

# agenda

## Briefing Session

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

**ON TUESDAY 8 NOVEMBER 2016**

**COMMENCING AT 6.30pm**

**GARRY HUNT**  
Chief Executive Officer  
4 November 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 7 November 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*.

## TABLE OF CONTENTS

ITEM NO.	TITLE	WARD	PAGE NO.
	<b>OPEN AND WELCOME</b>		<b>x</b>
	<b>DECLARATIONS OF FINANCIAL INTEREST /PROXIMITY INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY</b>		<b>x</b>
	<b>DEPUTATIONS</b>		<b>x</b>
	<b>PUBLIC QUESTION TIME</b>		<b>x</b>
	<b>PUBLIC STATEMENT TIME</b>		<b>xvi</b>
	<b>APOLOGIES AND LEAVE OF ABSENCE</b>		<b>xviii</b>
	<b>REPORTS</b>		<b>1</b>
1	DEVELOPMENT AND SUBDIVISION APPLICATIONS – SEPTEMBER 2016 - [07032]	All	1
2	PROPOSED ADDITIONS TO EXISTING 'PLACE OF WORSHIP' AT LOT 8 (19) FOREST HILL DRIVE, KINGSLEY – [00031]	South-East	6
3	SETTING OF 2017 COUNCIL MEETING DATES – [08122]	All	15
4	MINUTES OF EXTERNAL COMMITTEES – [03149]	All	19
5	EXECUTION OF DOCUMENTS – [15876]	All	22
6	CUSTOMER SATISFACTION MONITOR 2015-16 – [69609]	All	24
7	ANNUAL REPORT 2015-16 – [104030]	All	31
8	CORPORATE BUSINESS PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JULY 2016 TO 30 SEPTEMBER 2016 – [20560]	All	35
9	PROPOSED WASTE LOCAL LAW 2016 - REQUEST TO ADVERTISE – [36958]	All	39
10	NEW GRAFFITI VANDALISM ACT 2016 – [09907, 39908]	All	44

ITEM NO.	TITLE	WARD	PAGE NO.
11	LIST OF PAYMENTS MADE DURING THE MONTH OF SEPTEMBER 2016 – [09882]	All	49
12	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2016 – [07882]	All	52
13	TENDER 019/16 – PROVISION OF BORE MAINTENANCE, IRRIGATION AND DRAINAGE PUMP SERVICES – [105843]	All	55
14	TENDER 020/16 – SUPPLY AND DELIVERY OF PVC PIPES, FITTINGS AND SPRINKLERS – [105844]	All	61
15	CITY OF JOONDALUP SUBMISSION – PERTH TRANSPORT PLAN FOR 3.5 MILLION PEOPLE AND BEYOND – [06370]	All	67
	<b>REPORT – AUDIT COMMITTEE – 1 NOVEMBER 2016</b>		<b>75</b>
16	2015-16 ANNUAL FINANCIAL REPORT – [105507]	All	75
	<b>REPORT OF THE CHIEF EXECUTIVE OFFICER</b>		<b>81</b>
	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>		<b>81</b>
	<b>REPORTS REQUESTED BY ELECTED MEMBERS</b>		<b>81</b>
	<b>CLOSURE</b>		<b>81</b>

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

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

[Additional Information161108.pdf](#)

## **CITY OF JOONDALUP – BRIEFING SESSION**

To be held in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 8 November 2016** commencing at **6.30pm**.

### **ORDER OF BUSINESS**

#### **OPEN AND WELCOME**

#### **DECLARATIONS OF FINANCIAL INTEREST/PROXIMITY INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY**

#### **DEPUTATIONS**

#### **PUBLIC QUESTION TIME**

**The following questions were submitted to the Briefing Session held on 11 October 2016:**

**Mr I Kane, Woodvale – Secretary Perth City Soccer Club:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*In relation to decisions at the Council meeting held on 20 September 2016 - CJ150-09/16 and documents now at this Briefing Session.*

*Q1 Why in the document tabled under the officer's comment is there no table for history of bookings for another long term-financial users of Warrandyte Reserve namely Perth City Soccer Club?*

*A1 The information provided only related to those users that were subject to the decision of Council at its meeting held on 20 September 2016 (CJ150-09/16 refers).*

*Q2 Why has there been no inclusion of Perth City Soccer Club as a long-term financial user of Warrandyte Reserve in any discussions and any proposed reallocation of users in relation to the issues now at hand?*

*A2 See response to A1 above.*

**Mrs S Kendrick, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 There has been contradicting opinions relating to the Warrandyte sporting pitches and clubrooms, as well as usage. Could you please clarify how and why it was established that Warrandyte Park was being under-utilised?*

A1 While the overall usage of Warrandyte Park clubrooms is slightly above average when compared to other City facilities, the majority of this usage is attributed to the Warrandyte Playgroup who accounts for approximately 69% of the total facility usage over the past three years. When considering the afternoon, evening and weekend usage of Warrandyte Park clubrooms by the associated sporting and other user groups the clubrooms would be considered under-utilised.

*Q2 Can you please provide clarity for the community on the current classification of Warrandyte Park as it is signed Warrandyte Park, whereas it has recently been referred to by Elected Members as Warrandyte Sporting Facility. Has it been changed in classification and if so, when and how was it changed?*

A2 Mayor Pickard advised it was his understanding that facilities of this nature are hierarchical and are referred to as a sporting and community facility so in this instance it would otherwise be known as the Warrandyte Sporting and Community Facility.

The Acting Director Corporate Services stated the policy that is currently adopted by Council would derive that the naming of the facility would be sporting and community, however historically Warrandyte Park Clubrooms is how the facility is referenced.

**Mr D Hall, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 As local residents we are aware there are houses on three sides of the park. Who determined that this was an isolated park?*

A1 Mayor Pickard stated it was up to an individual to form a view whether or not they determine a park to be remote.

*Q2 Has each individual Elected Member visited Warrandyte Park?*

A2 Mayor Pickard advised that questions were unable to be asked of individual Elected Members at a meeting and suggested that an email be sent to each individual asking whether they had visited the park.

**Mr P Barton, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 Currently there are two premier league clubs located in the City of Joondalup with excellent facilities already in place which could be shared. Why is ground sharing not an option for Joondalup United Football Club, similar to that of AFL clubs?*

**A1** Mayor Pickard commented there is a difference between sharing on a game day and sharing training facilities. With respect to the AFL clubs Fremantle Dockers and the West Coast Eagles, the clubs do not share the same training facilities. The clubs share the same ground on one occasion every week on alternate weekends during the course of the winter AFL season.

Mayor Pickard stated he was not aware why two NPL clubs could not share the same facility in the City of Joondalup but suspected there were two reasons, firstly because of Football West's NPL venue requirements and secondly because of the condition of the ground. It would not be sustainable to have two clubs training and playing at that level at the same facility and that is why the City does not have facilities and grounds within its local government boundaries where two summer teams or two winter teams share the one ground.

**Mrs D Harris, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 What checks will be undertaken to monitor any potential impact increased traffic may have on local residents?*

**A1** The Acting Director Corporate Services advised depending on the decision by Council at its meeting to be held on 18 October 2016, an analysis would need to be undertaken to determine whether the intended use of Warrandyte Park would increase traffic in the area.

**Mr R Eddy, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 It has been stated that there is a requirement for a liquor licence to be issued. Are there any impediments for a liquor licence to be issued if requested and is there an open forum for detractors to put forward their concerns?*

**A1** Mayor Pickard advised that any application for a liquor licence is independent of the City of Joondalup. Any club or organisation within the City wishing to seek a liquor licence needs to make application to the Director General of Racing, Gaming and Liquor. The department has a set of requirements that an applicant must adhere to in order to advertise a particular application and it is the Department of Racing, Gaming and Liquor that determines whether or not the licence is granted. As part of the consultation process, the Department of Racing, Gaming and Liquor approach the City of Joondalup to ascertain whether the City objects to any organisation within the its boundaries being granted a liquor licence.

Q2 *Do holders of liquor licences in the area have the right to put forward their comments in the event an application is declined and does the refusal of a liquor licence application preclude a club from being granted NPL status?*

A2 Mayor Pickard advised that this question should be directed to Football West.

**Mr G Corey, Hillarys:**

Re: *Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Q1 *Has the City given consideration to constructing a purpose built stadium to help alleviate the pressure that sporting club growth is having on its current facilities?*

A1 Mayor Pickard advised the City had expended considerable funds particularly in the last 10 years, also leveraging available funding from both state and federal governments to construct new facilities to help alleviate the pressure that sporting club growth is having on the City's grounds and facilities. There are no formal plans within the City's *20 Year Strategic Financial Plan* or its *Capital Works Program* for any one particular facility to be upgraded to a certain standard that may suit high-level performing clubs.

Q2 *Is this something the Council would give consideration to in the near future?*

A2 Mayor Pickard advised this is a rhetorical question and cannot be answered.

**Mr M Stringfellow, Craigie:**

Re: *Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Q1 *Is it common practice for the City of Joondalup to promote an application for a liquor licence?*

A1 Mayor Pickard advised that the City does not actively promote the application for liquor licences, but makes it clear to users of its facilities within the City of Joondalup that a club or organisation is entitled by law and by right to apply for a liquor licence. The City provides applicants with the process required to be undertaken in order to obtain such a licence. The City does not prohibit the use of liquor in its facilities.

**Ms S Moore, Craigie:**

Re: *Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Q1 *Why were the residents or local community not consulted with prior to Council's decision?*

A1 Mayor Pickard advised he was unable to comment on behalf of Council. At its meeting held on 20 September 2016 Council made a determination on the matter in a public domain.

**Mr B Watson, Hillarys:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 Why were the residents of Forrest Park, Padbury consulted regarding the possibility of the Joondalup United Football Club using that ground, yet the residents of Craigie were not afforded the same opportunity?*

A1 Mayor Pickard advised he was unable to comment on behalf of Council. At its meeting held on 20 September 2016 Council made a determination on the matter in a public domain.

**Ms A McDonald, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 Why was there an urgency to have the matter of a suitable location for the Joondalup United Football Club presented to Council at its meeting held on 20 September 2016, with only 25 hours notice being given to Elected Members of an alternate motion for consideration?*

A1 Mayor Pickard stated the Joondalup United Football Club was promoted by Football West to NPL status and needed to be located at an appropriate facility where the club could both train and play games.

**Ms D O'Connor, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 Has an acoustic report been undertaken of Warrandyte Park as per the Department of Environment requirements?*

A1 Mayor Pickard responded no and advised that in view of the fact that a Notice of Motion to revoke a previous Council decision has been presented and signed by five Elected Members, the City is unable to advance processes regarding that specific matter until the Notice of Motion is considered.

**Mr J Whelahan, Ocean Reef:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 Is the City happy with how the progress of this matter was handled?*

A1 Mayor Pickard stated he was unable to answer personal questions and advised the City has processes in place, including local laws that allow for decisions to be reviewed.

**Mr G Boyd, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 What date was the Joondalup United Football club notified of its NPL status?*

A1 Mayor Pickard believed the result of the Saturday game confirmed the club's position on the competition ladder, thereby promoting the club into the NPL and suggested actual details should be confirmed with the club.

**Mrs C Brown, Padbury:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 Does the Council feel that the health of children living in the City of Joondalup is important?*

A1 Mayor Pickard responded yes.

**Mr M Stringfellow, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 I believe that Open Spaces WA has indicated that there will be 510 hectares short of playing space by 2031. What plans has the City in place to deal with the increase in demand by sporting club growth and stop the same situation happening again that has happened at Warrandyte Park?*

A1 Mayor Pickard advised that the City maintains its grounds for use by community groups and sporting groups of all ages. The challenge now faced by the City of Joondalup is that funding is no longer available through state or federal governments and the City's ability to fund new facilities is not within its financial capacity without imposing a significant fiscal impost upon the community. It is necessary for the City to ensure full utilisation of its grounds/facilities day and night.

**Mrs D Harris, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 In the past there has been mention made of establishing a botanic/environmental/adventure playground facility within Edgewater Quarry. Has the City considered utilising Edgewater Quarry as a sporting facility? Can part of the quarry be considered for an arena or stadium for the use by Joondalup United Football Club or any future sporting clubs?*

A1 Mayor Pickard commented when Council determined a plan for Edgewater Quarry there was a suite of options considered for the development of the quarry, however those options were not pursued following lack of support from the local community. Council is currently in the process of progressing the masterplan in accordance with its *Annual Plan* and advertising of the plan for public comment will occur in the near future.

**Mr P Kay, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

*Q1 In order to house the Joondalup United Football Club in facilities that meet Football West venue requirements, do options exist to look beyond the City's boundaries. Have these options been explored, such as Kingsway?*

*A1 Mayor Pickard responded no, that the City has a responsibility in the first instance to house its sporting clubs within the City of Joondalup. If a club chooses due to lack of suitable facilities within the City to vacate the local government area then that is the club's prerogative. The City of Joondalup does not actively look for grounds and clubrooms for its clubs outside of its locality, but rather attempts to cater for the demands from the local community within its own boundaries.*

**PUBLIC STATEMENT TIME**

**The following statements were made at the Briefing Session held on 11 October 2016:**

**Mr G Stickland, Chairman of the Whitfords Ratepayers and Recreation Association:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Mr Stickland expressed his disappointment that this matter was causing a divide in the wider community.

Mr Stickland commented that Warrandyte Park was utilised by a large number of user groups and provided an amenity for the community and hoped that a resolution could be arrived at where both football clubs could be accommodated at an appropriate location to suit the requirements of their club.

**Mr B Watson, Hillarys:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Mr Watson made reference to soccer clubs attaining NPL status and raised his concerns at the potential for an increase in annual fees for juniors playing soccer to subsidise the NPL venue requirements for that club.

**Mrs S Kendrick, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Mrs Kendrick raised her concerns at the potential increase in noise volumes that would occur as a result of the use of a PA system which is a requirement once a club attains NPL status.

**Mr N Sherwin, Currambine:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Mr Sherwin spoke with regard to the Joondalup United Football Club and stated the club was not solely an NPL club, but catered for junior players who had the opportunity to work their way through the various grades.

**Ms P Jenkinson, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Ms Jenkinson advised she had been a resident of Craigie for 20 years and used Warrandyte Park on a regular basis. She expressed her disappointment that local residents and the wider community had not been consulted prior to Council's decision at its meeting held on 20 September 2016.

**Mr L Harris, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Mr Harris raised his concerns in respect to the impact potential increase in traffic volumes would have on the road network within the vicinity of Warrandyte Park. He stated local children utilised the park on a regular basis and for this reason was not comfortable with alcohol being available at the clubrooms.

**Mrs H Horsman, Craigie:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Mrs Horsman raised her concerns at the potential increase in noise volumes that would occur as a result of the use of a PA system which is a requirement once a club attains NPL status and felt this would impact on the peaceful amenity of the local area.

**Karen, Mullaloo:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Karen commented she had been a canteen volunteer for the Joondalup United Football club for a number of years and believed it was important for the club to have its own facilities. Sharing facilities with another club necessitated all goods/equipment being packed away in order for another club to use the facilities.

**Mr M Paget, Woodvale - Secretary of the Joondalup United Football Club:**

*Re: Notice of Motion – Cr Poliwka – Community Sporting and Recreation Facilities Fund Applications – 2017-18 Annual and Forward Planning Grant Round.*

Mr Paget made reference to the use of a PA system and advised he understood the PA system would not be used for the entire duration of the game. It would only be used at the outset of the game to introduce the players of the first team.

Mr Paget commented that dogs currently use the park during club training sessions and saw no reason for this to change moving forward.

