

minutes

MEETING HELD ON **TUESDAY 21 MARCH 2017**

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CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP ON TUESDAY 21 MARCH 2017.**

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

ANNOUNCEMENT OF VISITORS

Mayor:

TROY PICKARD

Councillors:

| | | |
|-----------------------------|----------------------------------|-------------------------------------|
| CR KERRY HOLLYWOOD | North Ward | |
| CR TOM McLEAN, JP | North Ward | |
| CR PHILIPPA TAYLOR | North Central Ward | <i>absent from 8.35pm to 8.37pm</i> |
| CR NIGE JONES | North Central Ward | |
| CR LIAM GOBBERT | Central Ward | |
| CR RUSSELL POLIWKA | Central Ward | <i>absent from 9.04pm to 9.06pm</i> |
| CR CHRISTINE HAMILTON-PRIME | South-West Ward | |
| CR MIKE NORMAN | South-West Ward | |
| CR JOHN CHESTER | South-East Ward | |
| CR JOHN LOGAN | South-East Ward | |
| CR RUSS FISHWICK, JP | South Ward – <i>Deputy Mayor</i> | |
| CR SOPHIE DWYER | South Ward | |

Officers:

| | |
|----------------------|--|
| MR GARRY HUNT | Chief Executive Officer |
| MR MIKE TIDY | Director Corporate Services |
| MR JAMIE PARRY | Director Governance and Strategy |
| MS DALE PAGE | Director Planning and Community Development <i>absent from 8.37pm to 8.39pm</i> |
| MRS SHEREE EDMONDSON | Acting Director Infrastructure Services |
| MR BRAD SILLENCE | Manager Governance |
| MR CHRIS LEIGH | Manager Planning Services |
| MR DANIEL DAVINI | Media Advisor |
| MR STUART McLEA | Media and Communications Officer |
| MR JOHN BYRNE | Governance Coordinator |
| MRS LESLEY TAYLOR | Governance Officer |
| MRS DEBORAH GOUGES | Governance Officer |

There were 175 members of the public and one member of the press in attendance.

DECLARATIONS OF INTEREST

Disclosures of Financial / Proximity Interest

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

| | |
|---------------------------|---|
| Name/Position | Cr Russell Poliwka. |
| Item No./Subject | CJ036-03/17 – Joondalup City Centre Development – Project Status. |
| Nature of interest | Proximity Interest. |
| Extent of Interest | Cr Poliwka owns property in the precinct (CBD). |

Disclosures of interest affecting impartiality

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

| | |
|---------------------------|---|
| Name/Position | Mayor Troy Pickard. |
| Item No./Subject | CJ022-03/17 – Draft <i>Sorrento Activity Centre Plan</i> and Scheme Amendment Nos. 77 and 79 – Consideration following advertising. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Mayor Pickard and previously some of the applicants have made contributions towards a fundraising dinner prior to Mayor Pickard's current term. |

| | |
|---------------------------|---|
| Name/Position | Cr Liam Gobbert. |
| Item No./Subject | CJ022-03/17 – Draft <i>Sorrento Activity Centre Plan</i> and Scheme Amendment Nos. 77 and 79 – Consideration following advertising. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Employees of the consultant are known to Cr Gobbert. |

| | |
|---------------------------|---|
| Name/Position | Cr Kerry Hollywood. |
| Item No./Subject | CJ022-03/17 – Draft <i>Sorrento Activity Centre Plan</i> and Scheme Amendment Nos. 77 and 79 – Consideration following advertising. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Cr Hollywood has been involved with development in this area and Mr Stuart Hawkins is known to Cr Hollywood. |

| | |
|---------------------------|--|
| Name/Position | Cr Philippa Taylor. |
| Item No./Subject | CJ023-03/17 - Proposal to change the District Boundary of the City of Joondalup. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Cr Taylor is a member of the Ocean Reef Sea Sports Club. |

| | |
|---------------------------|--|
| Name/Position | Cr Liam Gobbert. |
| Item No./Subject | CJ034-03/17 - Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | A relative of Cr Gobbert is an employee within the adjacent shopping centre. |

PUBLIC QUESTION TIME

The following questions were submitted prior to the Council meeting to be held on 21 March 2017:

Mr J Moore, Sorrento:

Re: Unmade road next to 102 Clontarf Street, Sorrento.

Q1 With reference to the unmade road next to 102 Clontarf Street, Sorrento, are there any other roads, closed or otherwise in the City of Joondalup?

