with compliance and conceptual proposal details. Stage Two would provide an opportunity for the City to invite a more detailed proposal from a preferred respondent or respondents.

At its meeting held on 11 June 2014 (Item 9 refers), the Strategic Financial Management Committee (SFMC) noted the confidential report entitled 'Confidential - Burns Beach Café/Restaurant Expressions of Interest – Interim Status Report' which provided details of the process undertaken up to the commencement of Stage One evaluations.

At its meeting held on 6 October 2014 (Item 3 refers), the SFMC considered a report entitled 'Confidential – Burns Beach Café/Restaurant – Expression of Interest'. The report detailed the evaluation results from Stage One of the EOI, including details of the six submissions received. After due consideration of the report the SFMC resolved:

*“That the confidential item in relation to the Burns Beach Café/Restaurant – Expression of Interest be DEFERRED pending the adoption of the Burns Beach Master Plan by Council”.*

At its meeting held on 15 March 2016 (CJ031-03/16 refers), Council considered a report entitled ‘*Burns Beach Master Plan*’. The report in part addressed various design options for the coastal node precinct of Burns Beach. Council resolved in part:

*“ENDORSES the draft Burns Beach Master Plan and associated indicative Coastal Node concept design (Option 6), for the purposes of advertising for a period of 60 days.”*

## **DETAILS**

The *Burns Beach Master Plan* and the various associated coastal node precinct design options include an area for the potential development of a café/restaurant facility including ablutions and associated parking. The plan identifies the location of the existing Jack Kikeros Hall as a significant opportunity for redevelopment to provide for a signature café/restaurant in a prime beachside location. Although the Jack Kikeros Hall and external community ablution facility will be removed when a facility is developed, some form of new public ablutions in conjunction with a café/restaurant will be explored. The co-location of public ablutions with café/restaurant facilities is common in other developments along Perth’s coastline. The indicative development area is shown on the locality map (Attachment 1 refers).

There is an opportunity for the successful respondent to an EOI to contribute towards some costs associated with implementing elements of the *Burns Beach Master Plan*, including car parking and other enhancements in the vicinity of the facility.

It is proposed that a new EOI process would be developed with consideration of the results of the community consultation phase to be undertaken on the *Burns Beach Master Plan*.

The Terms and Conditions of the current EOI process indicate that the City may cancel, suspend or change the project, the procurement method for the project, or any aspect of the EOI process, including changing the preferred respondent, at any time.

## **Issues and options considered**

Not applicable.

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

### **Legislation**

Besides the legislation that covers the eventual planning and building requirements, with regard to the land related matters the *Land Administration Act 1997*, the Department of Lands (DOL), the Department of Planning (DOP) and relevant policies deal with the administration of Crown land. *The Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* deal with local governments’ disposition of property which includes leasing.

## Strategic Community Plan

<b>Key theme</b>	Economic Prosperity, Vibrancy and Growth.
<b>Objective</b>	Destination City.
<b>Strategic initiative</b>	Facilitate the establishment of major tourism infrastructure.
<b>Policy</b>	Not applicable.

## Risk management considerations

Potential risks to the successful progression of the project include the inability to obtain support from statutory approval authorities regarding land tenure, limited commercial interest and negative community reaction. Any risk with regard to approval process outcomes has been mitigated by establishing and maintaining a working relationship with representatives of the relevant approvals agencies. Furthermore, a well developed management plan and business case can assist with obtaining a successful outcome.

There is the possibility that expected returns from a developed facility are not met, causing potential rental payment difficulties or cessation of a business.

It is considered that a planned, environmentally acceptable and aesthetically pleasing development is likely to gain community support and meet visitor needs. These measures are likely to make any potential development more acceptable to the community and mitigate potential negative reaction.

It is important to note that the DOP *State Coastal Planning Policy No. 2.6* applies to this development. This policy identifies numerous measures to be considered when proposing to develop on the foreshore, such as ecological values, landscape, seascape, visual amenity, indigenous and cultural heritage and public access. The policy also takes into account considerations such as setback and height limits for development in coastal areas. The City is continuing to communicate with the DOP regarding the requirements of this policy.

Furthermore, all parties involved in any development must also be cognisant of the potential long term risks from severe storm erosion and sea level rise on the coastal foreshore.

There is also a risk that negotiations with preferred respondents may fail, or that the preferred respondent/s, or the City, may opt not to proceed with the development. The Terms and Conditions of any Request for Expressions of Interest will indicate that the City may cancel, suspend or change the project, the procurement method for the project, or any aspect of the EOI process, including changing the preferred respondent, at any time.

Risk management assessments will continue as formal proposals are developed.

## Financial / budget implications

### Current financial year impact

<b>Account no.</b>	1-220-C1060.
<b>Budget Item</b>	Cafés/Kiosks/Restaurants.
<b>Budget amount</b>	\$180,000 (This amount is for the Pinnaroo Point and Burns Beach Cafés/Kiosks/Restaurants projects).
<b>Amount spent to date</b>	\$ \$48,266
<b>Proposed cost</b>	\$ Nil
<b>Balance</b>	\$ 131,734

Figures above are current at March 2016.

All figures in this report are exclusive of GST.

### Future financial year impact

The project has been guided by the Project Philosophies and Parameters endorsed by Council (CJ103-06/10 refers) which outline the overriding objectives for the project (Attachment 2 refers).

Rather than focussing solely on the financial return to the City through leasing arrangements the Cafés/Kiosks/Restaurants Project Vision recognises the provision of facilities which will:

- advance the City's ability to attract visitors/tourists for entertainment and socialising provide more employment, increase business opportunities, a greater awareness of the City's natural assets and a greater social and economic contribution by tourists provide equitable community based facilities that acknowledges and provides for the lifestyle and alfresco culture of Western Australia.