**APOLOGIES AND LEAVE OF ABSENCE****Apology**

Mayor Troy Pickard.

**Leave of Absence previously approved**

Cr John Chester	3 November to 12 November 2016 inclusive;
Cr Sophie Dwyer	6 November to 11 November 2016 inclusive;
Cr Russell Poliwka	7 November to 19 November 2016 inclusive;
Cr John Logan	16 November to 20 November 2016 inclusive;
Cr Sophie Dwyer	7 December to 9 December 2016 inclusive.

## REPORTS

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

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	07032, 101515
<b>ATTACHMENTS</b>	Attachment 1      Monthly Development Applications Determined – September 2016 Attachment 2      Monthly Subdivision Applications Processed – September 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 September 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 officers under delegated authority during September 2016 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during September 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 28 June 2016 (CJ091-06/16 refers) Council considered and adopted the most recent town planning delegations.

## DETAILS

### Subdivision referrals

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

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	5	7
Strata subdivision applications	14	32
<b>TOTAL</b>	<b>19</b>	<b>39</b>

Of the 19 subdivision referrals, 16 were to subdivide in housing opportunity areas, with the potential for 25 additional lots.

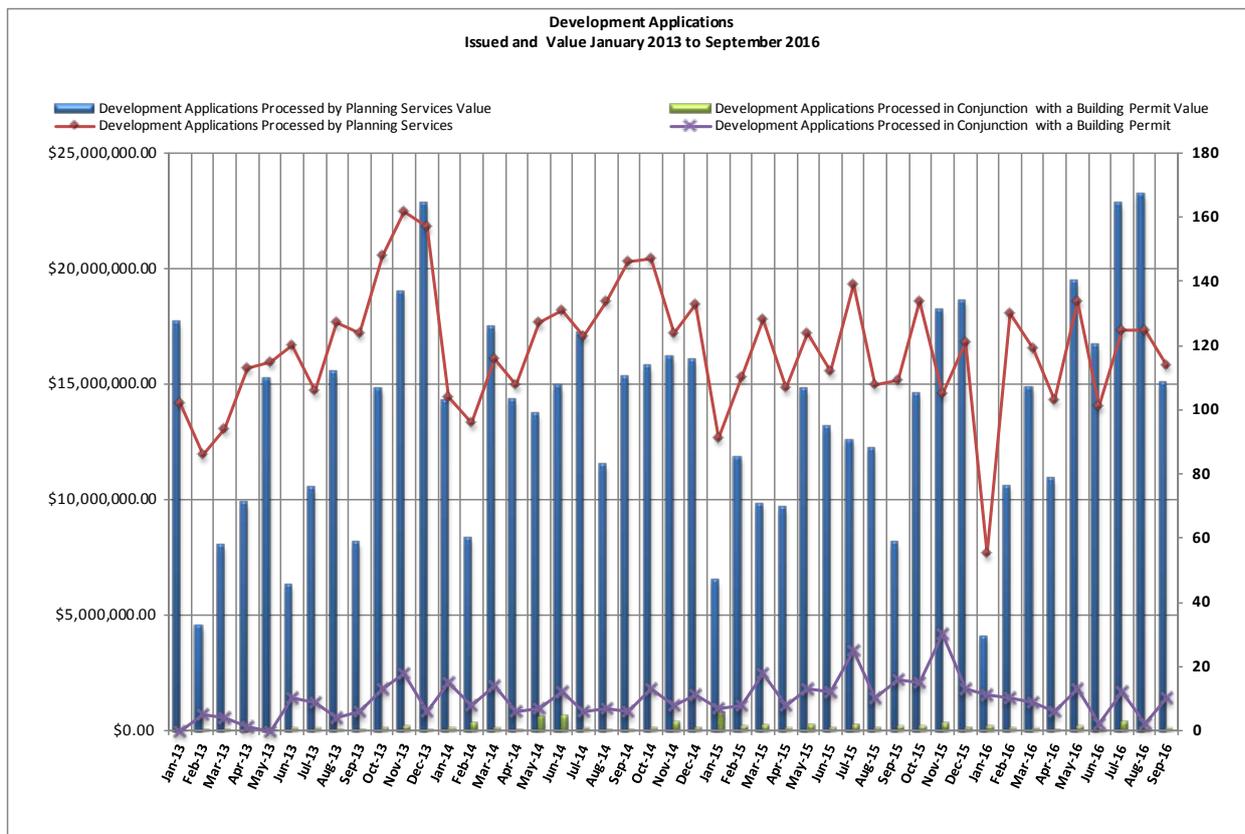
### Development applications

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

Type of development application	Number	Value (\$)
Development applications processed by Planning Services	114	\$ 15,045,602
Development applications processed by Building Services	10	\$ 78,772
<b>TOTAL</b>	<b>124</b>	<b>\$ 15,124,374</b>

Of the 124 development applications, five were for grouped dwelling developments in housing opportunity areas, proposing a total of seven additional dwellings.

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



The number of development applications received during September was 132. (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 September was 235. Of these, 42 were pending further information from applicants and nine were being advertised for public comment.

In addition to the above, 258 building permits were issued during the month of September with an estimated construction value of \$22,333,763.

**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 124 development applications were determined for the month of September with a total amount of \$62,919 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 September 2016;**
- 2 subdivision applications described in Attachment 2 to this Report during September 2016.**

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf161108.pdf](#)*

## **ITEM 2                    PROPOSED ADDITIONS TO EXISTING ‘PLACE OF WORSHIP’ AT LOT 8 (19) FOREST HILL DRIVE, KINGSLEY**

<b>WARD</b>	South-East
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	00031, 101515
<b>ATTACHMENTS</b>	Attachment 1        Location plan Attachment 2        Development plans
<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.

---

### **PURPOSE**

For Council to determine an application for additions to an existing ‘Place of Worship’ at Lot 8 (19) Forest Hill Drive, Kingsley.

### **EXECUTIVE SUMMARY**

An application for development approval has been received for additions to an existing ‘Place of Worship’ at Lot 8 (19) Forest Hill Drive, Kingsley.

The additions to the church include a new kitchen, disabled toilet, extension to the existing tea room, cleaner’s closet, meeting room, patio and outbuilding (shed).

The application has been assessed against the requirements of the City’s *District Planning Scheme No. 2* (DPS2). The development meets these requirements with the exception of a 1.2 metre setback from the main church building to the rear (eastern) boundary, where a setback of six metres is required, and a setback of one metre from the outbuilding to the western and southern boundaries, where a setback of three metres is required. As these setbacks exceed the DPS2 requirement by more than 1.5 metres, the application is required to be determined by Council.

The application was advertised for a period of 14 days by way of letters to surrounding land owners. Two responses were received, being two objections. In general the objections related to potential noise and loss of privacy as a result of the patio relocation, an insufficient supply of car parking, the height of the existing dividing fence and the overall height of the outbuilding.

It is considered however that the additions do not have an adverse impact on the amenity of the surrounding residential area and overall the design ties in with the existing development.

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

## BACKGROUND

<b>Suburb/Location</b>	Lot 8 (19) Forest Hill Drive, Kingsley.
<b>Applicant</b>	Erwin Biemel and Associates.
<b>Owner</b>	The Perth Diocesan Trustees.
<b>Zoning</b>	<b>DPS</b> Mixed Use.
	<b>MRS</b> Urban.
<b>Site area</b>	2,545m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

The subject site is bound by Forest Hill Drive to the west, residential properties to the south and east and an access way and Whitfords Avenue to the north (Attachment 1 refers).

The site is zoned 'Urban' under the *Metropolitan Region Scheme* and 'Mixed Use' under DPS2. Under DPS2 'Place of Worship' is a discretionary ("D") land use in the Mixed Use zone.

The 'Place of Worship' was initially approved in 1995. In 2012 a development approval was granted for modifications to the existing car park and five new grouped dwellings at the rear of the site. These grouped dwellings were subsequently subdivided in 2013 and are now located on a separate lot. The maximum occupancy for the 'Place of Worship' is 161 persons and is not modified by this application.

The development proposal was not referred to the Joondalup Design Reference Panel in this instance as the development is not considered a major building development and the additions and outbuilding will have no impact on the streetscape.

## DETAILS

The proposed additions are predominantly to the south of the existing church, with the outbuilding located adjacent to the southern and western boundaries of the site. The additions comprise the following:

- A new kitchen, extension to the existing tea room, disabled toilet, meeting room, cleaner's cupboard and relocation of the existing patio.
- An outbuilding on the southern portion of the site, being 5.96 metres by 3.46 metres in dimension, with a wall height of 2.4 metres. This will replace an existing outbuilding in the same vicinity that is 9.1 metres by 9.1 metres and three metres in height.

The development plans are provided as Attachment 2.

The facade and fascia of the additions are characterised by a mix of cream face brick work and red colorbond fascia and roofing to match the existing development. The existing cream coloured patio currently attached to the southern end of the main church building is proposed to be relocated on the southern side of the addition. The addition to the main building is proposed to be set back 1.2 metres from the rear boundary, which is consistent with the setback of the existing building. Under DPS2 a setback of six metres is required to this rear boundary.

The proposed 2.4 metre high outbuilding is also proposed to be cream colorbond to tie in with the existing on-site development and is located one metre from the adjoining side boundaries, where DPS2 requires a setback of three metres.

Car parking for the development is based on the maximum occupancy of the church. This application is not seeking to increase the maximum occupancy, which is currently approved at 161. As there is no change to the maximum occupancy, no additional car parking is required. It is noted that under DPS2 there is an existing car parking surplus of one bay.

### **Issues and options considered**

Council is required to consider whether a reduced setback of 1.2 metres to the rear boundary and outbuilding setback of one metre to the southern and western boundaries are appropriate.

Council has discretion to:

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

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

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

#### **Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality built outcomes.

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

**Policy** Not applicable.

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

Clause 3.5 of DPS2 sets out the objective for development within the 'Mixed Use' zone:

#### *3.5 The Mixed Use Zone*

*The objectives of the Mixed Use Zone are to:*

- (a) provide a diversity of land use and housing types compatible with the maintenance of residential amenity;*
- (b) allow appropriate businesses to locate and develop in close proximity to residential areas;*
- (c) allow for services to be provided locally.*

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 R-Codes apply, 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 local government may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.*

4.5.2 *In considering an application for planning approval under this clause, where, in the opinion of the local government, 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 local government shall:*

- (a) *Consult the affected parties by following one or more of the provisions for advertising uses pursuant to Clause 64 of the deemed provisions 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 local government is satisfied that:*

- (a) *Approval of the proposed development would be appropriate having regard to the criteria set out in Clause 67 of the deemed provisions; 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.*

*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 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, landslip, 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.*

### **Risk management considerations**

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

### **Financial / budget implications**

The applicant has paid fees of \$960 (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**

As the application is for minor extensions to an approved 'Place of Worship' the applicant has not been required to complete the City's Environmentally Sustainable Design Checklist.

### **Consultation**

The application was advertised to seven adjoining landowners for a period of 14 days, from 14 September to 28 September 2016. Two submissions were received, being objections. It is noted that one of the objections received was from a land owner that did not receive a letter from the City as the setback of the additions to their boundary exceeds the requirements of DPS2. Notwithstanding, the submission has still been considered in the assessment of the application.

The concerns raised in these submissions were in relation to the following:

- Increased noise associated with the relocation of the patio addition closer to the southern boundary.
- Loss of privacy due to the relocation of the patio addition.
- Inadequate supply of car parking.
- Overall height of the proposed outbuilding.
- The height of the dividing fence between the residential properties to the south.

These comments are further addressed within the comments section below.

## **COMMENT**

### Land use

The land use 'Place of Worship' is a discretionary ("D") land use under DPS2. As the application is for additions to the existing 'Place of Worship', the land use is considered appropriate.

### Building setbacks

Under DPS2 the minimum building setback requirement is six metres to a rear boundary and three metres to a side boundary. The addition to the main church building is proposed to be set back 1.2 metres from the eastern (rear) boundary. An existing outbuilding is proposed to be removed and replaced with an outbuilding with a set back of one metre to the southern and western (side) boundaries.

The addition to the existing church is single storey, with a wall height of 2.65 metres, and is consistent with the setback of the remainder of the church building. A 4.4 metre wide right of way is located between the proposed development and the residential dwellings to the east, thereby ensuring that the visual impact on the adjoining residential development is minimal. It is noted that no submissions were received during the consultation period regarding the additions from the landowners to the east of the site.

The outbuilding on the southern portion of the site is proposed to have a maximum wall height of 2.4 metres and will replace an existing larger outbuilding in the same vicinity. The proposed outbuilding is considered to be small in scale and will have a flat roof to minimise the impact on adjoining properties, being largely obscured by the dividing fence. The location of the outbuilding closer to the boundary also assists in increasing privacy to the adjoining properties from the main church building. It is noted that the size and location of the outbuilding is consistent with the acceptable requirements for a residential property.

Given that the additions proposed are designed to tie in with the church, in relation to design, scale, height and colours, it is considered that the proposed setbacks are sufficient to maintain the amenity of the surrounding residential development.

### Response to submitters

In relation to the privacy concerns and the height of the dividing fence, the application proposes to relocate the existing patio to an existing outdoor area with an established ground level, already used in conjunction with the patio. It is noted that the setback of nine metres from the patio to the southern boundary exceeds the required building setback of three metres set out under DPS2. Additionally the height of the existing dividing fence and trellis are considered to provide sufficient screening between the patio area and the neighbouring residential properties.

In relation to the noise concerns raised, the application proposes a new kitchen and extension to the existing tea room which are intended to provide a larger internal area to congregate following the commencement of church services. As a result of these additions it is considered that a greater number of people can be accommodated within the church building resulting in the outdoor patio area being less frequented by members of the congregation. It is therefore considered that the additions, providing additional space and facilities internally, could result in an overall reduction in noise levels generated from the adjoining outdoor area.

In relation to car parking, this development does not propose an increase in patron numbers and therefore there is no requirement for additional car parking to be provided on-site. The amount of car parking provided currently exceeds that required under DPS2 by one bay.

In relation to comments about the proposed outbuilding, as set out above, the structure will replace an existing three metre high outbuilding in the same vicinity. Taking into account the overall height of 2.4 metres, the flat roof design and replacement of the larger structure it is considered that the proposed setback of one metre to the southern and western boundaries are appropriate to ensure that the amenity of the adjoining residential properties is maintained.

### Conclusion

The proposed development generally complies with the provisions of DPS2, with the exception of the set back of the church additions and the outbuilding. Given that the proposal ties in with the existing on site development in relation to height, scale, design and colours, it is considered that the development will not have any adverse impact on the amenity of the surrounding residents and is recommended for approval subject to conditions.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council:**

- 1 APPROVES under clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015 of Schedule 2* the application for development approval, dated 9 September 2016 submitted by Erwin Biemel and Associates on behalf of the owner, Perth Diocesan Trustees, for proposed Place of Worship (additions) at Lot 8 (19) Forest Hill Drive, Kingsley, subject to the following conditions:**
  - 1.1 This approval relates to the proposed additions only, as indicated on the approved plans. It does not relate to any other development on the lot;**
  - 1.2 A Construction Management Plan being submitted and approved prior to the commencement of development. The management plan shall detail how it is proposed to manage:**
    - 1.2.1 all forward works for the site;**
    - 1.2.2 the delivery of materials and equipment to the site;**

- 1.2.3 the storage of materials and equipment on the site;
- 1.2.4 the parking arrangements for the contractors and subcontractors;
- 1.2.5 the management of dust during the construction process;
- 1.2.6 other matters likely to impact on the surrounding properties;

Works shall be undertaken in accordance with the approved Construction Management Plan;

- 1.3 A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City;
  - 1.4 The external surface of the proposed additions, including roofing, shall be finished in materials and colours that have low reflective characteristics, to the satisfaction of the City. The external surfaces shall be treated to the satisfaction of the City if it is determined by the City that glare from the completed development has a significant adverse effect on the amenity of adjoining or nearby neighbours;
  - 1.5 Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners. These should be screened from view from the street and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development. Works shall be undertaken in accordance with these approved details;
  - 1.6 All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.
- 2 NOTES that the maximum occupancy approved for the 'Place of Worship' is 161 persons and is not increasing as a result of these additions.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf161108.pdf](#)

---

## **ITEM 3                      SETTING OF 2017 COUNCIL MEETING DATES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	08122, 101515
<b>ATTACHMENTS</b>	Nil.
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

---

### **PURPOSE**

For Council to set its meeting dates for the 2017 calendar year.