A1 Yes, there are other roads closed, to varying degrees, to address traffic management, transport network and access issues.

Mr L Harvey, Beldon:

Re: Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.

Q1 Is Council aware of the deep hurt, anxiety and mistrust of Council that the proposal of the redevelopment of Beldon Park has caused to the residents of Beldon?

A1 The results of the community consultation for the proposed upgrade of soccer (football) facilities at Beldon Park are included in the report to be presented to Council at its meeting to be held on 21 March 2017 for Council's consideration.

Mr G Trevena, Beldon:

Re: Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.

Q1 With the cost of the exclusions involved in the redevelopment of Beldon Park, does this not add at least another 15% on top of the estimate? Plus the unforeseen blow-outs added in, makes this project unacceptable to the ratepayers within the City of Joondalup to pay for a single sport, semi-professional club's own sporting venue?

A1 The costs for both options have been prepared by a qualified Quantity Surveyor. Such costings include amounts for design and construction contingencies which is industry practice for construction projects.

Q2 With the removal of more than 14 established trees from this country park, does the City of Joondalup consider the harm on the smaller bird population in the area such as wagtails, swallows, honey eaters (various species) pygmy magpies all who compete for protection from larger predatory birds and use these trees for nesting to continue their species?

A2 The City has not undertaken a flora or fauna study on the site. The proposed site plan has included a number of new trees within the reserve to replace those that are proposed to be removed as part of the proposed works.

Mrs R Millett, Beldon:

Re: *CJ034-03/17 – Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.*

Q1 *Why wasn't the costing of the sump and limestone wall included in the report?*

A1 The costings provided are only at conceptual stage. The cost to fill the sump (but no divert) and the limestone retaining walls were included in the report as part of the external works.

Q2 *Why isn't there an attachment to the report with a list of the public comments and questions (unedited and unsummarised form) made during the consultation period, in order that the Elected Members can review and consider those public comments in the complete unedited and unsummarised form?*

A2 The results of the community consultation are submitted to Council in accordance with the City's *Community Consultation and Engagement Policy*.

Q3 *Given the shared lease agreement the school has is to expire in June, is there any assurance that the lease will be renewed, and why wasn't this a recommendation included in the report?*

A3 The City has commenced discussions with the Department of Education to renew the shared use agreement and intends to maintain this agreement. The decision to extend the shared use arrangement is a separate issue to that of possible developments at Beldon Park.

Q4 *If JUFC apply to lease the park when the school's shared lease expires, will Council consider the possibility of agreeing to such an application and will that lease arrangement come to Council prior to affixing the seal for its consideration by the Elected Members?*

A4 The school does not hold a lease over the park. Given the school site does not have adequate open space to serve the needs of the school, the City entered into an arrangement with the Department of Education to allow the school to access the City's open space during school hours and as a reciprocated arrangement the City can access the school's open space during non-school hours. While the City does lease certain buildings, it does not issue leases for public open space. Further the management order for the park does not grant the City the power to lease.

Mr M Pullen, Beldon:

Re: *CJ034-03/17 – Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.*

Q1 *Has Council conducted a flora / fauna habitat study / survey to establish the effect of removing the 12 stand clumped trees on the western side of the proposed western side pitch (being removed for spectator seating and retaining wall)?*

- A1 The City has not undertaken a flora or fauna study on the site.
- Q2 *Does the existing risk analysis mentioned in the report for the Proposed Upgrade of Beldon Park identify and quantify the risks arising from the excluded items from the projected project capital cost:*
- *Soil condition, rock excavation, dewatering.*
 - *Provision of new drainage to replace infill sump.*
 - *Fire protection system for the new system.*
 - *Access ramps to new facility.*
 - *Existing system upgrade.*
- A2 The proposed designs are at the conceptual stage only, with costings for both options prepared by a qualified Quantity Surveyor. If the project was to progress, then more detailed costings would be undertaken. The costings at this stage do allow for various civil works, including the cost to fill the sump (but not to divert) and construct additional car bays. There is also an allocation for contingencies.
- Q3 *As the project is unbudgeted / unfunded, what would be the effect on the Five Year Capital Works Budget, 20 Year Strategic Plan and the subsequent additional costs to residents of Beldon and the City of Joondalup. Where would the funds be coming from?*
- Q4 *What will be the short-term and long-term effect on residents rates of this additional \$7.1M +/-15% capital expenditure?*
- A3&4 The financial impact of the project is detailed in the report under the Financial/budget implications section.