The fiscal responsibility and commerciality development parameters of the project aim to provide:

- assurance of commercial viability
- due diligence and financial/cost benefit analysis
- future financial and social benefit for City residents and visitors
- high quality, appropriate commercial operations
- consideration of co-location opportunities
- creation of an asset/s that maintains its capital value throughout its economic life cycle.

It is expected that an income will be received by the City through a negotiated lease arrangement with a successful developer/operated.

### **Regional significance**

The provision of cafés/kiosks/restaurants on City owned or managed land will provide significant resident/visitor/tourist benefit by enhancing the City's existing natural assets and amenities.

### **Sustainability implications**

The project philosophy and parameters (CJ103-06/10 refers) outlines the intent of Council in progressing the project and addresses the following sustainability implications:

- Project Vision.
- Land Use and Built Form.
- Environmental Strategy.
- Liaison Protocol.
- Fiscal Responsibility and Commerciality.
- Governance.

## Consultation

The City held a community information session at Jack Kikeros Hall on Thursday 19 December, 2013 to inform community groups and stakeholders of the progress of the Burns Beach café/restaurant EOI and Master Plan processes.

The City also undertook the following advertising:

- various advertising in the West Australian newspaper in the business and property sections in the Wednesday and Saturday editions
- a quarter page advert in the WA Business News paper
- various advertisements in the *Joondalup Times* and *Joondalup Weekender* papers
- email communication to food and beverage businesses registered with the City of Joondalup
- email communication to selected food and beverage businesses located outside of the City
- notices on the City's public website
- three signs located in the vicinity of the site
- notices on social media.

At its meeting held on 15 March 2016 (CJ031-03/16 refers), Council considered a report entitled '*Burns Beach Master Plan*'. Council resolved in part that it:

*“ENDORSES the draft Burns Beach Master Plan and associated indicative Coastal Node concept design (Option 6), for the purposes of advertising for a period of 60 days”.*

## COMMENT

Given that Council has endorsed the proposed *Burns Beach Master Plan* for the purposes of advertising, and given the significant amount of time that has elapsed since the current Expression of Interest process was initiated, it is now considered an opportune time to terminate the current EOI process and initiate a new EOI process for the development of café/restaurant facility at Burns Beach.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The committee recommendation to Council for this Report (as detailed below) was resolved by the Finance Committee at its meeting held on 4 April 2016.

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

## **RECOMMENDATION**

**That Council AUTHORISES the:**

- 1 Chief Executive Officer to terminate the current Expression of Interest process for the development of a café/restaurant at Burns Beach;**
- 2 Chief Executive Officer to initiate a new Expression of Interest process for the development of a café/restaurant at Burns Beach.**

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf160412.pdf](#)*

## REPORTS – MAJOR PROJECTS COMMITTEE – 4 APRIL 2016

### ITEM 15 OCEAN REEF MARINA - PROJECT STATUS REPORT

<b>WARD</b>	North Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	04171B, 101515
<b>ATTACHMENT</b>	Attachment 1 Ocean Reef Marina Indicative Approvals Timelines
<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 progress on the Ocean Reef Marina project with particular emphasis on the environmental and planning approvals processes and to consider the inclusion of confidential information in the Public Environmental Review.

#### EXECUTIVE SUMMARY

To progress the approval of the Ocean Reef Marina project, the following activities and tasks have been undertaken since the last meeting of the Major Projects Committee held on 1 February 2016:

- 1 Investigations/studies to support the *Ocean Reef Marina Structure Plan (SP)*, *Metropolitan Region Scheme (MRS)* amendment and environmental assessment.
- 2 Submission of the draft *Ocean Reef Marina Bush Forever Negotiated Planning Outcome*.
- 3 Engagement with State Government regarding the proponentcy of the project.
- 4 Stakeholder engagement.
- 5 Refinement of the Ocean Reef Marina approvals process communications plan.

Details of items 1-4 are provided in this report and the details of the Ocean Reef Marina approvals process communications plan are provided in a separate report entitled *Ocean Reef Marina Communications Strategy*.

The project is progressing in accordance with the *Ocean Reef Marina Indicative Approvals Timeline*, as noted by the Major Projects Committee at its meeting held on 1 February 2016 (Attachment 1 refers).

## BACKGROUND

### Environmental and Planning Approval

The City is pursuing planning approval for the Ocean Reef Marina through a MRS amendment request, lodged with the Western Australian Planning Commission (WAPC) in April 2014. In accordance with the *Ocean Reef Marina Indicative Approvals Timeline*, noted by the Major Projects Committee at its meeting held on 1 February 2016, the assessment process and timeline for the MRS Amendment is broadly outlined as follows:

• WAPC resolves to initiate the MRS Amendment	April 2014
• Referral to EPA for assessment and determination	June 2014
• Department of Planning (DoP) / WAPC review of amendment and finalisation of outstanding issues	August 2016
• Public advertising of MRS amendment (public submissions) and Bush Forever Negotiated Planning Outcome	August 2016
• Consideration / response to public submissions	February 2017
• Final consideration of the MRS Amendment by the WAPC (following finalisation of the PER).	September 2017
• Report to Minister	November 2017
• Amendment presented to Governor for approval	November 2017
• Amendment before both Houses of Parliament for 12 sitting days	January 2018
• Notice of approval published in the Government Gazette	January 2018
• Final notification	January 2018

Occurring in parallel with the MRS Amendment, the marine based components of the Ocean Reef Marina project are being assessed by the Environmental Protection Authority (EPA) under the *Environmental Protection Act 1986* via a Public Environmental Review (PER).