### **EXECUTIVE SUMMARY**

In accordance with the *Local Government Act 1995*, it is necessary for a local government to give local public notice of its ordinary meeting dates for the next 12 months.

It is recommended the current monthly timeframe for meetings be maintained and deputation sessions continue to be held at the commencement of Briefing Sessions.

### **BACKGROUND**

At its meeting held on 12 December 2006 (CJ236-12/06 refers), Council introduced a rolling four-weekly cycle, which enabled the fourth week to be used to hold additional information sessions, or for scheduling various committee meetings.

At its meeting held on 30 September 2008 (CJ196-09/08 refers), Council adopted a revised cycle based on a monthly timeframe; that is each Tuesday was set aside for either a Strategy Session (first Tuesday), Briefing Session (second Tuesday) or Council meeting (third Tuesday). This allowed the fourth and fifth Tuesday (when they occur) of the month to be available for various other non-standard meetings to be scheduled where required.

### **DETAILS**

The proposed meeting schedule is based on the monthly timeframe that commenced in 2009. Maintaining the monthly meeting cycle will provide a level of continuity for members of the public.

The meeting scheduled for August 2017 has a proposed commencement time of 12.00 noon to enable attendance and participation by high school students.

It will be necessary to schedule the October 2017 meetings earlier due to the 2017 local government elections and subsequent Elected Members' induction program.

In order to accommodate the Christmas holiday period, the December meetings have been scheduled one week earlier, as is current practice.

In respect of other changes to the regular monthly meeting cycle, the Australia Local Government Association (ALGA) will be holding its Annual National General Assembly Conference in Canberra between 18 and 22 June 2017. Therefore it is recommended the Council meeting in June (scheduled to occur in that week of June) be moved to the fourth week in June to enable Elected Members to attend the conference, should they wish to do so.

### **Issues and options considered**

Council can either:

- adopt the proposed meeting dates  
or
- adopt a modified set of meeting dates.

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

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

#### **Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

#### **Risk management considerations**

Failure to set and advertise Council's meeting dates will contravene the requirements of the *Local Government Act 1995*.

**Financial / budget implications**Current financial year impact

<b>Account no.</b>	1.522.A5202.3277.0000.
<b>Budget Item</b>	Advertising – Public and Statutory.
<b>Budget amount</b>	\$ 7,500
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$ 600
<b>Balance</b>	\$ 6,900

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

It is recommended the current monthly timeframe for meetings be maintained for 2017, subject to the:

- August Council meeting commencing at 12.00 noon to enable attendance and participation by high school students
- October meetings being scheduled earlier due to the 2017 local government elections and subsequent Elected Members' induction program
- December meetings being scheduled one week earlier in order to accommodate the Christmas holiday period.

A schedule of committee meeting dates is currently being developed, cognisant of the desire to streamline the scheduling of committee meetings so they are held on the same day as other scheduled meetings, thereby making more effective use of Elected Members' attendance and time.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

That Council:

- 1 **SETS** the following meeting dates and times for the Council of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:

<b>Briefing Sessions To be held at 6.30pm in Conference Room 1</b>	<b>Council meetings To be held in the Council Chamber</b>
Tuesday 14 February 2017	7.00pm on Tuesday 21 February 2017
Tuesday 14 March 2017	7.00pm on Tuesday 21 March 2017
Tuesday 11 April 2017	7.00pm on Tuesday 18 April 2017
Tuesday 9 May 2017	7.00pm on Tuesday 16 May 2017
Tuesday 13 June 2017	7.00pm on Tuesday 27 June 2017
Tuesday 11 July 2017	7.00pm on Tuesday 18 July 2017
Tuesday 8 August 2017	12.00 noon on Tuesday 15 August 2017
Tuesday 12 September 2017	7.00pm on Tuesday 19 September 2017
Tuesday 3 October 2017	7.00pm on Tuesday 10 October 2017
Tuesday 14 November 2017	7.00pm on Tuesday 21 November 2017
Tuesday 5 December 2017	7.00pm on Tuesday 12 December 2017

- 2 **AGREES** to hold deputation session in conjunction with Briefing Sessions;
- 3 in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, **GIVES** local public notice of the meeting dates detailed in Part 1 above;
- 4 **INVITES** a number of students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12.00 noon on Tuesday 15 August 2017;
- 5 **NOTES** the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays;
- 6 **AGREES** that, where possible, no meetings are to be scheduled in the fourth week of every month;
- 7 **NOTES** that, where possible, meetings for designated Council committees be scheduled to occur on Mondays, Tuesdays or Wednesdays of weeks one, two or three of any month to minimise potential conflicts with other Council activities.

**ITEM 4                      MINUTES OF EXTERNAL COMMITTEES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	03149, 101515
<b>ATTACHMENTS</b>	Attachment 1            Minutes of the Mindarie Regional Council meeting held on 20 October 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').

---

**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 the Mindarie Regional Council meeting held on 20 October 2016.

**DETAILS**

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

**Mindarie Regional Council meeting – 20 October 2016**

A meeting of the Mindarie Regional Council was held on 20 October 2016.

At the time of this meeting Cr Russ Fishwick, JP and Cr Mike Norman were Council's representatives on the Mindarie Regional Council.

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

14.1 Confidential – Waste to Energy – Opportunity to join the Eastern Metropolitan Regional Council’s Resource Recovery Facility (Waste to Energy) Tender and associated amendment to the Constitution

It was resolved by the Mindarie Regional Council as follows:

*“A That the Council:*

- 1 *Agrees to join the Resource Recovery Facility Tender developed by the Eastern Metropolitan Regional Council (EMRC) as an “Other Regional Local Government” as defined in the Tender and commit the residues from the processing of MSW at the Resource Recovery Facility (up to 50,000 tonnes) to the Tender subject to:*
  - a *ALL of the Councils of the Constituent Municipalities resolving to:*
    - (i) *Support the MRC in joining the Tender detailed in (1) above;*
    - (ii) *Commit, or not commit, their Processible Waste (Green or red lidded bin waste) to the tender;*
    - (iii) *Approve the Deed of Variation – Constitution Agreement of the Mindarie Regional Council (the Deed) as detailed in Attachment 2 of this report;*
  - b *the commitment of combined Processible Waste from the Constituent Municipalities being in the region of 50,000 tonnes.*

*B That the Council:*

- 1 *Receive the Deed of Variation – Constitution Agreement of the Mindarie Regional Council (the Deed);*
- 2 *Encourage the Constituent Municipalities to support the amendments to the Constitution as detailed in the Deed;*
- 3 *Authorise the Chairperson and the Chief Executive Officer to sign the Deed under its Common Seal;*
- 4 *Release the duly signed Deed to the Minister for Local Government for his approval.*

*C That the Council:*

- 1 *Agrees to pay the EMRC a portion of the costs associated with the consultancy and legal costs it incurred in developing the Tender detailed in A.1 above up to a maximum of \$100,000 should the MRC join the Tender and accept any of the Tenders submitted as part of the Tender process;*
- 2 *Fund the costs detailed in C.1 above in the half yearly review of its Budget.*

**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 Mindarie Regional Council meeting held on 20 October 2016 forming Attachment 1 to this Report.**

*To access this attachment on electronic document, click here: [External Minutes161108.pdf](#)*

## ITEM 5 EXECUTION OF DOCUMENTS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	15876, 101515
<b>ATTACHMENTS</b>	Attachment 1 Documents executed by affixing the Common Seal for the period 27 September to 18 October 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 period 27 September to 18 October 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 executed by means of affixing the Common Seal for the period 27 September to 18 October 2016, as detailed in Attachment 1 to this Report.*

### BACKGROUND

During the period 27 September to 18 October 2016, two documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Deed of Easement and Withdrawal of Caveat	1
Lease	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 executed by means of affixing the Common Seal for the period 27 September to 18 October 2016, as detailed in Attachment 1 to this Report.**

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf161108.pdf](#)

## **ITEM 6                      CUSTOMER SATISFACTION MONITOR 2015-16**

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER</b>	69609, 101515	
<b>ATTACHMENTS</b>	Attachment 1	Customer Satisfaction Monitor 2015-16 Improvement Actions
	Attachment 2	2015-16 Benchmarking Data
<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 receive the detailed results of the 2015-16 Customer Satisfaction Monitor.

### **EXECUTIVE SUMMARY**

The Customer Satisfaction Monitor (monitor) is conducted annually to measure the level of overall satisfaction with the City and its performance in delivering specific services and facilities.

Overall results for the 2015-16 Customer Satisfaction Monitor continue to reflect high levels of community satisfaction with the City and services delivered to the community.

The 2015-16 monitor shows an overall satisfaction rating of 85.8%. This compares with 89% recorded for the 2014-15 survey.

Customer satisfaction with services provided by the City in 2015-16 was 88.8% compared to 92.4% in 2014-15, reflecting continuing high levels of satisfaction with services delivered to the community despite the slight decrease in satisfaction.

At an individual service level, areas of strong satisfaction include rubbish collection, graffiti removal, libraries, sport and recreation facilities and parks and public open spaces. Areas of lower satisfaction include city information, parking in the City Centre and around schools and railway stations and community consultation.

77% percent of respondents to the 2015-16 monitor agreed that the City has a good understanding of community needs compared to 81% in 2014-15 and 63.7% of respondents were satisfied with value for money from rates compared to 72% in 2014-15.

The separate survey conducted in relation to planning and building services indicates a decrease in overall satisfaction levels from 2014-15 for building services with similar results from the previous year recorded for planning services. The 2015-16 overall satisfaction rating for building applications was 76.6% compared to 85.7% in 2014-15. The 2015-16 satisfaction rating for planning applications was 71.5% compared to 70.1% in 2014-15.

The City introduced a new question in the 2013-14 monitor relating to confidence in the community that the City is planning for the future. In 2015-16, 78.9% of respondents had confidence that the City has plans in place for the future compared to 81.3% in 2014-15.

The City introduced two new questions to the 2014-15 monitor namely:

- satisfaction with Joondalup as a place to live
- satisfaction with the Joondalup CBD.

Both questions attracted very high satisfaction ratings in 2015-16 with residents rating satisfaction with Joondalup as a place to live at 96.3% compared to 97.3% in 2014-15 and satisfaction with the Joondalup CBD at 84.2% compared to 87.7% in 2014-15.

The City also introduced a series of questions related to awareness and attendance of specific festivals and events, namely:

- The Valentine's concert
- Little Feet Festival
- The Joondalup Festival
- Music in the Park
- Sunday Serenades Concert Series.

## **BACKGROUND**

Customer satisfaction monitors have been conducted on an annual basis since 2000. The most recent survey was conducted by an independent market research company, Research Solutions.

The broad objective of the study is to determine resident perceptions of the facilities and services provided by the City of Joondalup. Specifically, the study measures the following:

- Overall satisfaction with the City of Joondalup.
- Satisfaction with:
  - services provided by the City of Joondalup
  - value for money provided by rates
  - city facilities (libraries, sports and recreation centres, parks and public open spaces)
  - city services (festivals and events, security patrols, graffiti removal, Ranger services, rubbish collections, streetscape, management and control of traffic, City centre parking, residential parking, parking adjacent to schools and railway stations)
  - community consultation and information
  - key issues of concern and suggestions for improvement.

This latest community research was undertaken from 23 May to 17 June 2016 and involved random sampling and telephone interviewing of 600 respondents from within the City. The sample was cross-checked to ensure that it significantly matched the demographic profile and population spread of Joondalup in terms of age, gender and location to obtain a representative sample.

The sampling size for the overall Customer Satisfaction Monitor produces a sampling precision of +/- 4% at the 95% confidence interval that is, there is a 95% certainty that the results obtained will be within +/- 4% if a census was conducted of all households within the City of Joondalup. This percentage is in accordance with the level specified by the Auditor General.

A separate survey was also conducted of residents who had used the City's building and planning services over the last 12 months. This separate survey of specific applicants was first introduced in 2008-09. Previously this area was included as part of the annual Customer Satisfaction Monitor however the methodology was altered due to minimal numbers of people surveyed having contact with planning or building services. The smaller sampling size for the separate survey of planning and building applicants (181 building applicants and 165 planning applicants) produces a sampling precision of +/- 6% at the 95% confidence interval.

## DETAILS

Satisfaction levels were recorded from those respondents who felt familiar enough with the service or facility to be able to comment. Respondents expressing dissatisfaction were asked to provide suggestions for improvement.

The overall satisfaction rating in 2015-16 was 85.8% compared to the 2014-15 rating of 89%.

Respondents were prompted with a list of services provided by the City and asked how satisfied they were with the City's performance. To maintain comparability across monitors, the questionnaire was based on the version used in previous years. Changes were made to the monitor in 2012-13 and retained in all subsequent monitors to provide greater clarity with regard to parking issues, namely the separation of satisfaction with parking into the following areas:

- Parking in the City Centre.
- Parking adjacent to schools.
- Parking adjacent to railway stations.
- Parking in residential areas.

A separate survey of planning and building applicants was conducted to measure specific levels of satisfaction with planning and building services. This survey was aimed at determining the satisfaction of those respondents that had directly used the planning and building services over the previous 12 months.

The 2015-16 monitor results indicate that general satisfaction with all services provided by the City was 88.8% compared to 92.4% in 2014-15.

At an individual service level the 2015-16 monitor demonstrated continuing high levels of satisfaction with the majority of services and facilities with some movements compared to the 2014-15 monitor as follows:

- Decrease in satisfaction with building services.
- Decrease in satisfaction with parking in the City Centre.
- Decrease in satisfaction with community consultation.
- Decrease in informing the community about local issues.
- Decrease in satisfaction with understanding community needs.

Those service areas maintaining high levels of community satisfaction include:

- libraries
- festivals, events and cultural activities
- sport and recreation
- graffiti removal
- weekly rubbish collection
- fortnightly recycling
- parks and public open spaces
- street appearance
- parking residential areas
- management and control of traffic on local roads.

76.9% of respondents to the 2015-16 monitor agreed that the City has a good understanding of community needs compared to 81% in 2014-15 and 63.7% of respondents were satisfied with value for money from rates compared to 72% in 2014-15.

The questions in the monitor related to the differentiation of satisfaction with parking into four separate areas of City Centre parking, parking adjacent to schools, parking adjacent to railway stations, and residential parking indicates that satisfaction levels for residential parking remained high in 2015-16 at 84.1% compared to 82.2% in 2014-15, satisfaction levels with City Centre Parking attracted a satisfaction rating of 56.3% in 2015-16 compared to 62.5% in 2014-15. The satisfaction rating for parking adjacent to railway stations in 2015-16 was also low (51.5%) indicating similar results to the 2014-15 rating (49.7%). Satisfaction for parking adjacent to schools was 60.2% and, again, similar to the results from the 2014-15 monitor of 58.1%.