Mrs M Macdonald, Mullaloo:

Re: *CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.*

- Q1 *Have any current owners of the land covered by the project been told they must notate their title deed for the purposes of SPP2.6 to inform future owners that they are subject to sea surge based on current estimates of sea level rise?*
- Q2 *Will any future owners of the land covered by the project be told they must notate their title deed for the purposes of SPP2.6 to inform future owners that they are subject to sea surge based on current estimates of sea level rise?*
- A1&2 In accordance with the City's draft *Coastal Local Planning Policy*, in granting development application approval on a lot identified as being subject to coastal hazard risk, a condition is to be applied requiring the proponent to place a notification on the certificate of title.
- Q3 *Given the City's study on the coastal hazards 2016 states that the subject area is vulnerable to the 100 year sea surge and probably the 50 year sea surge, why does the report state:*
- "As such the development site is not considered to be vulnerable to impacts from coastal erosion. Coastal hazard is minimised by the centre's separation from the beach by way of a road and pathway?"*

A3 The above statement is located within Part 2 of the draft *Sorrento Activity Centre Plan* document, and is considered to be the applicant's comment and opinion.

However, the quotation given above does not provide the full context of the paragraph, which goes on to read as follows:

"...Notwithstanding, provision has been built into Part 1 of the LSP to require a Coastal Hazard Risk Assessment and Adaption Plan to be undertaken prior to a development application being lodged for the site"

Q4 *Why doesn't the following statement apply to the identified vulnerable lot sites at Mullaloo?*

"As such the development site is not considered to be vulnerable to impacts from coastal erosion. Coastal hazard is minimised by the separation from the beach by way of a road and pathway."

A4 The quotation provided above is contained within Part 2 of the draft *Sorrento Activity Centre Plan*. This draft plan does not apply to Mullaloo.

Q5 *Given that the City does not publish the names and addresses and comments of the people who have made a submission to the project, is this information available to the public and in particular Councillors?*

A5 The names, addresses and specific comments of the 617 submissions on the draft *Activity Centre Plan* are not available to the public. The information is available in confidential form if requested by Elected Members.

Mr R Jack, Kingsley:

Re: *Street Verge Guidelines and Non-Compliant Crossovers.*

Q1 *For each of the months in the October 2016 to February 2017 period, how many non-compliant crossovers were reinstated by the City of Joondalup and of those, how many ratepayers were invoiced for the cost of replacement?*

A1 Two non-compliant crossovers were reinstated and the owners invoiced, both in February 2017.

Mr S Hawkins, Sorrento:

Re: *CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.*

In relation to the proposed Draft Sorrento Activity Centre Plan, could Council please advise if:

Q1 *Under the Height of Non-Residential Buildings Local Planning Policy and consistent with the Residential Design Codes Table 3 (Category B), does the site currently have a building height limit of nine metres?*

- A1 In accordance with the *Height of Non-Residential Buildings Local Planning Policy*, in the absence of a structure plan, activity centre plan or local development plan, the maximum building height is nine metres to the top of a pitched roof, as outlined in the *Residential Design Codes Table 3 Category B*. The policy outlines that greater height may be approved as part of a structure plan, activity centre plan or local development plan, taking in account a number of factors.
- Q2 *Under the proposed Draft Sorrento Activity Centre Plan, would this result in the building height limit to be more than doubled, to 20.2 metres?*
- A2 The maximum building height, for certain specific lots, contained within the draft *Sorrento Activity Centre Plan* is 20.2 metres (six storeys).

Mr M Sideris, Mullaloo:

Re: *City's web pages and public consultation.*

- Q1 *The City has web pages for public notices and community engagement. Please advise how these two different web pages are intended to operate and what distinguishes the difference in the advice provided to the community?*
- A1 A public notice is a statutory required method used to notify the local community of a specific issue or activity. These notices are displayed in the local newspaper and on the Public Notices webpage.
- The City's community engagement page is used to seek feedback from members of the community and is the centralised point of information for past and present engagement activities.
- Q2 *The Planning and Development (Local Planning Schemes) Regulations require a local government to give public notice. Apart from publishing a notice in a newspaper, advise what consultation processes are used and considered appropriate forms of public notice?*
- A2 Advertising methods can include written notification to adjoining and nearby landowners, the erection of a sign or signs on a site, a notice on the City's social media sites, and information on the City's website. The nature of the proposal will inform the appropriate advertising methods.
- Q3 *List and identify (by subject topic) the number of public consultations that were conducted by the City during the 2016-17 summer break period, that is between the last ordinary meeting of Council in December 2016 to the first ordinary meeting of Council in February 2017.*
- A3 Proposed Upgrades – Beldon Park, Beldon.
- Approved for consultation at the Council meeting held on 13 December 2016 (CJ236-12/16 refers).
 - Consultation conducted from 23 January 2017 to 13 February 2017.