Following agreement of the *Environmental Scoping Document (ESD)*<sup>1</sup>, the City commenced the studies/investigations required to address the key environmental factors identified by the EPA.

In accordance with the *Ocean Reef Marina Indicative Approvals Timeline* and Gantt chart, noted by the Major Projects Committee at its meeting held on 1 February 2016, the PER assessment process and timeline is broadly outlined as follows:

• Proposed referred to the EPA	April 2014
• Seven day public comment period	June 2014
• EPA assessment determination (PER)	June 2014
• Preparation and agreement of ESD	September 2015
• Completion of baseline environmental reports	October 2015
• Assess impacts of modelled impacts	March 2016
• Preparation of management plans	March 2016
• Submission to the City of draft PER document	April 2016
• Finalisation of draft PER document	May 2016

<sup>1</sup> The Environmental Scoping Document is publically available through the EPA website: <http://www.epa.wa.gov.au/EIA/ScopingDocuments/Pages/default1.aspx>



• Submission to the Office of the Environmental Protection Authority (OEPA) of draft PER document (first review)	May 2016
• Finalisation and resubmission of PER	July 2016
• OEPA review of final PER	August 2016
• Public advertising (public submissions) – 8 weeks	August 2016
• Review and response to public submissions	February 2017
• OEPA assessment of proposal for consideration by EPA	March 2017
• Preparation and finalisation of EPA assessment report	May 2017
• Appeals period (2 weeks) and determination of appeals	July 2017
• Ministerial statement	August 2017

It should be noted that the proposed timelines are based on a number of key assumptions and are subject to variation.

The *Ocean Reef Marina Structure Plan*, based on the concept plan that accompanied the MRS amendment request, is currently being prepared and discussions have taken place with the Department of Planning (DoP) with respect to the concurrent advertising of the structure plan with the MRS amendment and PER public comment period. It is of significant importance that all possible detailed information is available to, and considered by, the public at the same time. This approach provides the community with an open and transparent planning framework and ample context against which submissions made by the community and the referral agencies on the MRS amendment, the PER and the structure plan can be considered by the EPA and the WAPC.

The DoP and the OEPA have given in-principle agreement for a parallel process, as far as possible, including concurrent public advertising.

## DETAILS

### Environmental and Planning Approvals

#### Metropolitan Region Scheme Amendment

To manage the potential impacts of the MRS amendment on Bush Forever Site 325 the WAPC requires agreement of the *Ocean Reef Marina Negotiated Planning Outcome* prior to final approval of the MRS amendment.

At its meeting held on 16 February 2016 (CJ025-02/16 refers), it was agreed, among other things, that Council:

“2 *REQUESTS the Chief Executive Officer to submit the draft Ocean Reef Marina Negotiated Planning Outcome to the Office of the Environmental Protection Authority, Department of Planning and the Department of Parks and Wildlife for consideration and negotiation.*”

The draft *Ocean Reef Marina Negotiated Planning Outcome* was subsequently forwarded to the DoP, Department of Parks and Wildlife and the OEPA on 23 February 2016.

The City has commenced formal negotiations with the above agencies to obtain in-principle endorsement of the document to enable it to be advertised in conjunction with the public advertising period of the MRS amendment and PER.

All other requirements for advertising the MRS amendment have been completed and progression with the formal assessment process is now dependent on the progress of the PER.

### Public Environmental Review

The tasks associated with the preparation of the PER documents are continuing with the baseline studies completed and the impact assessment continuing. The methodology used and results of the studies, particularly those for the coastal processes and water quality work, have been peer reviewed by Dr D Treloar (Senior Principal, Coastal Engineering, Cardno) and discussed with the relevant decision making authorities.

The requirements for the PER are outlined in the ESD and the project team, in consultation with the relevant decision making authorities, has completed a review of the requirements and the accumulated information to ensure the PER documents will adequately address the requirements. Following this review, and taking cognisance of the peer reviewer's comments, it was determined that some additional work/information was required in the following areas:

- Benthic Habitat Mapping – additional work commenced.
- Water Quality Modelling – additional work commenced.
- Coastal Processes – additional work commenced.

In accordance with the *Ocean Reef Marina Indicative Approvals Timelines* (as noted by the Major Projects Committee at its meeting held on 1 February 2016) (Attachment 1 refers), it is anticipated that a draft PER will be submitted to the City for review by in April 2016. It is further anticipated that the approved draft PER will be submitted to the OEPA for review in May 2016 with public advertising commencing in August 2016 (pending the agreement of the EPA to advertise).

### Ocean Reef Marina Structure Plan

The City is continuing to liaise with the Department of Planning with regard to the requirements of the *Ocean Reef Marina Structure Plan*.

### **State Government Proponency**

At its meeting held on 6 October 2015 (CJ176-10/15 refers), Council resolved that the Minister for Planning, Hon. John Day MLA, initiate actions for the State Government to assume proponency for the Ocean Reef Marina. In response, Minister Day advised that LandCorp had been requested to review the concept plan and business case for development.

The City has provided assistance to LandCorp by providing a substantial amount of project information including (but not limited to):

- detailed information on the various iterations of the concept plan
- project history and milestones
- Council and Committee decisions
- risk assessment
- community engagement.

LandCorp has engaged members of the City's Project Team, Taylor Burrell Barnett, M P Rogers and Associates and Strategen, to assist and have appointed Benchmark Projects to lead the review. Benchmark Projects has previously been involved with the project having assisted the City in reviewing the concept plan in 2015 and providing advice on the approvals process in 2010.

In March 2016 LandCorp advised the City that the review of the available information has been completed. Landcorp has requested the project team to confirm all information relevant to the concept plan and to suggest amendments to the plan that could improve the financial outcome. It is anticipated that LandCorp will meet with consultants early April.