The following table provides comparisons of satisfaction ratings with Customer Satisfaction Monitors undertaken in the previous five years:

2015-16 Customer Satisfaction Monitor Results						
Service	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Overall Satisfaction	84.1%	87.5%	89.1%	87.8%	89%	85.8%
Satisfaction with Services Provided	92%	92.7%	94.1%	92.7%	92.4%	88.8%
Value for Money from Rates	66%	66.8%	72.7%	70.7%	72%	63.7%
Libraries	95.1%	97.2%	95.6%	95.6%	93.9%	95.2%
Festivals, Events and Cultural Activities	93.1%	89.8%	90.5%	88.9%	89.3%	86.6%
Sport and Recreation	95.6%	94.2%	94.5%	92.2%	95%	91.9%
Mobile Security Patrols	66.7%	71.1%	71.0%	69.3%	69.2%	N/A
Graffiti Removal	92.1%	89.8%	92.5%	90.0%	94.4%	90.9%
Ranger Services	78.3%	85.0%	82.0%	82.0%	83%	80.9%
Weekly Rubbish Collection	98.5%	97.4%	97.4%	97.0%	95.2%	95.7%
Fortnightly Recycling	89.9%	91.4%	91.8%	89.8%	90.6%	88.6%
Parks and Public Open Space	90.8%	93.0%	93.2%	92.4%	94.9%	91.1%
Street Appearance	83.4%	88.0%	91.1%	88.3%	91.2%	88.1%
Planning	95.2%	84.1%	72.0%	91.3%	70.1%	71.5%
Building	94.7%	84.1%	79.0%	90.5%	85.7%	76.6%

2015-16 Customer Satisfaction Monitor Results						
Service	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Management and Control of Traffic on Local Roads	73.5%	81.8%	83.0%	78.5%	82%	81.6%
Parking City Centre	45.5%	55.0%	55.0%	54.3%	62.5%	56.3%
Parking Residential Areas	76.8%	83.9%	86.1%	81.1%	82.2%	84.1%
Parking Adjacent to Schools	N/A	42.7%	61.6%	55.4%	58.1%	60.2%
Parking Adjacent to Railway Stations	N/A	N/A	44.9%	38.7%	49.7%	51.5%
The City Consults with the Community about Local Issues	67.4%	71.3%	73.9%	63.4%	70.4%	58.2%
The City Informs the Community about Local Issues	72.9%	76.0%	77.5%	70.7%	74.9%	64.2%
Understand Community Needs	68.8	74.5%	82.2%	78.2%	81%	76.9%

The City introduced a new question in the 2013-14 monitor relating to confidence in the community that the City is planning for the future. In 2015-16, 80% percent of respondents had confidence that the City has plans in place for the future compared to 81.3% in 2014-15.

The City also introduced a number of new questions to the 2014-15 monitor as follows:

- satisfaction with Joondalup as a place to live
- satisfaction with the Joondalup CBD.

Both questions attracted very high satisfaction ratings with residents rating satisfaction with Joondalup as a place to live at 96.3% (similar to 2014-15 at 96.3%) and satisfaction with the Joondalup CBD at 84.2% compared to 87.7% in 2014-15.

The City also introduced a new question related to awareness and attendance of the following specific festivals and events in 2015:

- The Valentine's Concert.
- Little Feet Festival.
- The Joondalup Festival.
- Music in the Park.
- Sunday Serenades Concert Series.

Awareness and attendance (of those aware of the event) ratings are shown below and are similar to the 2014-15 results:

Event	Awareness	Attendance (of those aware)
Valentine's Concert	42.7%	22.7%
Little Feet Festival	48.3%	18.3%
Joondalup Festival	84.7%	29.5%
Music in the Park	72.2%	27.9%
Sunday Serenades Concert Series	29.7%	10.1%

## Issues and options considered

Although overall satisfaction levels remain high and satisfaction with City services is high, the City will continue to improve service delivery in all areas, with particular focus on those service areas that have recorded decreases in satisfaction ratings.

The top line results, shown in Attachment 1, include details of actions taken in 2015-16 to improve service delivery as a result of the 2014-15 results and planned actions and priorities for 2016-17 for all service areas to address the 2015-16 ratings.

Benchmarking information across three key areas being satisfaction with the City as a place to live, City governance, and value for money for rates is shown in Attachment 2.

## Legislation / Strategic Community Plan / policy implications

**Legislation** Not applicable.

### Strategic Community Plan

**Key theme** Governance and Leadership.

**Objective** Active democracy.

**Strategic initiative** Fully integrate community consultation practices into City activities.

**Policy** *Community Consultation and Engagement Policy.*

## Risk management considerations

Monitoring levels of customer satisfaction with services provided by the City is essential to assist in the delivery of effective and efficient services to the community.

## Financial/budget implications

<b>Account no.</b>	531 A5301 3265 0000.
<b>Budget Item</b>	Customer Satisfaction Monitor.
<b>Budget amount</b>	\$ 35,000
<b>Amount spent to date</b>	\$ 35,000
<b>Balance</b>	\$ 0

All amounts quoted in this report are exclusive of GST.

## Regional significance

Not applicable.

## Sustainability implications

Customer satisfaction is a measure of an organisation's sensitivity to customer needs and from an organisational perspective, is essential for long-term success and sustainability.

## **Consultation**

The 2015-16 Customer Satisfaction Monitor was conducted by surveying 600 residents of the City of Joondalup. The Planning and Building survey was conducted by surveying 165 planning clients and 181 building clients who had made contact with the City over the past 12 months.

## **COMMENT**

The 2015-16 Customer Satisfaction Monitor results show that overall satisfaction ratings remain high and in the main, residents are satisfied with the services provided by the City of Joondalup.

The 2015-16 monitor indicates high satisfaction ratings for the new questions related to satisfaction with the City as a place to live and satisfaction with the CBD and are encouraging in terms of the City's focus and direction.

There have however, been some decreases in satisfaction levels for some services and areas, particularly community consultation, community information, understanding community needs and value for money from rates.

The City will put significant emphasis on implementing improvement strategies, where possible, to address those areas that have recorded decreases in satisfaction levels from 2014-15, as well as continuing to look for improvements in all service areas.

A number of improvements to services are planned for 2016-17 with some improvements already underway. These are detailed in Attachment 1.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council RECEIVES the 2015-16 Customer Satisfaction Monitor results and proposed improvement actions forming Attachment 1 to this Report.**

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf161108.pdf](#)*

**ITEM 7                      ANNUAL REPORT 2015-16**

---

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	104030, 101515
<b>ATTACHMENTS</b>	Attachment 1 <i>Annual Report 2015-16</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

---

**PURPOSE**

For Council to adopt the *2015-16 Annual Report*.

**EXECUTIVE SUMMARY**

In accordance with Section 5.53 of the *Local Government Act 1995* the *2015-16 Annual Report* has been prepared, summarising the year's highlights and achievements, as well as including specific statutory requirements.

The City's external auditor has completed the audit of Council's Financial Statements for the 2015-16 financial year and these statements are the subject of a separate report to Council. A concise version of the Financial Statements forms part of the *2015-16 Annual Report*.

The *2015-16 Annual Report* forms the main item of business discussed at the Annual General Meeting of Electors. Section 5.27 of the *Local Government Act 1995* requires that the Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the annual report is accepted. At its meeting held on 20 September 2016 (CJ142-09/16 refers), Council resolved to hold the Annual General Meeting of Electors on 6 December 2016.

*It is therefore recommended that Council BY AN ABSOLUTE MAJORITY ACCEPTS the Annual Report of the City of Joondalup for the financial year 2015-16, forming Attachment 1 to this Report.*

**BACKGROUND**

*The Local Government Act 1995* requires every local government to prepare an Annual Report. The Annual Report provides progress on the performance, highlights and achievements of the previous financial year to the community. The Annual Report also contains a concise summary of audited financial statements from the previous financial year. It is a statutory requirement that Council accepts an Annual Report and for the report to be presented to the Annual General Meeting of Electors.

## DETAILS

The *2015-16 Annual Report* has been prepared addressing the highlights and achievements against the six key themes of *Joondalup 2022* as follows.

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

As in previous years, *the 2015-16 Annual Report* includes a range of sustainability indicators to report against the City's environmental, economic and social performance. The sustainability indicators are in line with the *2011 Global Reporting Initiative Sustainability Guidelines*.

The Annual Report also includes measurements against the Strategic Performance Indicators developed within each key theme of *Joondalup 2022*. Measurements are provided against targets which can be reported.

Reports against statutory requirements are also included in the Annual Report.

### Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	<i>Local Government Act 1995.</i> <i>Local Government (Administration) Regulations 1996.</i>
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Corporate capacity.
<b>Strategic initiative</b>	Demonstrate accountability through robust reporting that is relevant and easily accessible to the community.
<b>Policy</b>	Not applicable.

Section 5.53 of the *Local Government Act 1995* states the following in relation to the contents of the annual report:

#### **5.53 Annual reports**

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain:*
  - a. *a report from the mayor or president;*
  - b. *a report from the Chief Executive Officer;*
  - c. *deleted;*
  - d. *deleted;*
  - e. *an overview of the plan for the future of the district made in accordance with Section 5.56 including major initiatives that are proposed to commence or to continue in the next financial year;*
  - f. *the financial report for the financial year;*

- g. *such information as may be prescribed in relation to the payments made to employees;*
- h. *the auditor's report for the financial year;*
- ha. *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;*
- hb. *details of entries made under section 5.121 during the financial year in the register of complaints, including –*
  - (i) *the number of complaints recorded in the register of complaints;*
  - (ii) *how the recorded complaints were dealt with; and*
  - (iii) *any other details that the regulations may require; and*
- i. *such other information as may be prescribed.*

Section 5.54 of the *Local Government Act 1995* states the following in relation to the acceptance of the Annual Report:

#### **5.54 Acceptance of annual reports**

- (1) *Subject to subsection (2) the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.*

*\*absolute majority required*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than two months after the auditor's report becomes available.*

Section 5.55 of the *Local Government Act 1995* states the following in regard to the notice regarding the availability of the Annual Report:

#### **5.55 Notice of annual reports**

*The Chief Executive Officer is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.*

Regulation 15 of the *Local Government (Administration) Regulations 1996* details the matters for discussion at the Annual General Meeting of Electors. They include the contents of the annual report for the previous financial year and then any other general business.

#### **Risk management considerations**

Not adopting the *2015-16 Annual Report* will result in non-compliance with the requirements of the *Local Government Act 1995*.

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

Not applicable.

#### **Regional significance**

The *2015-16 Annual Report* sets out the achievements of the City which have significance for the development and growth for the region.

### **Sustainability implications**

The programs and projects in the *2015-16 Annual Report* are aligned to the key themes in *Joondalup 2022* which have been developed to ensure the sustainability of the City.

The City has included Global Reporting Initiative Indicators in the Annual Report. This is a best practice sustainability reporting framework that establishes guidelines, principles and indicators for organisations to report against their economic, environmental and social performance.

### **Consultation**

There is no legislative requirement to consult the community on the preparation of the annual report, however the *Local Government Act 1995* requires an Annual General Meeting of Electors to be held once every year and the annual report to be made publicly available.

### **COMMENT**

The Department of Local Government and Communities *Integrated Planning and Reporting Framework* sets out the requirements for local governments to undertake planning and reporting on their activities. This includes annual reporting to the community on achievements and a concise version of the Financial Statements.

The Annual Report is also seen as an essential tool to inform the community and key stakeholders about its performance and future plans.

### **VOTING REQUIREMENTS**

Absolute Majority.

### **RECOMMENDATION**

**That Council BY AN ABSOLUTE MAJORITY ACCEPTS the Annual Report of the City of Joondalup for the 2015-16 financial year, forming Attachment 1 to this Report.**

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf161108.pdf](#)

## **ITEM 8                    CORPORATE BUSINESS PLAN QUARTERLY PROGRESS REPORT FOR THE PERIOD 1 JULY 2016 TO 30 SEPTEMBER 2016**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	20560, 101515
<b>ATTACHMENTS</b>	Attachment 1      Corporate Business Plan Quarterly Progress Report for the period 1 July – 30 September 2016 Attachment 2      Capital Works Program Quarterly Report for the period 1 July – 30 September 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 receive the *Corporate Business Plan* Quarterly Progress Report for the period 1 July to 30 September 2016 and the *Capital Works* Quarterly Report for the period 1 July to 30 September 2016.

### **EXECUTIVE SUMMARY**

The City's *Corporate Business Plan 2016-2017 – 2020-2021* is the City's five year delivery program which is aligned to the strategic direction and priorities set within the 10 year *Strategic Community Plan, Joondalup 2022*.

The *Corporate Business Plan* contains the major projects and priorities which the City proposes to deliver over the five year period and also specific milestones for projects and priorities in the first year (2016-17).

The *Corporate Business Plan* Quarterly Progress Report for the period 1 July to 30 September 2016 provides information on the progress of 2016-17 projects and programs against these quarterly milestones and is shown as Attachment 1 to this Report.

A *Capital Works* Quarterly Report, which details all projects within the *Capital Works Program*, is provided as Attachment 2 to this Report.

*It is therefore recommended that Council RECEIVES the:*

- 1 *Corporate Business Plan Quarterly Progress Report for the period 1 July – 30 September 2016 which is shown as Attachment 1 to this Report;*
- 2 *Capital Works Quarterly Report for the period 1 July – 30 September 2016 which is shown as Attachment 2 to this Report.*

## **BACKGROUND**

The City's *Corporate Business Plan 2016-2017 – 2020-2021* demonstrates how the objectives of the City's *Strategic Community Plan* are translated into a five year delivery program.

Following the major review of the *Corporate Business Plan*, endorsed by Council at its meeting held on 16 August 2016 (CJ121-08/16 refers), the *Corporate Business Plan* now contains the major projects and priorities for the five year delivery period and more detailed information with quarterly milestones on projects that the City intends to deliver in the 2016-17 financial year.

The City's *Corporate Reporting Framework* requires the development of quarterly reports against annual projects and priorities which are presented to Council on a quarterly basis.

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

## **DETAILS**

### **Issues and options considered**

The *Corporate Business Plan* Quarterly Progress Report provides information on progress against the milestones for the 2016-17 projects and programs within the *Corporate Business Plan*.

Commentary is provided against each quarterly milestone on the actions completed and project status is reported via colour coding which indicates if the project has been completed, is on track or slightly behind schedule. Information is also provided on the budget status for each item.

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

'*Business as usual*' activities within each key theme have also been separated from strategic projects and programs within the report.

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

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

*“This Act is intended to result in:*

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

**Strategic Community Plan****Key theme**

Governance and Leadership.

**Objective**

Corporate capacity.

**Strategic initiative**

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

**Policy**

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

**Risk management considerations**

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

**Financial / budget implications**

All 2016-17 projects and programs in the *Corporate Business Plan* were included in the *2016-17 Annual Budget*.

**Regional significance**

Not applicable.

## **Sustainability implications**

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

The key themes are as follows:

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

## **Consultation**

Not applicable.

## **COMMENT**

The *Corporate Business Plan 2016-2017 – 2020-2021* was received by Council at its meeting held on 16 August 2016 (CJ121-08/16 refers).