2016 Burns Beach Specified Area Rating Consultation.

- Approved for consultation at the Council meeting held on 13 December 2016 (CJ224-12/16 refers).
- Consultation conducted from 23 January 2017 to 22 February 2017.

Draft Local Planning Scheme No. 3 Consultation.

- Approved for consultation at the Council meeting held on 16 February 2016 (CJ005-02/16 refers).
- Consultation conducted from 16 November 2016 to 14 February 2017.

Joondalup Performing Arts and Cultural Facility Consultation.

- Approved for consultation at the Special Meeting of Council held on 1 February 2017 (JSC01-02/17 refers).
- Consultation conducted from 16 February 2017 to 30 March 2017.

Ocean Reef Marina Public Environmental Review.

- Approved for distribution at the Special Meeting of Council held on 29 August 2016 (JSC02-08/16 refers).
- Communication distributed from 22 November 2016 to 24 February 2017.

Q4 *With respect to the public consultations identified in the response to Question 3, which of these were approved by Council resolution?*

A4 See response to Question 3. The public consultation for both the draft *Local Planning Scheme No. 3* and the Public Environmental Review for the Ocean Reef Marina were governed by statutory processes.

Mrs N Dangar, Beldon:

Re: *Access to community booking system information.*

Q1 *Beldon Residents Association Inc. as a not-for-profit community organisation would like to be informed about how a park or facility can be booked for social events when there are so many pre-booked sessions for soccer.*

Q2 *The current booking system is not accessible for other clubs or organisations to be able to plan social events. Given that this problem has been clearly identified in the past, are there any improvements planned so that a visual calendar be made accessible for this purpose on-line for ease of booking rather than having to wait for an answer on the telephone?*

A1&2 These questions were taken on notice.

The following questions were submitted verbally at the Council meeting:**Mr N Jones, Sorrento:**

Re: CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.

Q1 Given that one landowner currently has their landholding on the market, what guarantee is there that the entire property will be developed in its entirety and what is an acceptable timeframe?

A1 Mayor Pickard advised it is up to a landowner to decide (whether it be commercial or residential land) when they wish to execute their development rights.

Mr R de Gruchy, Sorrento:

Re: CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.

Q1 Do the scheme amendments require BP to vacate their lot prior to plans being approved and commencement of construction, and if not would this not make construction of residential towers on the adjacent Lots 149 and 2 difficult?

A1 The Director Planning and Community Development advised it was the responsibility of the landowner to make a development work on a site with the City ensuring compliance with regulatory frameworks. Once a development application is received by the City and approval issued, the City requires a construction management plan for a large development of this nature to understand how the developers plan to manage their construction and the impact that will have on both other occupants of the site and on surrounding neighbours.

Q2 With reference to the statement "the site will essentially be developed as three individual development sites with different timeframes", does this mean that other than Lot 149 and Lot 2 (the six storey tower block), the remainder of the development could remain unchanged for many years?

A2 Mayor Pickard advised it was unknown and up to the landowner to decide when they wished to execute any of their rights in accordance with the planning and visions of the scheme or the structure plan.

Mr J Rajamani, Sorrento:

Re: CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.

Q1 Have profit margins been considered as part of the approval process for this development?

A1 Mayor Pickard responded no.

Q2 *How can it be reconciled that having potentially 70 apartments and more than 200 residents will not affect the local traffic?*

A2 Mayor Pickard advised the applicant has engaged an appropriately qualified entity to provide a traffic report and the City concurs with their traffic assessment. Council is reliant upon the opinions of those professionals who are qualified to make assessments and judgments in this space. The report clearly states the City concurs with the traffic assessment issued by the planning consultants.

Mr G Re, Sorrento:

Re: *CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.*

Q1 *During the summer period the traffic is particularly busy, with people parking on the sidewalks and verges. Has any consideration been given to peak periods over an extended period of time, taking into account both residential and commercial parking and are these levels within acceptable limits?*

A1 Mayor Pickard commented planning officers have considered the consultant's report and the proposed number of bays is in accordance with the City's scheme requirements. It is not the responsibility of a private landowner to cater for parking for the public domain, beach goers and the like. It is their responsibility to provide adequate parking within their lots in accordance with either the structure plan or the scheme. The Council report indicates that the consultant's report presented by the applicant meets the proposed parking requirements, replicates and meets the scheme and for those reasons officers have not raised any objections.