### 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.

Other applicable legislation includes:

- *Planning and Development Act 2005.*
- *Environmental Protection Act 1986.*
- *Environmental Protection, Biodiversity Conservations Act 1999 (Cwlth).*

The approvals for the development are influenced by State Planning Policies:

- *2.6: State Coastal Planning Policy.*
- *2.8: Bushland Policy for the Perth Metropolitan Region.*

### Strategic Community Plan

#### Key theme

Economic prosperity, vibrancy and growth.

#### Objective

Destination City.

#### Strategic initiative

- Facilitate the establishment of major tourism infrastructure.
- Encourage diverse accommodation options.

#### Policy

Not applicable.

### Risk management considerations

The City has amassed a substantial amount of information on all aspects of the project over a number of years. This information together with that currently being compiled ensures that the City is well positioned to respond to the requirements of the relevant approvals processes.

The on-going assessment of the available information against the requirements of the ESD and the peer reviewer comments enables timely identification and clarification of any uncertainties therefore ensuring that the information provided to the EPA adequately addresses the identified environmental factors.

The *Ocean Reef Marina Risk Management Assessment* has been updated taking cognisance of the MRS amendment initiation and environmental approval process.

Furthermore, the extensive engagement with both State and Commonwealth departments and agencies, as well as constant review of the project, has sought to mitigate the risk of not obtaining approval to proceed with the development.

### **Financial / budget implications**

#### Current financial year impact

<b>Account no.</b>	C1001.
<b>Budget Item</b>	Ocean Reef Marina.
<b>Budget amount</b>	\$1,422,924
<b>Amount spent to date</b>	\$ 804,320
<b>Balance</b>	\$ 618,604

Note: The 2015-2016 approved budget includes income of \$500,000 (State Government financial contribution).

#### Total Project Expenditure

2007-2008	\$ 133,241
2008-2009	\$ 968,284
2009-2010	\$ 266,604
2010-2011	\$ 325,046
2011-2012	\$ 388,552
2012-2013	\$ 376,393
2013-2014	\$ 838,371
2014-2015	\$1,314,917
2015-2016	\$ 804,320
LESS Grants Received	<u>\$ (785,500)</u>

Total City Expenditure \$4,630,228

**Annual operating cost** The relevant business case/s, as far as possible, will include anticipated on-going operating costs.

**Estimated annual income** The relevant business case/s, as far as possible, will include estimated annual income.

**Capital replacement** Detailed analysis will be required at the appropriate stage of the project.

**20 Year Strategic Financial Plan impact** The City's *20 Year Strategic Financial Plan* includes \$2,423,000 which represents capital expenditure for the 2014-15 and 2015-16 financial years. Further analysis of the impact on the *20 Year Strategic Financial Plan* will be undertaken at the appropriate stage of the project.

**Impact year** 2014-15 and 2015-16.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

The Ocean Reef Marina development will become a significant tourist/visitor destination and a key focal point within the northern Perth corridor.

### **Sustainability implications**

Progression of the Ocean Reef Marina planning process requires a number of studies/reports addressing key issues pertaining to sustainability (such as social and economic impact, environmental sustainability). As part of the documentation supporting the MRS amendment, structure plan and the Public Environmental Review the required management plans will be developed.

### **Consultation**

Extensive on-going consultation with State Government departments and agencies is required to ensure the relevant approvals processes proceed in accordance with expectations and agreed timelines.

The MRS amendment, the Public Environmental Review and structure plan require statutory public consultation. In-principle agreement has been obtained from the relevant decision making authorities to undertake this public consultation concurrently.

### **COMMENT**

The Ocean Reef Marina project is continuing to be progressed in accordance with the *Indicative Approvals Timelines* (December 2015) and, subject to agreement by the relevant agencies, it is anticipated that public advertising of the MRS amendment, PER and *Ocean Reef Structure Plan* will occur in the latter half of 2016.

### **VOTING REQUIREMENTS**

Simple Majority.

### **COMMITTEE RECOMMENDATION**

The committee recommendation to Council for this Report (as detailed below) was resolved by the Major Projects Committee at its meeting held on 4 April 2016.

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

*That the Major Projects Committee NOTES the Ocean Reef Marina Project Status Report.*

The committee's subsequent recommendation to Council is as follows (changes identified):

That Council:

- 1 NOTES the Ocean Reef Marina Project Status Report;
- 2 REQUESTS the City brief both major political parties on the Ocean Reef Marina Project and seeks their support for the project in the lead up to the 2017 State Election.

**RECOMMENDATION**

**That Council:**

- 1 **NOTES the Ocean Reef Marina Project Status Report;**
- 2 **REQUESTS the City brief both major political parties on the Ocean Reef Marina Project and seeks their support for the project in the lead up to the 2017 State Election.**

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf160412.pdf](#)

## ITEM 16 OCEAN REEF MARINA COMMUNICATIONS STRATEGY

<b>WARD</b>	North Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	04171B, 101515
<b>ATTACHMENT</b>	Attachment 1 Ocean Reef Marina Communications Strategy
<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 proposed Ocean Reef Marina Communications Strategy.

### EXECUTIVE SUMMARY

At its meeting held on 1 February 2016 it was agreed, among other things, that the Major Projects Committee:

“3 *REQUESTS the draft communication plan as amended be further refined and resubmitted to a future meeting of the Major Projects Committee at a date to be determined.*”

It is anticipated that the Metropolitan Region Scheme (MRS) Amendment, the Public Environmental Review (PER) and the Ocean Reef Marina Structure Plan (SP) will be advertised for public comment concurrently. Subject to agreement by the relevant State Government approval agencies, public advertising will occur in the latter half of 2016. Given that a substantial amount of information on the proposed development will be available to all stakeholders, including the general public, it is important that the City engages appropriately with the various stakeholders prior to and during the advertising period.