A detailed report on progress of the *Capital Works Program* has been included with the *Corporate Business Plan* Quarterly Progress Report. This Report provides an overview of progress against all of the projects and programs in the *2016-2017 Capital Works Program*.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

That Council **RECEIVES** the:

- 1 ***Corporate Business Plan* Quarterly Progress Report for the period 1 July – 30 September 2016, shown as Attachment 1 to this Report;**
- 2 ***Capital Works* Quarterly Report for the period 1 July – 30 September 2016, shown as Attachment 2 to this Report.**

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf161108.pdf](#)

## ITEM 9                      PROPOSED WASTE LOCAL LAW 2016 - REQUEST TO ADVERTISE

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER</b>	36958, 101515	
<b>ATTACHMENTS</b>	Attachment 1	Draft Waste Local Law 2016
	Attachment 2	Comparison Matrix
	Attachment 3	Part 5 of the <i>Health Local Law 1999</i>
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.	

### PURPOSE

For Council to make the *City of Joondalup Waste Local Law 2016* for the purposes of public advertising.

### EXECUTIVE SUMMARY

In 2012-13 the City undertook a review of its local laws, as required every eight years. The review identified a substantial number of the City's existing local laws were outdated, including part five of the *Health Local Law 1999* which encompasses waste management.

Until recently, local governments were prevented from establishing new waste local laws due to an embargo by the Department of Environment. During this time the Municipal Waste Advisory Council (MWAC), in conjunction with key state government stakeholders, developed a model waste local law for use by all Western Australian local governments.

The model local law was reviewed by the Joint Standing Committee on Delegated Legislation (JSCDL), which gave its in-principle support to the model local law. The draft *City of Joondalup Waste Local Law 2016* has been developed using the model waste local law as the template and taking into consideration the recently adopted *Waste Management Plan 2016-2021*.

*It is therefore recommended that Council MAKES the City of Joondalup Waste Local Law 2016, as detailed in Attachment 1 to this Report, for the purposes of public advertising.*

### BACKGROUND

During late 2012 and early 2013 the City undertook a statutory review of its local laws, as required every eight years. The review identified a substantial number of the City's existing local laws were outdated, including part five of the *Health Local Law 1999* which encompasses waste management.

Further to the outcomes of the review, including public consultation and feedback, a report was presented to Council at its meeting held on 19 March 2013 (CJ026-03/13 refers), at which Council resolved in part to repeal the *City of Joondalup Health Local Law 1999*, pending development of replacement local laws.

Until mid-2015, local governments were prevented from establishing new waste local laws under the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act) due to an embargo issued by the Department of Environment. During this time the Municipal Waste Advisory Council (MWAC), in conjunction with key State Government stakeholders, developed a model waste local law for use by all Western Australian local governments.

The model local law was reviewed by the Joint Standing Committee on Delegated Legislation (JSCDL), which gave its in-principle support to the model local law. The Department of Environment subsequently lifted the embargo, enabling local governments to prepare waste local laws within the scope of the model local law.

Upon completing its review of the model waste local law, the JSCDL issued Report No. 77 – *Inquiry into a proposed template waste local law* (Report 77). This report reiterated concerns previously expressed in its Report 46 dated November 2011, in which the JSCDL recommended disallowance of two waste local laws, as certain clauses of those local laws were considered to fall outside the contemplation of the Parliament in authorising the making of delegated legislation.

Specifically, the JSCDL took the view in its Report 46 that a number of offence provisions in the local laws were too prescriptive and criminalised behaviour that was not obnoxious or hazardous in any way.

## **DETAILS**

The draft *City of Joondalup Waste Local Law 2016* is a key tool to improve the City's management and enforcement of waste related activities in supporting the goals of the *City of Joondalup Waste Management Plan 2016-2021*. It is an integral component of the City's future approach to waste management and in particular, provides a mechanism to reinforce educational campaigns aimed at changing behaviour and increasing participation in waste generation and disposal.

The provisions relating to verge waste collections also support Council's recently adopted position regarding bulk waste collection services (CJ042-03/16 refers).

In preparing the draft *City of Joondalup Waste Local Law 2016*, account has also been taken of the JSCDL's comments in Report 77, with specific clauses amended to mitigate offence provisions and associated penalties.

In view of the comments from the JSCDL when reviewing the model local law, modified penalty amounts for offences are less than those stipulated in the model local law and have been based on penalties for similar offences under the *Litter Regulations 1981*, or cost recovery basis where action is required to be taken by the City or its nominated contractor.

Parts of the model local law that are not relevant to City of Joondalup waste management operations have been removed. For instance, the entire part relating to waste management facilities was removed as the City does not operate a waste management facility.

A comparison matrix is provided at Attachment 2, illustrating the differences between the proposed draft *City of Joondalup Waste Local Law 2016* and Part 5 of the current *City of Joondalup Health Local Law 1999*, which relates to waste management control. The final table within the comparison matrix details those clauses within the current local law that are not provided in the draft *City of Joondalup Waste Local Law 2016*. Clauses 5.4 and 5.12 relate to collection of refuse from multi-residential, commercial and industrial premises and provision of 'suitable enclosures', respectively. These clauses are not included in the draft *City of Joondalup Waste Local Law 2016* as the WARR Act does not provide local government with the head of power to collect waste from non-residential sources. These clauses will therefore be retained in the *Health Local Law 1999*.

### Issues and options considered

Council can either:

- approve advertising of the draft *City of Joondalup Waste Local Law 2016* for public advertising
- approve advertising of the draft *City of Joondalup Waste Local Law 2016* for public advertising, subject to amendments  
or
- not approve making of the draft *City of Joondalup Waste Local Law 2016*.

Option one is the recommended option.

### Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	<i>Local Government Act 1995.</i> <i>Waste Avoidance and Resource Recovery Act 2007.</i>
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Corporate capacity.
<b>Strategic initiative</b>	Continuously strive to improve performance and service delivery across all corporate functions.
<b>Policy</b>	Not applicable.

The *City of Joondalup Waste Management Plan 2016-2021* provides the overarching framework for the delivery and management of waste services and has been considered in the formulation of the draft *City of Joondalup Waste Local Law 2016*.

### Risk management considerations

Should the current part five of the *Health Local Law 1999* relating to waste services not be repealed and a new local law for waste initiated, the powers of the current local law will continue to be eroded over time and may become unenforceable.

Despite following the model local law template, it is possible the JSCDL may still recommend disallowance of the proposed *City of Joondalup Waste Local Law 2016*.

**Financial / budget implications**

There are advertising and publishing costs associated with the implementation of the local law, anticipated at \$1,400. These costs are included within the 2016-17 Budget.

Current financial year impact

<b>Account no.</b>	1.522.A5202.3277.0000.
<b>Budget Item</b>	Advertising – Public / Statutory.
<b>Budget amount</b>	\$ 7,500
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$ 1,400
<b>Balance</b>	\$ 6,100

Future financial year impact

Not applicable.

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The City was represented on the MWAC which developed the template local law. In addition, the JSCDL has reviewed the template local law and provided in-principle support for the template to be used by all local governments.

As part of the local law-making process, the draft local law will be advertised for public comment for a minimum period of 42 days. Council is required to consider all submissions when deciding whether to formally make the local law.

**COMMENT**

The draft *City of Joondalup Waste Local Law 2016* has been prepared based on the model local law as developed by the MWAC and endorsed by the JSCDL, while being cognisant of the *City of Joondalup Waste Management Plan 2016-2021*. It is considered that the draft *City of Joondalup Waste Local Law 2016* represents a contemporary view of waste management services and will be a timely replacement of the existing provisions of the outdated *Health Local Law 1999*.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council MAKES the *City of Joondalup Waste Local Law 2016*, as detailed in Attachment 1 to this Report, for the purposes of public advertising.**

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf161108.pdf](#)

## ITEM 10                    NEW GRAFFITI VANDALISM ACT 2016

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	09907, 39908, 101515
<b>ATTACHMENTS</b>	Attachment 1        Form – Objection to a notice Attachment 2        Form – Warrant to enter
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

### PURPOSE

For Council to be informed of the commencement of the *Graffiti Vandalism Act 2016* (the Act), adopt the forms relevant to the City and provide the Chief Executive Officer with the appropriate delegation to exercise the powers and discharge the duties under this Act.

### EXECUTIVE SUMMARY

The Act came into effect on 7 October 2016 and includes specific provisions for private property entry and graffiti removal powers for local government as previously available through the *Local Government Act 1995*. The City's graffiti removal service provides residential and commercial property controllers with graffiti paint out and removal and could at some stage, where property owner consent is not provided and reported graffiti is offensive and visible from a public space, need to make use of powers as provided by the new Act.

*It is therefore recommended that Council:*

- 1        *NOTES the implementation of the Graffiti Vandalism Act 2016 as of 7 October 2016 and its impact on local government graffiti operations;*
- 2        *ADOPTS the following forms:*
  - 2.1      *Objection to a Notice, for the purposes of section 22 of the Graffiti Vandalism Act 2016, as detailed in Attachment 1 to this Report;*
  - 2.2      *Warrant to Enter, for the purposes of section 29 of the Graffiti Vandalism Act 2016, as detailed in Attachment 2 to this Report;*
- 3        *BY AN ABSOLUTE MAJORITY and in accordance with section 16 of the Graffiti Vandalism Act 2016 DELEGATES to the Chief Executive Officer the authority to exercise its powers and the discharge of its duties under the Graffiti Vandalism Act 2016.*

## BACKGROUND

The City's *Community Safety and Crime Prevention Plan 2014 – 2018* includes the following strategy that aims to support good local graffiti management and community amenity:

*City Safety Services - Strategy 5 - Provide a comprehensive program for removing, reporting and preventing graffiti vandalism within the City.*

The City provides the local community with a graffiti removal service that delivers fee free removal or paint out of graffiti from private residential and commercial property and City assets. This service aims to deal with reported graffiti within two working days and completed 4,910 graffiti removals resulting in more than 42,000m<sup>2</sup> of graffiti removed during 2015-16 with 95% of the reports actioned within the two day target timeframe. This service is one of a number of preventative, design, awareness raising, behaviour change and rapid reporting and removal strategies the City uses to manage graffiti in local areas.

The proclamation of the *Local Government Amendment Act 2009* saw specific graffiti related powers made available in the *Local Government Act 1995* for the first time. These provisions included new powers for local governments to enter private land to remove graffiti.

## DETAILS

On 7 October 2016 the *Graffiti Vandalism Act 2016* came into effect for Western Australia. The introduction of this Act removes the specific provisions relating to graffiti from the *Local Government Act 1995* and places them in the *Graffiti Vandalism Act 2016*. This new legislation includes the following elements:

- Creation of the new offence of damaging property by graffiti (Section 5).
- Requirement for graffiti offenders whom are found guilty to be sentenced to a minimum of a community based order involving, where practicable, graffiti clean-up activities (Section 5).
- Allows for the costs of graffiti removal to be awarded against the offender (Section 8).
- It allows local governments to issue notices requiring the removal of graffiti (Section 18) and to enter properties under warrant to remove graffiti themselves (Section 26).
- The Act provides those persons issued with a notice the right to seek review of that decision with the State Administrative Tribunal or to object to the notice (Section 23).

The property entry, issuing of notices and graffiti removal powers as provided for in the Act are only applicable where graffiti:

- has been applied with or without the consent of the property owner
- is visible from a public place
- is considered by the City to be unsightly or offensive.

The City did not have occasion to make use of the property entry, issuing of notices or graffiti removal powers in providing its graffiti removal service while these options were available in the *Local Government Act 1995* and no specific circumstance has arisen at this time where these would be used as provided through the new *Graffiti Vandalism Act 2016*.

The Department of Local Government and Communities has recommended that local governments take steps to ensure required processes and tools are in place, should they ever be required for activities provided for in the Act. These steps will put in place a framework for the issuing of notices, powers of entry, removal of graffiti and other activities as covered in the new Act.

The outcomes proposed in this report will put in place the mechanisms that could be used by the City should such a situation be encountered and these actions be required to support good local graffiti control and area amenity. These are as follows:

- Adoption of a standard form that can be issued as a notice to remove graffiti as provided for in Section 22 of the Act.
- Adoption of a standard form that can be issued as a warrant to enter property as provided for in Section 29 of the Act.
- Delegation of authority to the Chief Executive Officer in relation to powers and duties as available through the Act.

### **Issues and options considered**

Council may choose to either:

- adopt the forms as attached and provide the delegated authority to the Chief Executive Officer as recommended in this report  
or
- make no changes at this time in response to the *Graffiti Vandalism Act 2016*.

The first options provided above is recommended as it will put in place the groundwork for any actions to be taken by the City through the powers made available in the *Graffiti Vandalism Act 2016*.

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

#### **Legislation**

*Local Government Act 1995.*  
*Local Government (Functions and General) Regulations 1996.*  
*Graffiti Vandalism Act 2016.*

#### **Strategic Community Plan**

##### **Key theme**

Community Wellbeing.

##### **Objective**

Community safety.

##### **Strategic initiative**

Build a community that works in partnership with government and non-government organisations to achieve real and long lasting improvements in safety and wellbeing.

##### **Policy**

Not applicable.

### **Risk management considerations**

The Department of Local Government and Communities (the Department) has recommended that local governments take steps to ensure relevant delegated authorities and forms are in place, should they be needed for any action taken in line with the powers the Act provides to local governments. Arrangements of this type were in place previously through the provisions of the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996* and these have now been transferred to the *Graffiti Vandalism Act 2016* from its gazetted date of 7 October 2016.

There is a risk that if the steps recommended by the Department are not taken near the time the new Act comes into effect the City will not have all the tools it may at some stage need to encourage community wide graffiti management. This could mean that graffiti in highly visible locations and that which has the potential to attract further graffiti tagging and negatively affect community amenity, may remain in place much longer than it otherwise would if dealt with using powers provided to the City through the Act.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

There is no circumstance in which the City has yet had to make use of the graffiti related powers previously provided by the *Local Government Act 1995*. Generally customers of the City's graffiti removal service recognise the community safety value of rapid graffiti removal, are appreciative of the availability of a fee free service and provide consent for the works and access to private property boundaries and other surfaces where graffiti is located.

The graffiti removal service is only one of the graffiti control related strategies in the *Community Safety and Crime Prevention Plan 2014 – 2018* through which the aim is to use a range of preventative, design, awareness raising, behaviour change and rapid reporting and removal options to manage graffiti in local areas. With this approach in mind there is not expected to be a regular requirement for the City to make use of the provisions and powers as made available through the Act.

As a part of the Government of Western Australia's *Tough on Graffiti Strategy 2015 – 2017* the WA Police coordinates a Juvenile Graffiti Clean-up Program in which the City has participated since 2010. This program has suitable graffiti offenders ordered by Juvenile Justice Teams or a magistrate painting out graffiti in local communities and is likely to be the main channel for sentencing referrals in line with Section 5 of the new Act. The City's role in this graffiti control initiative is the provision of location and asset details to the WA Police for sites where there is graffiti that can be painted out by offenders referred to this program. This is a low volume program with one graffiti offender referred to local graffiti paint out activities approximately every three months.

## VOTING REQUIREMENTS

Absolute Majority.

## RECOMMENDATION

That Council:

- 1 **NOTES** the implementation of the *Graffiti Vandalism Act 2016* as of 7 October 2016 and its impact on local government graffiti operations;
- 2 **ADOPTS** the following forms:
  - 2.1 **Objection to a Notice**, for the purposes of section 22 of the *Graffiti Vandalism Act 2016*, as detailed in Attachment 1 to this Report;
  - 2.2 **Warrant to Enter**, for the purposes of section 29 of the *Graffiti Vandalism Act 2016*, as detailed in Attachment 2 to this Report;
- 3 **BY AN ABSOLUTE MAJORITY** and in accordance with section 16 of the *Graffiti Vandalism Act 2016* **DELEGATES** to the Chief Executive Officer the authority to exercise its powers and the discharge of its duties under the *Graffiti Vandalism Act 2016*.