Q2 *Concerning the height of the property the developers have reduced the height on several parts from six storeys to five, but there still remains six storey components of the development. Is there a possibility for the developers to consider further height reductions to address problems with overshadowing, amenity, bulk and scale?*

A2 Mayor Pickard advised it was Council's prerogative to determine a particular item as it sees appropriate. Council has received advice from the City's administration that any decision needs to be made on planning grounds by either accepting or rejecting the application before Council this evening. There are no planning principles to suggest that the structure plan should be changed to accommodate an alternate height.

Mr M Rose, Sorrento:

Re: *CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.*

Q1 *In the 2015-16 Five Year Capital Works Budget there was a line item indicating that a roundabout will be built in 2018-19 at the intersection of the Plaza and West Coast Drive. In the traffic study carried out by the developers this roundabout has been deleted and a small slip lane recommended. Has infrastructure got it wrong or has the traffic study consultant got it wrong in terms of the appropriate traffic treatment for that intersection?*

- A1 The Director Planning and Community Development believed that neither the City or the consultant had it wrong, having proposed alternate treatments for that intersection. The City's proposal is not necessarily based on this development, while the applicant's traffic engineer modelled this development and proposed an alternate solution.

Mayor Pickard commented it is not uncommon for the City in its *Five Year Capital Works Program* to suggest a particular road treatment and as the works approach, changes may be made to the terminology or treatment at design stage.

Mrs K Reeder, Sorrento:

Re: *CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.*

- Q1 *With respect to parking concerns, has there been an independent review undertaken by Council of the consultant's report in view of the fact that the report has been funded by one of the interested parties. If not, why not?*

- A1 Mayor Pickard advised the City has adequately qualified officers and it is their role to assess such matters. Very rarely does the City outsource its assessment role and engage an independent consultant to perform such tasks that legislatively the City is required to undertake.

The Director Planning and Community Development advised there has only been one situation when a third party was engaged to provide an opinion. This action was undertaken in view of the fact that two parties were developing at the same time and their traffic reports were conflicting. The City required external expertise to assist in its determination. The independent traffic study was submitted to the City and its highly qualified traffic engineers have reviewed it and concur with its assessment.

Mr R Shuman, Sorrento:

Re: *CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.*

- Q1 *Is it a well used practise within the City of Joondalup that the City manages private properties?*

- Q2 *Can the City provide evidence of an agreement with the landowner that the City manages that particular piece of land which is currently a public car park which will be relocated to the Plaza once the development is pushed out by its bulk and scale?*

- A1&2 Mayor Pickard advised it is common practice for the City to manage parking. For a private landowner to be able to access legislative powers, they are required to engage with the City of Joondalup to make it a formal designated space that the City can then actively control. This arrangement is more common in the City Centre than the suburbs of the City.

The Director Planning and Community Development advised that parking was constructed by the landowner. It is on public land, with the City currently managing it. If the landowner develops in the future, there will be changes to the space. Whether or not more parking is constructed in that location or whether the parking is accommodated elsewhere and the site landscaped will only be known once a development application is received. The key aspect to understand is that the structure plan determines that adequate parking is provided on site for all uses, which is currently not the case.

Mayor Pickard further advised contact should be made with the City in order to determine whether a formal agreement between the City of Joondalup and the landowner exists. Mayor Pickard reiterated earlier comments that the area in question was public land, not private land and as such there was no private agreement in place.

C10-03/17

EXTENSION OF PUBLIC QUESTION TIME

MOVED Cr Hamilton-Prime, SECONDED Cr Hollywood that Public Question Time be extended.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Mr M Owen, Sorrento:

Re: CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.

Q1 Why has the developer entertained a six storey development for the site and not three storeys which would be more appropriate and fitting to the location?

A1 Mayor Pickard commented the applicant lodged an application with the City for a six storey development, with the City having a legal responsibility to assess the application that is lodged.

Q2 Is the City happy with the plan that has been assessed?

A2 Mayor Pickard advised City officers have recommended to Council that this item be approved.

PUBLIC STATEMENT TIME**Mr D Holcart, Beldon:**

Re: CJ034-03/17 – Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.