The principal objectives of the strategy are to:

- (a) build on the community consultation previously undertaken by the City and harness the high level of community support for the project
- (b) ensure the City engages effectively with identified stakeholders, including potential opponents
- (c) ensure the consultation undertaken identifies the key concerns and issues regarding the project to ensure they are addressed in the information disseminated to stakeholders
- (d) identify the appropriate methodology for communicating with stakeholder groups and the general community

- (e) ensure key stakeholders and the general community are adequately informed of the environmental and planning approvals processes the City is currently undertaking including, but not limited to, opportunities for public comment on the project
- (f) provide key stakeholders and the general community with information on the City's proposed course of action following the completion of the environmental and planning approvals process.

Developed in consultation with the Ocean Reef Marina Project Team, the strategy:

- identifies the project stakeholders – both individuals and groups
- identifies the most appropriate method of engagement for each of the stakeholders
- identifies type of information to be provided to each stakeholder
- outlines the appropriate timing of the release of the information both prior to, during the public advertising period through to the final phase of the PER approvals process.

The stakeholders can be broadly categorised as follows:

- City of Joondalup.
- Government.
- Industry groups.
- Non government organisations and groups.
- General community.

It is proposed that the strategy commence immediately and engagement with the various stakeholders will include:

- individual briefing sessions
- electronic communication (such as website, social media, emails)
- written communication (such as correspondence, newspaper articles/advertisements, brochures, fact sheets).

Information to be provided to the various stakeholders will include:

- Project status – where we are now and what we have been doing
- Approvals process – how to be involved
- Where to next? – including anticipated and approximate timelines
- State Government involvement
- Frequently asked questions

Detailed information on the proposed strategy is provided later in this report and the Ocean Reef Marina Communications Strategy is provided as Attachment 1.

## **BACKGROUND**

The City is pursuing planning and environmental approval for the Ocean Reef Marina through an MRS Amendment process and a PER under section 38 of the *Environmental Protection Act 1986*.

The Ocean Reef Marina SP, based on the concept plan that accompanied the MRS Amendment request, is currently being prepared. Discussions have taken place with the Department of Planning with respect to the concurrent advertising of the Ocean Reef Marina SP with the MRS Amendment and PER public comment period.



It is of significant importance that all possible detailed information is available to, and considered by, the public and other key stakeholders at the same time. This approach provides the community with an open and transparent planning framework and ample context against which submissions made by community and the referral agencies can be considered by the Environmental Protection Authority and the Western Australian Planning Commission.

The Department of Planning and the Office of the Environmental Protection Authority have given in-principle agreement for a parallel assessment process, as far as possible, including concurrent public advertising.

At its meeting held on 1 February 2016, the Major Projects Committee noted the updated Ocean Reef Marina Indicative Approvals Timelines (December 2015) which reported that the public advertising period could commence in August 2016.

Maintaining engagement with stakeholders and the general community was identified in the Project Philosophy and Parameters (JSC5-05/09 refers) as being of paramount importance in bringing the development of the Ocean Reef Marina to fruition.

Throughout the life of the project the City has consistently engaged with all project stakeholders and the general community through a variety of methods including the establishment of the Ocean Reef Marina Government Steering Committee (establishment facilitated by the City in 2006) and Community Reference Group (established by Council in 2007), community surveys (2007 and 2009), project briefings, media articles, direct communication, website, social media and community forums. The three community forums held in August 2013 attracted a total audience of 600 people at a cost of \$31,134 to the City.

## DETAILS

A substantial amount of information on the Ocean Reef Marina will be publically available during the MRS Amendment, PER and Ocean Reef Marina SP public comment period. The approvals process being undertaken by the City is unique and complex and it is considered vital that all stakeholders are fully conversant with the project status, the objectives of the approvals process, the statutory methodology of the processes and the avenues available for comment and feedback.

The finalisation of the PER documentation and the subsequent advertising of the PER influences the timing of the MRS Amendment and Ocean Reef SP process. As noted by the Major Projects Committee at its meeting held on 1 February 2016, the anticipated timing for the PER advertising is as follows:

- City receives the draft PER documentation for review April 2016
- Draft PER documentation finalised by the environmental consultant May 2016
- Submission of the draft PER documentation to the Environmental Protection Authority for review May 2016
- PER documentation finalised and resubmitted July 2016
- Public advertising commences (eight week period) August 2016

The Ocean Reef Marina Communications Strategy (Attachment 1 refers) outlines the proposed methodology for stakeholder and community engagement in the lead up to and during the public comment period through to the final phase of the PER approvals process.

The identified key stakeholders include:

- State Government Ministers
- Local members
- State Government Departments
- City of Stirling and City of Wanneroo
- Ocean Reef Marina Community Reference Group
- Residents / ratepayer associations
- Marine recreational groups
- Environmental groups
- Commercial / business groups
- City of Joondalup residents / ratepayers
- City officers
- General public.

It should be noted that the Ocean Reef Marina Community Reference Group (CRG) was not re-established by Council in November 2013 (JSC06-11/13). Since the last meeting held in December 2010, the CRG members have been provided with written updates on the project in December 2010, December 2012, August 2013 and May 2014. Many of the CRG members also attended the community forums in 2013.