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8brf161108.pdf](#)

## ITEM 11 LIST OF PAYMENTS MADE DURING THE MONTH OF SEPTEMBER 2016

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

### EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of September 2016 totalling \$18,838,119.99.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for September 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 \$18,838,119.99.*

### BACKGROUND

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

## DETAILS

The table below summarises the payments drawn on the funds during the month of September 2016. Lists detailing the payments made are appended as Attachments 1 and 2. The vouchers for the month are appended as Attachment 3.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 103843 - 104007 & EF058088 – EF058669 Net of cancelled payments.	\$13,860,668.52
	Vouchers 1755A – 1771A & 1776A – 1779A	\$4,958,631.97
Trust Account	Trust Cheques & EFT Payments 207018 - 207024 & TEF000861 – TEF000881 Net of cancelled payments.	\$18,819.50
<b>Total</b>		<b>\$18,838,119.99</b>

### Issues and options considered

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

#### Option 1

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

#### Option 2

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

### Legislation / Strategic Community Plan / policy implications

#### Legislation

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

#### Strategic Community Plan

**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 *2016-17 Annual Budget* as adopted by Council at its meeting held on 28 June 2016 (CJ080-06/16 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 September 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 \$18,838,119.99.**

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf161108.pdf](#)

## **ITEM 12                    FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2016**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	07882, 101515
<b>ATTACHMENTS</b>	Attachment 1            Financial Activity Statement for the period ended 30 September 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 30 September 2016.

### **EXECUTIVE SUMMARY**

At its meeting held on 28 June 2016 (CJ080-06/16 refers), Council adopted the Annual Budget for the 2016-17 financial year. The figures in this report are compared to the adopted budget.

The September 2016 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$6,563,315 for the period when compared to the adopted budget. This variance does not represent the end of year position. It represents the year to date position to 30 September 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 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 \$3,141,222 higher than budget, made up of higher operating revenue \$663,975 and lower operating expenditure of \$2,477,247.

Operating revenue is higher than budget on Fees and Charges \$431,229, Interest Earnings \$202,752, Profit on Asset Disposals \$114,972 and Other Revenue \$2,555 offset by lower than budget revenue from Grants and Subsidies \$54,341, Contributions, Reimbursements and Donations \$23,473 and Rates \$9,716.

Operating Expenditure is lower than budget on Materials and Contracts \$1,410,305, Employee Costs \$607,100, Loss on Asset Disposals \$333,910, Utilities \$69,303, Depreciation and Amortisation \$55,599 and Interest expenses \$6,560 offset by higher than budget expenditure for Insurance Expenses \$5,530.

The Capital Deficit is \$3,791,039 lower than budget. This is due to lower than budgeted expenditure on Capital Projects \$3,707,398, Vehicle and Plant Replacements \$722,176 and Loan Principal Repayments \$33,590 offset by higher than budgeted expenditure on Capital Works \$270,481 and lower than budgeted revenue from Capital Grants and Subsidies \$374,272 and Capital Contributions \$27,372.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 30 September 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 30 September 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*.

**COMMENT**

All expenditure included in the Financial Activity Statement are incurred in accordance with the provisions of the 2016-17 adopted budget or have been authorised in advance by Council where applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Financial Activity Statement for the period ended 31 August 2016 forming Attachment 1 to this Report.**

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf161108.pdf](#)

## **ITEM 13                    TENDER    019/16    -    PROVISION    OF    BORE    MAINTENANCE, IRRIGATION AND DRAINAGE    PUMP SERVICES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	105843, 101515
<b>ATTACHMENTS</b>	Attachment 1        Schedule of Items Attachment 2        Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the tender submitted by the trustee for the McFadden Family Trust trading as Hydroquip Pumps for the provision of bore maintenance, irrigation and drainage pump services.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 1 June 2016 through statewide public notice for the provision of bore maintenance, irrigation and drainage pump services. Tenders closed on 17 June 2016. A submission was received from each of the following:

- The trustee for the McFadden Family Trust trading as Hydroquip Pumps.
- Western Irrigation Pty Ltd.

The submission from the trustee for the McFadden Family Trust trading as Hydroquip Pumps represents best value to the City. It demonstrated a thorough understanding and appreciation of the City's requirements. It has been providing similar services to various local governments for many years including the Cities of Wanneroo, Belmont, Melville and Canning. Hydroquip Pumps is well established with significant industry experience and proven capacity to provide the services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by the trustee for the McFadden Family Trust trading as Hydroquip Pumps for the provision of bore maintenance, irrigation and drainage pump services as specified in Tender 019/16 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).*

## **BACKGROUND**

The City has a requirement for the provision of bore maintenance, irrigation and drainage pump services to the City's irrigated parks and streetscapes. The scope of works includes the removal, maintenance and installation of irrigation and drainage pumps and the redevelopment of existing bores. The services will be inclusive of emergency repairs and scheduled maintenance.

The City currently has a contract with the trustee for the McFadden Family Trust trading as Hydroquip Pumps which expires on 2 December 2016. Hydroquip Pumps has provided a satisfactory level of service throughout the term of its contract.

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

## **DETAILS**

The tender for the provision of bore maintenance, irrigation and drainage pump services was advertised through statewide public notice on 1 June 2016. The tender period was for two weeks and tenders closed on 17 June 2016.

### **Tender Submissions**

A submission was received from each of the following:

- The trustee for the McFadden Family Trust trading as Hydroquip Pumps.
- Western Irrigation Pty Ltd.

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

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

### **Evaluation Panel**

The evaluation panel comprised three members:

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

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

### **Evaluation Method and Weighting**

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. Prior to assessment of individual submissions a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the tenderer to satisfactorily deliver the services. The predetermined minimum acceptable qualitative score was set at 55%.

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

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

### Compliance Assessment

All submissions were assessed as compliant.

### Qualitative Assessment

Western Irrigation Pty Ltd scored 68.8% in the qualitative assessment. The company has sufficient capacity and experience to provide the services. Though it submitted a brief response, it stated the company successfully removed, maintained and installed the irrigation and drainage pumps and redeveloped existing bores for the City of Cockburn, Town of Cambridge and Building Management and Works. It demonstrated its understanding of the required tasks.

Hydroquip Pumps scored 75% in the qualitative assessment, it demonstrated a thorough understanding and appreciation of the City's requirements. It has been providing similar services to various local governments for many years including the Cities of Wanneroo, Belmont, Melville and Canning. Hydroquip Pumps is well established with significant industry experience and proven capacity to provide the services to the City.

Given the minimum acceptable qualitative score of 55%, Hydroquip Pumps and Western Irrigation Pty Ltd qualified for stage two of the assessment.

### Price Assessment

The panel carried out a comparison of the rates offered by each tenderer in order to assess value for money to the City.

The estimated expenditure over a 12 month period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tenders, the tendered rates offered by each tenderer have been applied to actual historical usage data of all scheduled items. This provides a value of each tender for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained.

The rates are fixed for the first year of the contract, but are subject to a price variation in years two and three of the contract to a maximum of the CPI for the preceding year. For estimation purposes, a 2% CPI increase was applied to the rates in years two and three.

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Hydroquip Pumps	\$657,699	\$670,853	\$684,270	\$2,012,822
Western Irrigation Pty Ltd	\$900,984	\$919,004	\$937,384	\$2,757,372

During 2015-16, the City incurred \$667,036 for bore maintenance, irrigation and drainage pump services.

### **Evaluation Summary**

<b>Tenderer</b>	<b>Price Ranking</b>	<b>Total Estimated Contract Price</b>	<b>Qualitative Ranking</b>	<b>Weighted Percentage Score</b>
Hydroquip Pumps	1	\$2,012,822	1	75.0%
Western Irrigation Pty Ltd	2	\$2,757,372	2	68.8%

Based on the evaluation result the panel concluded that the tender from Hydroquip Pumps provides best value to the City and is therefore recommended.

The schedule of rates provided by Hydroquip Pumps shows that rates are the same or lower than the current contract.

### **Issues and options considered**

The City has a requirement for the provision of bore maintenance, irrigation and drainage pump services to the City's irrigated parks and streetscapes. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

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

**Legislation** A statewide public tender was advertised, opened and evaluated in accordance with regulations 11(1) and 18(4) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$150,000.

### **Strategic Community Plan**

**Key theme** The Natural Environment.

**Objective** Environmental resilience.

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

**Policy** Not applicable.

**Risk management considerations**

Should the contract not proceed, the risk to the City will be high as the City will not be able to effectively maintain irrigation and drainage pumps and breakdowns may affect the distribution of water to parks and street landscapes.

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

**Financial / budget implications**

<b>Account no.</b>	Various parks maintenance and capital works accounts.
<b>Budget Item</b>	Bore maintenance, irrigation and drainage pump services.
<b>Budget amount</b>	\$730,000
<b>Amount spent to date</b>	\$ 84,053
<b>Proposed cost</b>	\$383,658
<b>Balance</b>	\$262,289

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Irrigation pumps and associated bores are an integral component in the efficient management of the City's water resources. The City has approximately 227 irrigation pumps and 197 bores in its parks and streetscapes which may require repair work or modification over the contract period. The efficient supply of water from bores enhances the quality of these areas used by the community.

**Consultation**

Not applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the submission in accordance with the City's evaluation process and concluded that the offer submitted by the trustee for the McFadden Family Trust trading as Hydroquip Pumps represents best value to the City.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council ACCEPTS the tender submitted by the trustee for the McFadden Family Trust trading as Hydroquip Pumps for the provision of bore maintenance, irrigation and drainage pump services as specified in Tender 019/16 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).**

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf161108.pdf](#)*

## **ITEM 14                      TENDER 020/16 - SUPPLY AND DELIVERY OF PVC PIPES, FITTINGS AND SPRINKLERS**

<b>WARD</b>	All	
<b>RESPONSIBLE A/DIRECTOR</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER</b>	105844, 101515	
<b>ATTACHMENTS</b>	Attachment 1	Schedule of Items
	Attachment 2	Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.	

---

### **PURPOSE**

For Council to accept the tender submitted by Elliotts Irrigation Pty Ltd for the supply and delivery of PVC pipes, fittings and sprinklers.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 1 June 2016 through statewide public notice for the supply and delivery of PVC pipes, fittings and sprinklers. Tenders closed on 17 June 2016. A submission was received from each of the following:

- Judroc Pty Ltd trading as The Watershed Water Systems.
- Total Eden Pty Limited.
- Elliotts Irrigation Pty Ltd.
- Reece Australia Pty Ltd.

The submission from Elliotts Irrigation Pty Ltd represents best value to the City. The company demonstrated its understanding of the required tasks. It has been providing similar services to state and local governments including the Burswood Park Board and the Cities of Stirling and Vincent. Elliotts Irrigation Pty Ltd is well established with industry experience and capacity to provide the goods and services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by Elliotts Irrigation Pty Ltd for the supply and delivery of PVC pipes, fittings and sprinklers as specified in Tender 020/16 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).*

## **BACKGROUND**

The City has a requirement for the supply and delivery of PVC pipes, fittings and sprinklers to the City's Works Operations Centre or as requested during emergency breakdowns.

The City currently has a contract with Judroc Pty Ltd trading as The Watershed Water Systems which expires on 2 December 2016. The Watershed Water Systems has provided a satisfactory level of service throughout the term of its contract.

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

## **DETAILS**

The tender for the supply and delivery of PVC pipes, fittings and sprinklers was advertised through statewide public notice on 1 June 2016. The tender period was for two weeks and tenders closed on 17 June 2016.

### **Tender Submissions**

A submission was received from each of the following:

- Judroc Pty Ltd trading as The Watershed Water Systems.
- Total Eden Pty Limited.
- Elliotts Irrigation Pty Ltd.
- Reece Australia Pty Ltd.

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

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

### **Evaluation Panel**

The evaluation panel comprised three members:

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

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

### **Evaluation Method and Weighting**

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. Prior to assessment of individual submissions a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the tenderer to satisfactorily deliver the services. The predetermined minimum acceptable qualitative score was set at 50%.

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

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

### Compliance Assessment

The following offers received were assessed as fully compliant:

- Judroc Pty Ltd trading as The Watershed Water Systems.
- Elliotts Irrigation Pty Ltd.

Reece Australia Pty Ltd and Total Eden Pty Limited were assessed as partially compliant.

Reece Australia Pty Ltd proposed amendments to the specified contract terms for payment timeframe, work to continue when in dispute and termination by contractor.

Total Eden Pty Limited proposed amendments and deletions to the specified contract terms including:

- entire agreement
- variation of delivery
- quality of goods and services
- financial offsets
- indemnity
- evidence of insurance.

The offers were included for further assessment on the basis that clarifications could be sought from Reece Australia Pty Ltd and Total Eden Pty Limited, if shortlisted for consideration.

### Qualitative Assessment

Reece Australia Pty Ltd scored 58.8% and was ranked fourth in the qualitative assessment. The company demonstrated a sound understanding of the required tasks. It has the capacity and experience required to provide the services. Examples of works included on-going contracts with NSW Local Government Procurement and Procurement Australia to supply pipes, fittings including plumbing, civil and other related products for local governments in New South Wales, Victoria, South Australia and Tasmania. Other examples of works included the City of Swan though period and dates of contract were not provided.

Elliotts Irrigation Pty Ltd scored 64.9% and was ranked third in the qualitative assessment. The company has been providing similar services to state and local governments including the Burswood Park Board and the Cities of Stirling and Vincent. It demonstrated its understanding of the required tasks. It is a well established company with industry experience and capacity to provide the goods and services to the City.

Total Eden Pty Limited scored 71.8% and was ranked second in the qualitative assessment. The company demonstrated an understanding of the City's requirements. It has the capacity to provide the services. It demonstrated experience in providing similar services to various local governments including the Cities of Armadale, Cockburn, Gosnells, Melville, Belmont and Perth.

The Watershed Water Systems scored 77.9% and was ranked first in the qualitative assessment. The company is well established with industry experience and capacity to provide the services. It has extensive experience in providing similar services to various local governments including the Cities of Swan, Gosnells, Wanneroo and Joondalup. It demonstrated a sound understanding of the City's requirements.

Given the minimum acceptable qualitative score of 50%, all tenderers qualified for stage two of the assessment.

### Price Assessment

The panel carried out a comparison of the rates offered by each tenderer in order to assess value for money to the City.

The estimated expenditure over a 12 month period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tenders, the tendered rates offered by each tenderer have been applied to actual historical usage data of all scheduled items. This provides a value of each tender for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained.

The rates are fixed for the first year of the contract, but are subject to a price variation in years two and three of the contract to a maximum of the CPI for the preceding year. For estimation purposes, a 2% CPI increase was applied to the rates in years two and three.

Tenderer	Year 1	Year 2	Year 3	Total
The Watershed Water Systems	\$256,993	\$262,133	\$267,375	\$786,501
Total Eden Pty Limited	\$235,734	\$240,449	\$245,258	\$721,441
Elliotts Irrigation Pty Ltd	\$210,302	\$214,508	\$218,798	\$643,608
Reece Australia Pty Ltd	\$243,836	\$248,713	\$253,687	\$746,236

During 2015-16, the City incurred \$236,358 for PVC pipes, fittings and sprinklers.