Mr Holcart raised his concerns with respect to the proposed upgrade of Beldon Park with particular emphasis on fencing around one of the ovals, amenity of the area, increased use of the park by a single user group and lack of information around the current sharing arrangements between the Joondalup United Football Club and the Sorrento Soccer Club at Percy Doyle Reserve.

Mr Holcart encouraged Elected Members not to proceed with the proposed redevelopment project for Beldon Park in line with Part 3 of the recommendation to Council.

Mr T Plichta, Beldon:

Re: CJ034-03/17 – Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.

Mr Plichta commented the population of Beldon was forecast to increase in coming years, with Beldon Park being the only park within the suburb with a flat surface for residents to recreate on.

Mr Plichta stated the suburb of Beldon was located in Housing Opportunity Area 7 and as redevelopment occurred more people would desire to enjoy local parks, services and facilities in the locality.

Mr Plichta believed Beldon Park was designed to cater for the needs of the residents within the community and urged Elected Members not to proceed with the proposed redevelopment of the park.

Mrs N Dangar, Secretary – Beldon Residents Association.

Re: CJ034-03/17 – Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.

Mrs Dangar made reference to recent community consultation in relation to this Item and requested that with respect to future consultation undertaken by the City that due consideration is given to the impact such a proposal may have on the residents of the area.

Mrs Dangar indicated the Beldon Residents Association was unable to hold future events on Beldon Park due to future sporting commitments. She suggested an on-line booking calendar be made available for use by the community to determine the future availability of parks to assist groups when making plans for future events.

Mr T Bluett, Beldon:

Re: CJ034-03/17 – Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.

Mr Bluett commented his children had grown up playing on Beldon Park and hoped his grandchildren would have the same opportunities.

Mr M Pullen, Beldon:

Re: CJ034-03/17 – Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.

Mr Pullen believed local Beldon roads did not have the capacity to accommodate increased traffic volumes on training and match days and urged Elected Members not to proceed with the proposed redevelopment project for Beldon Park in line with Part 3 of the recommendation to Council.

Mr P Berney, Sorrento:

Re: CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.

Mr Berney expressed his concerns with respect to the bulk, height and scale of the proposed development and felt the financial viability of the proposal should not be a consideration of approval.

Mr Berney urged Elected Members to reject the application until such time as full and adequate information had been provided.

Mrs C Gadsdon, Sorrento:

Re: CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.

Mrs Gadsdon raised her concerns with respect to the bulk and scale of the proposed development, with specific reference to the five and six storeys and the impact such a development would have on the amenity of the area.

Mrs E Guilbert, Beldon:

Re: CJ034-03/17 – Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon.

Mrs Guilbert raised her opposition to the proposed upgrade of Beldon Park and encouraged Elected Members not to proceed with the proposed redevelopment project for Beldon Park in line with Part 3 of the recommendation to Council.

Mrs M Berney, Sorrento:

Re: CJ022-03/17 - Draft Sorrento Activity Centre Plan and Scheme Amendment Nos. 77 and 79 - Consideration following advertising.

Mrs Berney spoke in relation to the bulk, height and scale of the proposed development and requested Elected Members give careful consideration to the approval process.

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

| | |
|-----------------|--------------------------------------|
| Cr Nige Jones | 27 March to 31 March 2017 inclusive; |
| Cr Nige Jones | 2 April to 7 April 2017 inclusive; |
| Cr Liam Gobbert | 11 April to 18 April 2017 inclusive; |
| Cr John Logan | 22 April to 28 May 2017 inclusive; |
| Cr Sophie Dwyer | 12 April to 19 April 2017 inclusive; |
| Cr Nige Jones | 4 May to 13 May 2017 inclusive; |
| Cr Sophie Dwyer | 9 July to 13 July 2017 inclusive. |

C11-03/17**REQUESTS FOR LEAVE OF ABSENCE – CRS MIKE NORMAN,
RUSSELL POLIWKA AND SOPHIE DWYER**

Cr Mike Norman has requested Leave of Absence from Council duties covering the period 28 March to 3 April 2017 inclusive.

Cr Russell Poliwka has requested Leave of Absence from Council duties covering the period 28 March to 5 April 2017 inclusive.

Cr Sophie Dwyer has requested Leave of Absence from Council duties covering the periods 2 April to 11 April 2017 inclusive, 20 April to 30 April 2017 inclusive, 1 July to 17 July 2017 inclusive and 23 September to 8 October 2017 inclusive.