It is proposed that the following methods of engagement will be employed to provide the necessary information to all stakeholders:

Communication Method	Description	Stakeholder	Timing
WEBSITE	Existing website will be updated to become a central repository for all public information regarding the project and the approvals process. Clear guidance will be provided on the opportunities and methods to comment on the project.	Targeted primarily towards the general public.	As soon as possible with monthly updates.
SOCIAL MEDIA	Facebook / Twitter campaigns driving people to the current status on the website.	Targeted primarily toward the general public.	As soon as possible with monthly updates.
EMAILS	Ocean Reef Marina mailing list. Initial email on current project status with regular updates.	General public CRG members Community groups Environmental groups Business groups City officers	As soon as possible with monthly updates.
ADVERTORIAL	Published in the Community Newspapers providing comprehensive information regarding the project and the approval process.	Targeted primarily towards the general public.	As soon as possible following submission of the draft PER documents.

<b>Communication Method</b>	<b>Description</b>	<b>Stakeholder</b>	<b>Timing</b>
BROCHURE	<p>Providing comprehensive information regarding the project and the approval process, including frequently asked questions.</p> <p>Available via the website, Customer Services Centres, Leisure Centres, Libraries, City Administration and promotional booths/displays.</p>	Targeted primarily toward the general public.	As soon as possible following submission of the draft PER documents.
FACT SHEETS	<p>Providing detailed information on the various approvals processes.</p> <p>Available as above.</p>	Targeted primarily towards the general public.	As soon as possible in line with the website update.
MEETINGS / BRIEFINGS	<p>Face to face meetings with key stakeholder groups on an “as needs/requested” basis.</p> <p>Providing targeted information on the project and the approvals processes.</p> <p>Providing an opportunity to identify and address issues of concern with accurate information.</p>	Stakeholder groups and individuals as identified.	<p>Notification of the City’s intent to meet with groups forwarded following submission of the draft PER documents.</p> <p>Meetings scheduled once timing of the advertising period is confirmed.</p>
WRITTEN INFORMATION	Briefing notes / project updates through direct correspondence or via the Desk of the CEO, Joondalup Voice, Rates Notices and other publications as identified.	All stakeholder groups.	Regularly commencing as soon as possible.
TRADITIONAL/ONLINE MEDIA	Articles and stories relating to project updates and promotion of approvals process.	All stakeholder groups.	As identified following submission of the draft PER documents.
COMMUNITY FORUMS	Providing information on project status and the approvals processes with Project Team members in attendance to answer questions.	Targeted primarily at the general public.	Scheduled prior to submission of the draft PER documents.

Communication Method	Description	Stakeholder	Timing
PUBLIC INFORMATION SESSIONS/BOOTHS/DISPLAYS	<p>Providing information on project status and the approvals processes with Project Team members in attendance to answer questions.</p> <p>Provided at opportunistic events, shopping centres, Customer Service Centres, Libraries and Leisure Centres.</p> <p>Manned where appropriate.</p>	Targeted primarily at the general public.	Timing to be determined following confirmation of the advertising period.

In addition to the above, it is also proposed that senior level engagement with the relevant State Government agencies and the Cities of Stirling and Wanneroo will also take place.

Through the methods outlined above, information will be provided to the various stakeholder groups on the following:

- The City's on-going commitment to the project (including financial).
- Project status in relation to the approvals processes.
- Environmental and planning assessment:
  - Baseline studies
  - Marmion Marine Park
  - Bush Forever
  - Management Plans
  - Public advertising and community involvement.
- Ocean Reef Marina Structure Plan.
- Stakeholder involvement.
- State Government involvement – now and in the future.
- Potential funding opportunities.
- Progression of the project following successful approval.

### Issues and options considered

The City is currently following statutory processes with regard to the PER, MRS Amendment and Ocean Reef Marina SP. While there is a substantial amount of information accumulated for these processes, this information remains largely confidential and will remain so until agreement to publically advertise is obtained from the relevant authorities. Therefore, careful consideration needs to be given to what information can be communicated to the public in the lead up to the public advertising period.

Under the statutory processes, the City is required to provide the information as requested. The purpose of a review of the draft PER is to enable the Environmental Protection Authority to determine whether the methodologies used, results and anticipated impacts are adequate for an assessment to be made. Until the Environmental Protection Authority agrees to advertise the PER, none of the information contained within it is considered final and is subject to change.

Further, there is a significant risk in releasing parts of the environmental investigations before the whole PER is advertised and all information can be viewed in context. The PER will include the base line studies and impact assessments as well as management plans which will outline how the potential impacts will be managed and mitigated. This information together with that provided for the MRS Amendment and Ocean Reef Marina SP will enable stakeholders to consider the entire project in context. This approach will enable potential respondents to prepare submissions and voice opinions based on a holistic view rather than a piecemeal approach.

The lack of certainty on whether the project will actually go ahead, when construction will commence and who will fund it, has always been, and continues to be, of concern to the general community.

The current project program covers the anticipated timelines for securing environmental and planning approval and the potential amendment to the Marmion Marine Park Boundary. However, as previously reported (Major Projects Committee, 1 February 2016, Item 1) each stage of the timeline has an underlying set of assumptions and level of uncertainty. Any delay in obtaining approval for the Ocean Reef Marina will impact on when construction can actually commence regardless of the ultimate proponent/developer.

Further, the City has always maintained that it cannot develop the marina on its own and State Government involvement (potentially through a public/private partnership) is most likely the only mechanism for bringing the project to fruition. While the City has been in negotiation with the State Government on this issue for some time and LandCorp is currently undertaking a review of the concept plan and business case, there is no confirmation that State Government will take over the project.

The ultimate developer and the timing of construction commencement/completion are not known and will be largely out of the City's control. Notwithstanding the significant progress made with regard to obtaining approval for the project, there is a risk in over promoting the Ocean Reef Marina project without demonstrative progress and certainty regarding whether the development will be built, by whom and when.