### Evaluation Summary

Tenderer	Price Ranking	Total Estimated Contract Price	Qualitative Ranking	Weighted Percentage Score
The Watershed Water Systems	4	\$786,501	1	77.9%
Total Eden Pty Limited	2	\$721,441	2	71.8%
Elliotts Irrigation Pty Ltd	1	\$643,608	3	64.9%
Reece Australia Pty Ltd	3	\$746,236	4	58.8%

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

While The Watershed Water Systems and Total Eden Pty Limited scored higher in the qualitative assessment, both are more expensive when compared to Elliotts Irrigation Pty Ltd and did not offer any value-added services that warrant the additional cost.

### Issues and options considered

The City has a requirement for the supply and delivery of PVC pipes, fittings and sprinklers to the City's Works Operations Centre or as requested during emergency breakdowns. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

### Legislation / Strategic Community Plan / policy implications

**Legislation** A statewide public tender was advertised, opened and evaluated in accordance with regulations 11(1) and 18(4) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$150,000.

### Strategic Community Plan

**Key theme** Quality Urban Environment.

**Objective** Quality open spaces.

**Strategic initiative** Apply a strategic approach to the planning and development of public open spaces.

**Policy** Not applicable.

### Risk management considerations

Should the contract not proceed, the risk to the City will be high as the City will not be able to maintain irrigation infrastructure on sporting reserves and public open space.

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

### Financial / budget implications

<b>Account no.</b>	Various Maintenance and Capital Works accounts.
<b>Budget Item</b>	Supply and delivery of PVC pipes, fittings and sprinklers.
<b>Budget amount</b>	\$330,000
<b>Amount spent to date</b>	\$ 99,075
<b>Proposed cost</b>	\$122,676
<b>Balance</b>	\$108,249

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Efficient reticulation systems are an integral component of the management of the City's water resources. The City has more than 300 parks and public open spaces that require irrigation. Efficient reticulation systems reduce the City's consumption of water and enhance the quality of these areas used by the community.

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the tender submitted by Elliotts Irrigation Pty Ltd for the supply and delivery of PVC pipes, fittings and sprinklers as specified in Tender 020/16 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).**

*Appendix 12 refers*

To access this attachment on electronic document, click here: [Attach12brf161108.pdf](#)

## **ITEM 15 CITY OF JOONDALUP SUBMISSION - PERTH TRANSPORT PLAN FOR 3.5 MILLION PEOPLE AND BEYOND**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services
<b>FILE NUMBER</b>	06370, 101515
<b>ATTACHMENTS</b>	Attachment 1 <i>Perth Transport Plan for 3.5 Million People and Beyond</i> Attachment 2 <i>City of Joondalup Submission - Perth Transport Plan for 3.5 Million People and Beyond</i> Attachment 3 <i>City of Joondalup Submission DOT Template - Perth Transport Plan for 3.5 Million People and Beyond</i>
	<i>(Please Note: Attachment 3 is only available electronically).</i>
<b>AUTHORITY / DISCRETION</b>	Advocacy – Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

---

### **PURPOSE**

For Council to note and endorse the City's submission on the *Perth Transport Plan for 3.5 Million People and Beyond*.

### **EXECUTIVE SUMMARY**

The Department of Transport has released the State Government's *Perth Transport Plan for 3.5 Million People and Beyond* (Perth Transport Plan) for public comment (Attachment 1 refers) with the submission period having closed on 28 October 2016. Submissions received will be considered and the plan will be reviewed based on feedback received during the comment period. A final plan will then be submitted to the State Government for approval.

The Perth Transport Plan sets the vision for a generational change to Perth's transport network. The development of a long-term framework, or vision, for the development of all elements of the transport network has been lacking in Perth for many years. This document provides not only industry and the community with some clear direction as to the development of the Perth transport network, but also will assist local governments to prepare local level plans that align with those for the wider network.

The City of Joondalup has made a submission to the Department of Transport (Attachments 2 and 3 refer), which is subject to retrospective Council endorsement.

*It is therefore recommended that Council ENDORSES the City of Joondalup submission to the Department of Transport on the Perth Transport Plan for 3.5 Million People and Beyond included as Attachments 2 and 3 to this Report.*

## **BACKGROUND**

On 1 May 2015, the Western Australian Planning Commission (WAPC) released a suite of draft strategic land use planning documents for public comment, including the draft *Perth and Peel @ 3.5 Million Strategy* (PP3.5) and four draft planning frameworks for the Central, North-West, North-East and South Metropolitan Peel sub-regions.

The overarching PP3.5 report provided a snapshot of where Perth and Peel are currently at and expanded on the vision set out in the WAPC's *Directions 2031 and Beyond (Directions 2031)* for a more consolidated, connected City. It provided an updated spatial plan outlining where development should occur over the next 35 - 40 years.

At its meeting held on 28 July 2015 (CJ127-07/15 refers), Council endorsed the City of Joondalup's submission on the draft *Perth and Peel @ 3.5 Million* suite of documents.

In support of the land use strategies, the Minister for Transport released the Perth Transport Plan on 29 July 2016 for public comment. The Perth Transport Plan has been prepared by the State transport agencies, being the Department of Transport (DoT), the Public Transport Authority (PTA) and Main Roads Western Australia (MRWA) and is modelled on the draft *Perth and Peel @ 3.5 Million* planning frameworks of where people will live and work and aligns to the *Perth and Peel Green Growth Plan for 3.5 Million*.

## **DETAILS**

The Perth Transport Plan provides a long-term plan for transport infrastructure and considers how to use the transport network more efficiently as Perth's population approaches 3.5 million and beyond. The Perth Transport Plan outlines a workable transport system based on where people will live and work when the population reaches 3.5 million so that people and freight can keep moving as Perth grows.

The Perth Transport Plan aims to achieve the following:

- Help to maintain Perth's status as one of the most liveable cities in the world.
- Make it possible for future generations to enjoy living in Perth as much as we do today.
- Enable people to be able to connect with their local communities, have access to schools, universities and jobs and live and work in a way that is sustainable.
- Help more people to realise that freight transport underpins our entire economy so that freight corridors are respected and there is a suitable distance between them and residential developments.
- Provide confidence - so whether it is a government agency providing essential infrastructure, a developer investing in apartments or an individual making choices about purchasing a home - there is confidence that the plan will eventuate and investment will be sound.
- Make people think of travel alternatives before reaching for the car keys.

The Perth Transport Plan focuses on the 'big bones' of the transport network, which includes rail and on-road public transport services such as light rail, bus rapid transit and high frequency buses. A fundamental element of this plan is to encourage more people to use public transport with the aim of at least 11% of trips being made by bus, train or ferry.

The Perth Transport Plan has been developed based on where people will live and work when there are 3.5 million people living in Perth and identifies the transport corridors that will be used by most people to assess where the worst congestion could potentially be. The transport model considers a variety of transport scenarios to come up with the best configuration of roads and railways so that public transport and roads can work together to spread the load most effectively minimising congestion and reducing travel time.

The development of a long-term framework, or vision, for the development of all elements of the transport network has been lacking in Perth for many years. The Perth Transport Plan provides not only industry and the community with some clear direction as to the development of the City's transport network, but also assists local governments prepare local level plans that align with those for the wider network.

The Perth Transport Plan includes the following infrastructure enhancement for the North-West sub-region (NWSR):

#### Public Transport Network

- A new suburban radial line to service Morley and East Wanneroo, connecting to the Joondalup line to service the far northern suburbs.
- The existing rail lines will be extended to cater for growing suburbs (Joondalup line to Yanchep).
- A High Priority Public Transit Corridor (Whitfords and Hepburn Avenues).

#### Road Network

- Extension of the Mitchell Freeway to both Yanchep and Indian Ocean Drive.

#### Active Transport Network

- Additional cycling networks throughout the City.
- Green bridges (pedestrian/cycling connections across Lake Joondalup and Lake Goollelal).
- Creating walkable neighbourhoods.

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

Council has the option to:

- endorse the draft submission, without modifications, and advise the Department of Transport that no changes are required to the City's submission  
or
- endorse the draft submission, with modifications, and advise the Department of Transport of the required changes.

## Legislation / Strategic Community Plan / policy implications

<b>Legislation</b>	Not applicable.
<b>Strategic Community Plan</b>	The submission applies to a number of key themes, objectives and strategic initiatives in the City's <i>Strategic Community Plan</i> .
<b>Key theme</b>	Quality Urban Environment.
<b>Objective</b>	Integrated spaces.
<b>Strategic initiative</b>	Provide for diverse transport options that promote enhanced connectivity.
<b>Policy</b>	Not applicable.

## Risk management considerations

Should Council choose not to support the City' submission there is the risk that the aspirations and vision outlined in the City's own strategic documents will not be adequately captured by the Perth Transport Plan. This could compromise the City's functionality as a strategic metropolitan centre of the NWSR.

## Financial / budget implications

There are no budget implications for the City in the short-term, however, the final Perth Transport Plan will inform future network requirements and upgrades to the City's transport infrastructure.

## Regional significance

Over the next decade the Perth Transport Plan is likely to be one of the most important documents for transport planning in Perth and Peel, which stretches over 150 kilometres from Two Rocks in the north to Bouvard in the south. As such, the Perth Transport Plan will affect the NWSR beyond its boundaries and will have implications for the State as a whole.

## Sustainability implications

### Environmental

The proposal will encourage the use of walking, cycling and public transport as opposed to the reliance on cars, therefore reducing the use of and reliance on natural resources. By providing a transport system that supports active and public transport choices, improved health and environmental outcomes can be achieved.

### Economic

The Perth Transport Plan encourages the creation of additional jobs which will ultimately provide additional income to both the City and local businesses. Additionally, improvements to freight network infrastructure will reduce congestion and provide faster and quicker movement for local businesses.

## Consultation

The Perth Transport Plan was released by the Department of Transport for public comment with the submission period having closed on 28 October 2016.

## COMMENT

The City supports the State Government's development of a long-term plan to create a transport network which is capable of sustaining a population of 3.5 million within the Perth and Peel regions. However, the City is of the opinion that a more holistic approach across the whole of government is required to ensure that the strategic frameworks of individual agencies are aligned.

The principles outlined in the Perth Transport Plan, such as increased travel choices, increased use of public and active transport and greater connectivity within the transport network are supported. Furthermore, the Perth Transport Plan seeks to achieve more efficient/effective use of the existing transport network in an effort to address growing congestion issues.

The City's submission addresses a number of areas that are believed to require further consideration to enable the development of a more visionary and implementable strategy, particularly for the NWSR.

The key areas that the City believes require further consideration are as follows:

- Increase employment self-sufficiency in the north-west sub-region.
- Improve sub-regional transport connections.
- Promoting behaviour change.
- Public transport enhancements.
- Road network enhancements.
- Road and public transport pricing.
- Cycling network improvements.
- Freight network impacts.

### Increase Employment Self Sufficiency

The WAPC's *Perth and Peel @ 3.5 Million* identified the critical need for increased employment self-sufficiency within the North West sub-region. To achieve this, the rate of growth in job numbers is required to exceed the rate of growth in population. The City agrees with this in principle, but questions the forecasted jobs numbers. *Perth and Peel @ 3.5 Million* identifies a total of 20,181 jobs within the Joondalup City Centre (JCC) by 2050, just over 3,000 jobs more than 2016 levels. It is therefore highly likely that job target will be reached well before 2050, impacting forecasts for the timing of transport provision identified within the Perth Transport Plan.

The City forecasts around 45,000 employees will be accommodated within the Joondalup City Centre (JCC) by 2050, which is consistent with the *North West Corridor Structure Plan (1992)*. As such, this figure should be used to inform the Perth Transport Plan.

### Improve Sub-Regional Transport Connections

The JCC is currently the largest and most established centre in the NWSR. With the provision of existing infrastructure, a major rail transport hub and significant development opportunities to attract investment and strategic employment, it is growing and will continue to grow.

Under *State Planning Policy 4.2 - Activity Centres for Perth and Peel* (SPP 4.2) the JCC is identified as a Strategic Metropolitan Centre (SMC). SMCs are the highest order centres outside of the Perth Central Business District (CBD). Relevantly, SPP 4.2 suggests there may be justification for introducing another tier into the activity centre hierarchy, with some strategic metropolitan centres being elevated to the status of primary centres.

The JCC is ideally positioned to transition into a primary centre as evidenced by the wide range of regional services and facilities that it currently provides and the State Government's recent announcement to relocate 800 public servants to Joondalup. Notwithstanding, transport linkages to the NWSR are very Perth CBD centric with a concentration of north-south linkages.

### Promoting behaviour change

The Perth Transport Plan should promote behaviour change or implementation of a travel demand management strategy as an objective. More efficient and effective use of public and active transport infrastructure and services will be achieved if supported by a program to promote their use to the community.

### Public Transport Enhancements

Given the projected population growth to be accommodated in the NWSR and the critical need for increased employment self-sufficiency, it is necessary to strengthen the connections between the major activity and employment areas and existing residential and future growth areas, especially to the east of JCC.

The future East Wanneroo urban growth area is located within close proximity to the Wanneroo Town Centre (WTC) and within 4.5 kilometres of the JCC. While the proposed transit priority route linking the WTC and the JCC is supported, further consideration needs to be given to providing linkages for the future residents of the East Wanneroo urban growth area to the JCC. This could be achieved through a range of options including a rail link between the East Wanneroo Rail Line to connect preferably to Edgewater station or alternatively Joondalup station.

Rapid transport links from Ellenbrook to Joondalup could provide greater accessibility through the City of Swan and East Wanneroo, encouraging the consolidation of Joondalup as a strategic centre. This will also reduce congested movement within the Perth CBD and provide residents of these areas with an added choice of employment location which can be reached via a mode of transport other than the private car.

The State Government has recently announced that Landcorp will lead the development of the Ocean Reef Marina project which will be a significant contributor to employment within the NWSR and will attract large numbers of visitors and tourists from across the broader metropolitan region. As such, it is essential that a high quality transit priority route connects the JCC to the coastline and the future Ocean Reef Marina by the time the population reaches 2.7 million. This link will ensure that the broader metropolitan region will have convenient and efficient access to this world class facility from the existing rail network. It will also improve the JCCs relationship with the coast and help to strengthen the east-west movement network and accessibility of coastal residents to the JCC.

The identified links that require consideration are as follows:

#### Joondalup City Centre (JCC) to the east

- JCC to Wanneroo Town Centre and Neerabup.
- JCC to Wangara and future east Wanneroo.

#### Joondalup City Centre (JCC) to the west

- JCC to the coast and Ocean Reef Marina.
- JCC to Burns Beach Coastal Node.
- JCC to Whitfords Secondary Centre.

#### Road Network Enhancements

The recently released *Infrastructure Australia Audit Report (2015)* identifies that three of the six worst congested road corridors in Australia by 2031 will be in the NWSR, being the Mitchell Freeway, Marmion Avenue and Wanneroo Road. Peak period congestion on these three key links, as well as within the JCC road network, makes it increasingly difficult to move people and goods to and through the centre during these times, particularly in the context of the aspirations of the long-term development of the JCC. This is compounded by limitations in providing additional road infrastructure capacity.

There are also congestion issues on the east-west roads connecting the Wanneroo and Joondalup Activity Centres. This will worsen over time as both centres grow to service a growing catchment. Consequently, a suite of transport measures will be required if the JCC is to realise its full potential and to function as a strategic centre. This should include measures that will maintain existing regional road efficiencies, including upgrades where necessary, as well as the encouragement of modal shifts to other, more space efficient transport modes (public transport, cycling and walking).

The Mitchell Freeway experiences significant congestion issues during peak periods. The City recognises that limited expansion is possible closer to the CBD and that widening along the outer lengths will be undertaken where possible. The City welcomes the implementation of managed freeways but would appreciate closer consultation on its implementation. The City also understands that the freeway is proposed to extend further north, however the City's view is that the continued focus on north-south transport links will simply add to the existing traffic volumes on the freeway and exacerbate current congestion issues.