MOVED Cr Fishwick, SECONDED Cr Norman that Council:

- 1 APPROVES the requests for Leave of Absence from Council duties covering the following dates:**
 - 1.1 Cr Mike Norman from 28 March to 3 April 2017 inclusive;**
 - 1.2 Cr Russell Poliwka from 28 March to 5 April 2017 inclusive;**
 - 1.3 Cr Sophie Dwyer from:**
 - 1.3.1 2 April to 11 April 2017 inclusive;**
 - 1.3.2 20 April to 30 April 2017 inclusive;**
 - 1.3.3 1 July to 17 July 2017 inclusive;**
 - 1.3.4 23 September to 8 October 2017 inclusive.**

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

CONFIRMATION OF MINUTES

C12-03/17

MINUTES OF COUNCIL MEETING HELD 21 FEBRUARY 2017

MOVED Cr Chester, SECONDED Cr Fishwick that the Minutes of the Council Meeting held on 21 February 2017 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Dogs Day Out and Coastal Dog Walk

Mayor Pickard announced that the annual City of Joondalup Dogs Day Out returns this Sunday to Lexcen Park, Ocean Reef.

Mayor Pickard advised the event is now in its fourth year and that the 2017 Dogs Day Out promises to be the biggest and best yet with the addition of a Coastal Dog Walk to the program.

Mayor Pickard advised that owners can take their four-legged friend on a leisurely 3.2km round-trip from Lexcen Park, taking in some of the City's spectacular coastline along the way.

Mayor Pickard stated the Dogs Day Out is a family-friendly celebration of man's best friend and brings together dog owners and their pets at one of the City's most picturesque parks for a day of fun demonstrations, learning and socialising.

2017 Joondalup Festival

Mayor Pickard noted that excitement is building ahead of the 2017 Joondalup Festival, which for the first time ever will be staged over three nights on Friday 31 March, Saturday 1 April and Sunday 2 April.

Mayor Pickard advised that as the population of the northern corridor increases, the Joondalup Festival continues to grow and develop, and as such it was decided to expand the Festival to provide more opportunities for people to attend.

Mayor Pickard announced that the theme for the 19th annual festival is 'Perform, Create, Imagine' and this year's exciting program features a mix of international, national and local performances, noting that there truly is something on offer for festival-goers of all ages.

Mayor Pickard stated the award-winning festival attracts tens of thousands of people to Joondalup each year – the cultural and civic capital of Perth's northern metropolitan region and encouraged all members of the community to attend.

City to Share in Commonwealth Games Excitement

Mayor Pickard announced that the City of Joondalup has been named as one of the Australian Celebration Communities for the Queen's Baton Relay in the lead up to the Gold Coast 2018 Commonwealth Games.

Mayor Pickard advised that the relay is a Games tradition that celebrates the Commonwealth's diversity, inspires community pride and excites people about the world-class festival of sports and culture to come.

Mayor Pickard stated the City will be hosting a leg of the relay as well as holding a community celebration to mark the special occasion.

Mayor Pickard informed members of the community can also nominate a local hero to carry the baton for the Commonwealth Games advising that further information can be found at the GC2018 website <https://www.gc2018.com/qbr>.

Mayor Pickard advised that more details of the event will be announced later in the year.

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

Nil.

PETITIONS

C13-03/17 PETITION REQUESTING COUNCIL REVIEW THE DESIGN OF THE APPROVED SUBDIVISION AT 10 ROCHELE COURT, WOODVALE

A 25 signature petition has been received from residents of the City of Joondalup requesting that Council review the design of the approved subdivision at 10 Rochele Court, Woodvale. Residents request that the design be restricted so that all buildings on the lot be single storey dwellings.

C14-03/17 PETITION REQUESTING THE WIDTH OF THE FOOTPATH IN STRATHYRE DRIVE, DUNCRAIG BE REDUCED

Cr Fishwick tabled a 37 signature petition has been received from residents of the City of Joondalup requesting that the width of the footpath in Strathyre Drive, Duncraig be reduced from 1.8 metres to 1.5 metres and be installed behind the existing kerb.