## **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.

Other applicable legislation includes:

- *Planning and Development Act 2005.*
- *Environmental Protection Act 1986.*
- *Environmental Protection, Biodiversity and Conservation Act 1999* (Commonwealth).

The approvals for the development are influenced by State Planning Policies:

- *2.6: State Coastal Planning Policy.*
- *2.8: Bushland Policy for the Metropolitan Region.*

## Strategic Community Plan

<b>Key theme</b>	Economic prosperity, vibrancy and growth.
<b>Objective</b>	Destination City.
<b>Strategic initiative</b>	<ul style="list-style-type: none"> <li>Facilitate the establishment of major tourism infrastructure.</li> <li>Encourage diverse accommodation options.</li> </ul>
<b>Policy</b>	The preparation and implementation of the Ocean Reef Marina Communications Strategy is informed by the Community Consultation and Engagement Policy.

## Risk management considerations

The City has amassed a substantial amount of information on all aspects of the Ocean Reef Marina project over a number of years. This information together with that currently being compiled ensures that the City is well positioned to provide the information required for planning and environmental assessment.

Given the sheer volume of information that will be released during the public advertising period for the MRS Amendment, PER and Ocean Reef Marina SP and the unique and complex nature of the processes, it is considered highly appropriate and necessary that all stakeholders are fully conversant with the process currently being undertaken by the City.

The Ocean Reef Marina Risk Management Assessment has identified inadequate engagement with stakeholders and the community as a risk to the project and undertaking the Ocean Reef Marina Communications Strategy as proposed will mitigate this risk.

## Financial / budget implications

The Ocean Reef Marina budget includes an amount of \$93,450 for communications and marketing.

### Current financial year impact

<b>Account no.</b>	C1001
<b>Budget Item</b>	Ocean Reef Marina.
<b>Budget amount</b>	\$1,422,924
<b>Amount spent to date</b>	\$ 804,320
<b>Balance</b>	\$ 618,604

Note: The 2015-2016 approved budget includes income of \$500,000 (State Government financial contribution).

#### Total Project Expenditure

2007-2008	\$ 133,241
2008-2009	\$ 968,284
2009-2010	\$ 266,604
2010-2011	\$ 325,046
2011-2012	\$ 388,552
2012-2013	\$ 376,393
2013-2014	\$ 838,371
2014-2015	\$1,314,917
2015-2016	\$ 804,320
LESS Grants Received	<u>\$ (785,500)</u>
Total City Expenditure	\$4,630,228

**Annual operating cost** The relevant business case/s, as far as possible, will include anticipated on-going operating costs

**Estimated annual income** The relevant business case/s, as far as possible, will include estimated annual income.

**Capital replacement** Detailed analysis will be required at the appropriate stage of the project.

**20 Year Strategic Financial Plan impact** The City's *20 Year Strategic Financial Plan* includes \$2,404,000 which represents capital expenditure for the 2014-15 and 2015-16 financial years. Further analysis of the impact on the *20 Year Strategic Financial Plan* will be analysed at the appropriate stage of the project.

**Impact year** 2014-15 and 2015-16.

All amounts quoted in this report are exclusive of GST.

#### **Regional significance**

The Ocean Reef Marina development will become a significant tourist/visitor destination and a key focal point within the northern metropolitan Perth corridor.

#### **Sustainability implications**

Progression of the Ocean Reef Marina planning process requires a number of studies/reports addressing key issues pertaining to sustainability (such as social and economic impact, environmental sustainability). As part of the documentation supporting the MRS Amendment, Ocean Reef Marina SP and PER the required management plans will be development.

#### **Consultation**

The Ocean Reef Marina Communications Strategy was prepared in consultation with the City's Marketing and Communications Manager and the Ocean Reef Marina Project Team including Strategen Environmental Consultants and Taylor Burrell Barnett.

Both Strategen and Taylor Burrell Barnett have extensive experience of the approvals process currently being undertaken by the City. This experience has included the development of communications strategies and the identification of information for public release for projects similar to the Ocean Reef Marina.

## COMMENT

The Ocean Reef Marina has achieved a series of significant milestones in recent times although there is a perception in the general community that little has happened as much of the work has no visible result. These milestones have been communicated to the community and key stakeholders through a variety of forms, however much of the information pertinent to the approvals processes remains confidential. Further, the general community remains keen for news on potential construction start dates and funding details, being unable to provide definitive answers may result in a loss of support or confidence in the project.

It is considered of significant importance that only accurate, up-to-date and measurable information be provided to key stakeholders and the community in the lead up to and during the public advertising period. While there remains significant support for the project, the public advertising period is likely to bring forward opponents of the project who will have specific issues that will need to be addressed. The Communications Strategy proposes engagement with opponent (and indeed supporter) groups on an individual basis, rather than collectively. This component of the strategy will enable the individual issues raised by these groups to be specifically addressed on a measured basis.

The engagement methodologies proposed in the Ocean Reef Marina Communications Strategy are consistent with those implemented for other similar complex developments such as the Mangles Bay Marina. They are considered appropriate by the Ocean Reef Marina Project Team whose members have considerable experience in similar projects.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The committee recommendation to Council for this Report (as detailed below) was resolved by the Major Projects Committee at its meeting held on 4 April 2016.