The proposed "Freeway Network" does not show how the connectivity of the interchanges and connections to distributor roads and regional centres may change in the future. The JCC currently has three freeway interchanges (Ocean Reef Road, Hodges Drive and Shenton Avenue) and it is important that these interchanges act as a system in providing efficient access to JCC and the surrounding network, while maintaining the operation of the Mitchell Freeway.

#### Road and public transport pricing

The City understands that Perth will need to consider a broader system of transport pricing to ensure a more equitable and sustainable revenue base which can be invested back into the transport network. Sufficient investment in necessary services and infrastructure cannot be sustained with the current pricing/revenue models should technological and social changes to transport materialise within the next decade as predicted.

### Cycling network improvements

The Perth Transport Plan should reflect the City's endorsed *Bike Plan 2016-2021* which aligns with the Perth Bike Plan.

### Freight network impacts

The Perth Transport Plan should consider insight into the distributor roads and regional centres that link JCC to the freight network and limit heavy vehicle intrusion into sensitive land uses.

### Summary

The submission recommends the priorities need to be set and action plans for individual projects put in place to provide transparency. The current Perth Transport Plan only provides a vision with limited details so these will need to be developed, especially for high priority projects.

Perth Transport Plan also needs to better support sub-regions to achieve employment self sufficiency targets by providing high quality transit infrastructure and services to support the locations of jobs away from the Perth CBD. This can be achieved through additional orbital (east-west) connections rather than a continued north-south focus.

It is essential that the strategic importance and role of the JCC in providing regional level facilities, increasing the level of employment self-sufficiency within the NWSR and relieving population growth induced congestion is recognised across the whole of government.

Much greater focus should be placed on Joondalup, particularly the JCC. It is essential that additional east-west linkages that maximise the connections and accessibility of the JCC to other major activity areas within the City and the population of the NWSR as the population grows to 3.5 million, are provided.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council ENDORSES the City of Joondalup submission to the Department of Transport on the *Perth Transport Plan for 3.5 Million People and Beyond* included as Attachments 2 and 3 to this Report.**

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf161108.pdf](#)*

## REPORT – AUDIT COMMITTEE – 1 NOVEMBER 2016

### ITEM 16 2015-16 ANNUAL FINANCIAL REPORT

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	105507, 101515
<b>ATTACHMENT</b>	Attachment 1 <i>2015-16 Annual Financial Report</i> Attachment 2 <i>2015-16 Audit Report</i> Attachment 3 Auditors Report to the Audit Committee (Management Report) for the financial year ended 30 June 2016 Attachment 4 Management Close Report for the financial year ended 30 June 2016
<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 and accept the *2015-16 Annual Financial Report* and Auditor's Report.

#### EXECUTIVE SUMMARY

In accordance with Section 6.4 of the *Local Government Act 1995*, the *2015-16 Annual Financial Report* has been prepared and, together with the City's accounts, has been submitted to the City's auditors to conduct their annual audit.

The City's auditors have completed their audit, in accordance with the terms of their engagement and the requirements of Part 7 Division 3 of the *Local Government Act 1995*, and have submitted their *Audit Report*. A Concise Financial Report (financial statements without supporting notes) will form part of the City's *2015-16 Annual Report*.

The auditors' report and the Annual Financial Report for the 2015-16 financial year are presented to Council for its consideration.

*It is therefore recommended that Council:*

- 1 *BY AN ABSOLUTE MAJORITY, ACCEPTS the Annual Financial Report of the City of Joondalup and the accompanying Audit Report for the financial year 2015-16, forming Attachments 1 and 2 to this Report;*
- 2 *NOTES the Auditor's Management Report for the Year Ended 30 June 2016 forming Attachment 3 to this Report and that there are no deficiencies, irregularities or other matters that the auditor wishes to bring to the attention of Council;*

- 3 *NOTES the Auditor's Management Close Report for the Year Ended 30 June 2016 forming Attachment 4 to this Report and that there are no deficiencies, irregularities or misstatements that the auditor wishes to bring to the attention of Council.*

## **BACKGROUND**

Section 6.4 of the *Local Government Act 1995* requires local governments to prepare an annual financial report and to submit both the report and its accounts to its auditor by 30 September each year. The City of Joondalup has met those requirements and the City's auditor has completed its audit of the accounts and the *2015-16 Annual Financial Report*.

As has been past practice, a Concise Financial Report has also been prepared for inclusion in the City's *2015-16 Annual Report*. The *2015-16 Annual Financial Report* is included as Attachment 1 to this Report.

## **DETAILS**

### **Issues and options considered**

The preparation of an annual financial report and the submission of the report and the City's accounts to the auditors for audit are statutory requirements of the *Local Government Act 1995*.

The annual financial report needs to be accepted by Council in order to enable the holding of an Annual General Meeting of Electors, at which the City's annual report containing the concise financial report will be considered. The annual financial report is also required to be submitted to the Department of Local Government and Communities.

### Outcome of the Audit

The audit has been completed with no issues of significance raised and the audit report is unqualified (Attachment 2 refers). The auditor has provided a report to the Audit Committee (generally referred to as the Management Report, Attachment 3 refers) incorporating commentary on key financial ratios and advising no additional matters that the auditor wishes to bring to the attention of Council. A Management Close Report (Attachment 4 refers) is also provided in which it is advised that there are no deficiencies, irregularities or material misstatements that the auditor wishes to bring to the attention of Council.

In terms of form and presentation, some improvements have been effected to presentation of current year and corresponding comparative figures from the previous year. There has been no impact on the end of financial year position.

### End of Financial Year position

The City has finished the financial year with a rate setting statement surplus greater than estimated. An anticipated end of year surplus at 30 June 2016 of \$650,932 was used as the opening balance in the *2016-17 Budget*. The final end of year rate setting statement surplus for 2015-16 is \$3,083,830, being \$2,432,898 more than estimated.

When comparing the actual end of year result to the estimate shown in the *2016-17 Budget*, in summary terms the \$2,432,898 surplus comprises:

Description	Sub Total	Total
Increased Operating Cash Surplus	\$ 6,164,062	
Increased Capital Revenue	\$ 2,065,037	
Reduced Capital Expenditure	\$ 1,958,780	\$ 10,187,879
Less: Reduced Net Funding Requirements		(\$ 7,754,981)
<b>Net Variance</b>		<b>\$ 2,432,898</b>

There are a number of offsets between revenue, expenditure and funding requirements of which the major ones are the following:

- Profit and loss on asset sales have been significantly impacted by property disposal transactions through Tamala Park land sales, offset by equity transactions.
- Increased capital revenue and decreased capital expenditure for works and plant, the bulk representing carry forwards \$4,103,054 which are offset by a transfer to the Capital Works Carried Forward Reserve.
- A number of operating and capital reserve funded projects that did not advance as far as anticipated or for which there was no reserve funded expenditure, resulting in lower expenditure offset by a lower drawn on reserves.
- Reductions in waste management costs resulting in an additional net transfer into the waste management reserve of \$993,456.

After allowing for these and other minor offsets the adjusted variance in surplus when compared to the estimated end of year position shown in the 2015-16 Budget is made up of:

Description	Sub Total	Total
Increased Operating Cash Surplus	\$ 2,299,836	
Increased Capital Revenue	\$ 908,783	
Increased Capital Expenditure	(\$ 998,840)	\$ 2,209,779
Increased Net Funding Requirements		\$ 223,119
<b>Net Variance</b>		<b>\$ 2,432,898</b>

The primary driver for the net increased surplus of \$2,432,898 is operating revenue and expenditure. The principal components of this are as follows:

<b>Operating Revenue</b>	
Interim Rates	\$ 16,915
Grants and Contributions	\$ 48,207
Interest Earnings	\$ 68,409
Share of Profit from Tamala Park Regional Council	\$ 83,109
Fees and Charges and Other Revenue	\$ 17,108
Workers Compensation Premium Rebate	\$ 369,285
	<b>\$603,033</b>

<b>Operating Expenditure</b>	
Workers Compensation Provision Write Back	\$ 1,384,848
Materials and Contracts	\$ 496,275
Utilities	\$ 125,518
Various Other Operating and Non Cash Adjustments	(\$ 309,838)
	<b>\$ 1,696,803</b>
<b>Total</b>	<b>\$ 2,299,836</b>

Interim rates were slightly higher than estimated while grants and contributions comprise a variety of additional amounts. The works compensation rebate and provision write back both relate to the 2011-12 and 2012-13 claims years which have been closed with substantially reduced claims. The materials and contracts savings are across a range of costs while reduced utility costs relate mainly to street lighting.

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

### **Legislation**

Local Government (Financial Management) Regulation 51(2) states:

*“A copy of the annual financial report of a local government is to be submitted to the Departmental CEO within 30 days of the receipt by the local government’s CEO of the auditor’s report on that financial report.”*

Section 5.53 of the *Local Government Act 1995* states:

#### **5.53 Annual Reports**

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain:*
  - (f) *the financial report for the financial year;*

Section 5.54 of the *Local Government Act 1995* states:

#### **5.54 Acceptance of annual reports**

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.*

*\* Absolute majority required.*

- (2) *If the auditor’s report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor’s report becomes available.*

Section 6.4 of the *Local Government Act 1995* states:

#### **6.4 Financial Report**

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to –*
  - (a) *be prepared and presented in the manner and form prescribed; and*
  - (b) *contain the prescribed information.*

- (3) *By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor –*
- (a) *the accounts of the local government, balanced up to the last day of the preceding financial year; and*
  - (b) *the annual financial report of the local government for the preceding financial year.*

### **Strategic Community Plan**

**Key theme** Financial Sustainability.

**Objective** Effective management.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

### **Risk management considerations**

Not applicable.

### **Financial / budget implications**

#### Current financial year impact

<b>Account no.</b>	Not applicable.
<b>Budget Item</b>	Closing surplus.
<b>Budget amount</b>	\$ 650,932
<b>Amount spent to date</b>	\$ 3,083,830
<b>Proposed cost</b>	Not applicable.
<b>Balance</b>	\$ 2,432,898

#### Future financial year impact

<b>Annual operating cost</b>	Not applicable.
<b>Estimated annual income</b>	Not applicable.
<b>Capital replacement</b>	Not applicable.
<b>20 Year Strategic</b>	Subject to application of surplus funds.
<b>Financial Plan impact</b>	
<b>Impact year</b>	Not applicable.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

## Consultation

There is no legislative requirement to consult on the preparation of the Annual Financial Report, but the *Local Government Act 1995* requires a General Meeting of Electors to be held and the City's Annual Report, incorporating the Concise Financial Report, to be made available publicly. The full Annual Financial Report will also be publicly available.

## COMMENT

The annual financial report will be made available on the City's public website. A minimal number of printed, bound colour copies will be available for viewing at Libraries, Leisure Centres and Customer Service Centres.

In order for the City to meet its legislative requirements, it is recommended that the Council accepts the annual financial report for the financial year 2015-16.

## VOTING REQUIREMENTS

Absolute Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this Report (as detailed below) was resolved by the Audit Committee at its meeting held on 1 November 2016.

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

## RECOMMENDATION

That Council:

- 1 **BY AN ABSOLUTE MAJORITY ACCEPTS** the *2015-16 Annual Financial Report* of the City of Joondalup and the accompanying *2015-16 Audit Report*, forming Attachments 1 and 2 to this Report;
- 2 **NOTES** the Auditor's Management Report to the Audit Committee for the year ended 30 June 2016 forming Attachment 3 to this Report and that there are no deficiencies, irregularities or other matters that the auditor wishes to bring to the attention of Council;
- 3 **NOTES** the Auditor's Management Close Report for the year ended 30 June 2016 forming Attachment 4 to this Report advising that there are no deficiencies, irregularities or misstatements that the auditor wishes to bring to the attention of Council.

*Appendix 14 refers*

To access this attachment on electronic document, click here: [Attach14brf161108.pdf](#)

**REPORT OF THE CHIEF EXECUTIVE OFFICER**

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**REPORTS REQUESTED BY ELECTED MEMBERS**

**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 * Proximity 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.*

**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* Proximity 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.*



**QUESTION TO BE ASKED AT  
BRIEFING SESSION/COUNCIL MEETING**

<b>TITLE</b> <i>(Mr/Mrs/Ms/Dr)</i>	<b>FIRST NAME</b>	<b>SURNAME</b>	<b>ADDRESS</b>

**QUESTIONS**

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

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**

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

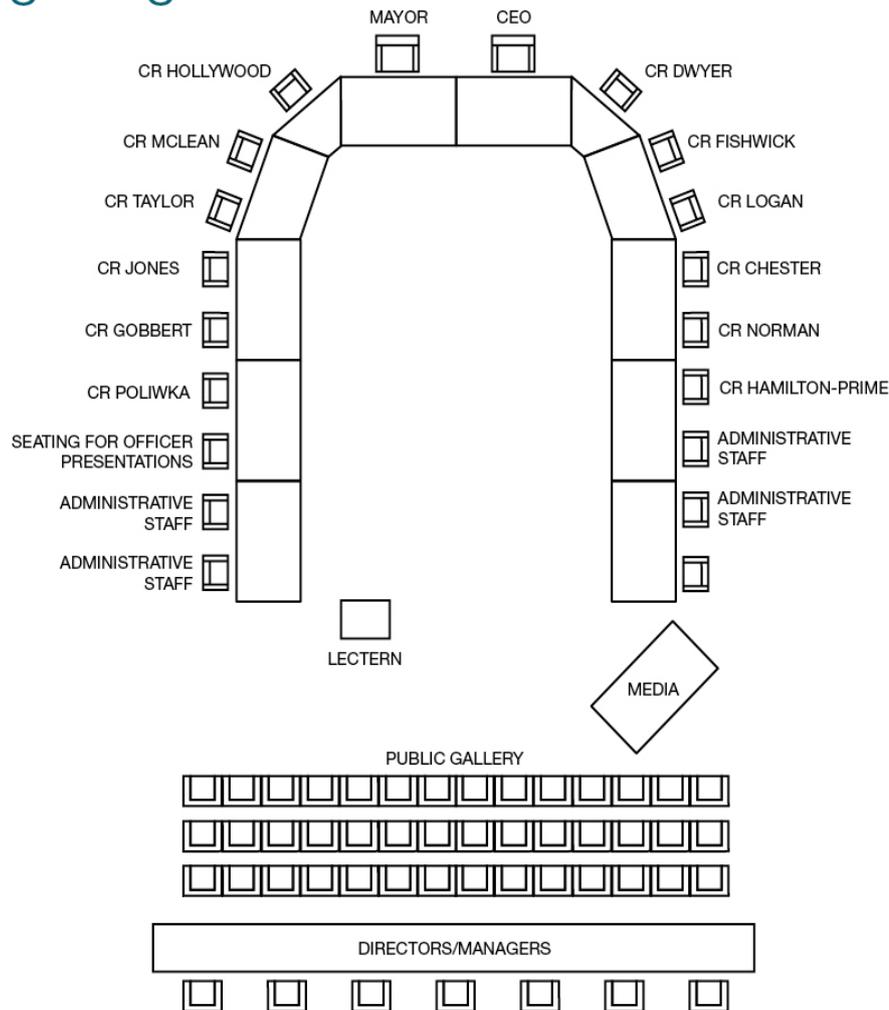
Please submit this form at the meeting or:

- **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:**

- Statements made at a **Briefing Session** must relate to matters contained on the draft agenda.
- Statements made at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.
- Statements made at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called

# 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)