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

*That the Major Projects Committee NOTES the Ocean Reef Marina Communications Strategy as detailed in Attachment 1 to this Report.*

The committee's subsequent recommendation to Council is as follows (changes identified):

*That Council:*

- 1 *NOTES the Ocean Reef Marina Communications Strategy as detailed in Attachment 1 to this Report;*
- 2 *RE-ESTABLISHES the Ocean Reef Marina Community Reference Group and INVITES previous members that were either residents or representatives from stakeholders that were on the group.*



**RECOMMENDATION****That Council:**

- 1 NOTES the Ocean Reef Marina Communications Strategy as detailed in Attachment 1 to this Report;**
- 2 RE-ESTABLISHES the Ocean Reef Marina Community Reference Group and INVITES previous members that were either residents or representatives from stakeholders that were on the group.**

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach12brf160412.pdf](#)*

**8 REPORT OF THE CHIEF EXECUTIVE OFFICER**

**9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**10 REPORTS REQUESTED BY ELECTED MEMBERS**

**11 CLOSURE**



**DECLARATION OF  
FINANCIAL INTEREST/INTEREST THAT MAY AFFECT  
IMPARTIALITY**

**To: CHIEF EXECUTIVE OFFICER  
CITY OF JOONDALUP**

<b>Name/ Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

Section 5.65(1) of the *Local Government Act 1995* states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) *in a written notice given to the CEO before the meeting; or*
- (b) *at the meeting immediately before the matter is discussed.*

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**QUESTION TO BE ASKED AT  
BRIEFING SESSION/COUNCIL MEETING**

TITLE <i>(Mr/Mrs/Ms/Dr)</i>	FIRST NAME	SURNAME	ADDRESS

**QUESTIONS**

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

**Please note that:**

- Questions asked at a **Briefing Session** must relate to matters contained on the draft agenda.
- Questions asked at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.
- Questions asked at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called



**STATEMENT TO BE MADE AT  
BRIEFING SESSION/COUNCIL MEETING**

<b>TITLE</b> <i>(Mr/Mrs/Ms/Dr)</i>	<b>FIRST NAME</b>	<b>SURNAME</b>	<b>ADDRESS</b>

**STATEMENT**

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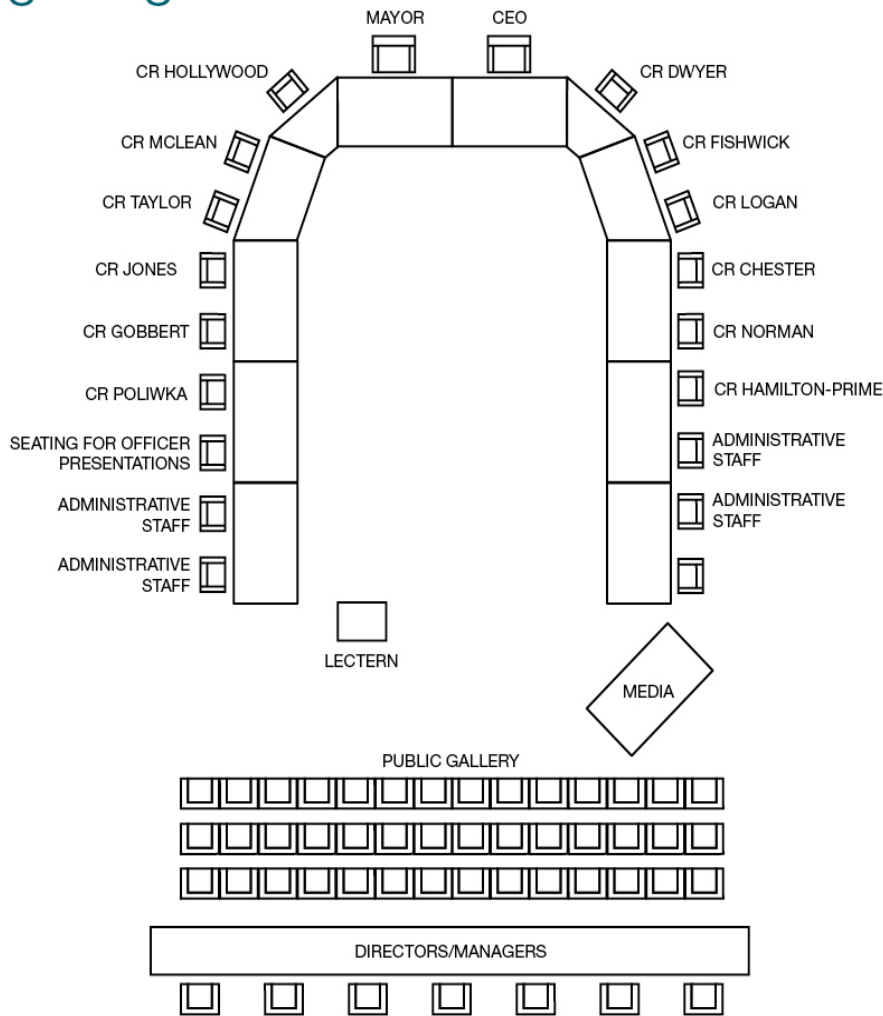
Please submit this form at the meeting or:

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# Conference Room 1 – Briefing Session Seating Diagram



## Mayor

- 1 His Worship the Mayor, Troy Pickard (Term expires 10/17)

### North Ward

- 2 Cr Kerry Hollywood (Term expires 10/17)
- 3 Cr Tom McLean, JP (Term expires 10/19)

### North-Central Ward

- 4 Cr Philippa Taylor (Term expires 10/17)
- 5 Cr Nige Jones (Term expires 10/19)

### Central Ward

- 6 Cr Liam Gobbert (Term expires 10/17)
- 7 Cr Russell Poliwka (Term expires 10/19)

### South-West Ward

- 8 Cr Christine Hamilton-Prime (Term expires 10/17)
- 9 Cr Mike Norman (Term expires 10/19)

### South-East Ward

- 10 Cr John Chester (Term expires 10/17)
- 11 Cr John Logan (Term expires 10/19)

### South Ward

- 12 Cr Russ Fishwick, JP (Term expires 10/17)
- 13 Cr Sophie Dwyer (Term expires 10/19)