MOVED Cr Fishwick, SECONDED Cr Hollywood that the following petitions be RECEIVED, referred to the Chief Executive Officer and subsequent reports presented to Council for information:

- 1 A 25 signature petition requesting that Council review the design of the approved subdivision at 10 Rochele Court, Woodvale;**
- 2 A 37 signature petition requesting that the width of the footpath in Strathyre Drive, Duncraig be reduced from 1.8 metres to 1.5 metres and be installed behind the existing kerb.**

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

REPORTS**CJ020-03/17 DEVELOPMENT AND SUBDIVISION APPLICATIONS
– JANUARY 2017**

| | |
|-------------------------------|--|
| WARD | All |
| RESPONSIBLE | Ms Dale Page |
| DIRECTOR | Planning and Community Development |
| FILE NUMBER | 07032, 101515 |
| ATTACHMENT | Attachment 1 Monthly Development Applications Determined – January 2017 |
| | Attachment 2 Monthly Subdivision Applications Processed – January 2017 |
| AUTHORITY / DISCRETION | Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting'). |

PURPOSE

For Council to note the number and nature of applications considered under delegated authority during the month of January 2017.

EXECUTIVE SUMMARY

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

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

This report identifies the development applications determined by the administration under delegated authority powers during January 2017 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during January 2017 (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 January 2017 is shown in the table below:

| Type of subdivision referral | Number of referrals | Potential additional new lots |
|---------------------------------|---------------------|-------------------------------|
| Subdivision applications | 1 | 1 |
| Strata subdivision applications | 14 | 31 |
| TOTAL | 15 | 32 |

Of the 15 subdivision referrals, 10 were to subdivide in housing opportunity areas, with the potential for 13 additional lots.

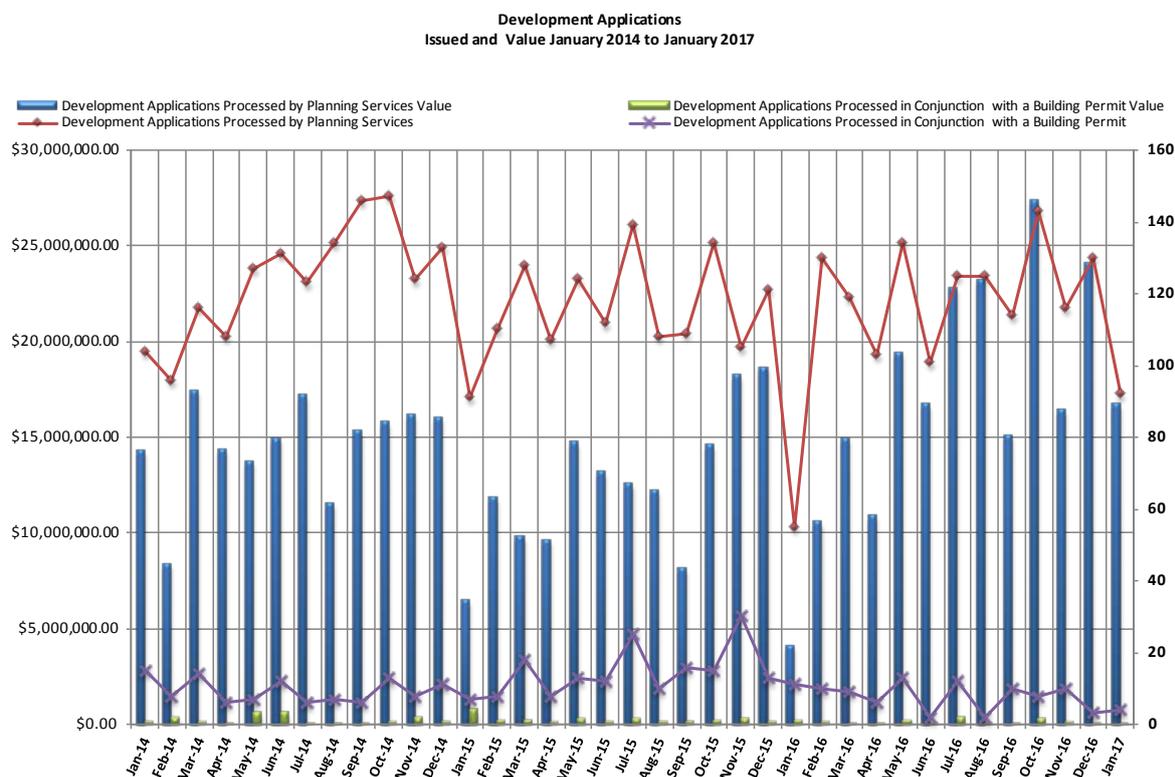
Development applications

The number of development applications determined under delegated authority during January 2017 is shown in the table below:

| Type of development application | Number | Value (\$) |
|---|-----------|---------------------|
| Development applications processed by Planning Services | 92 | \$16,726,022 |
| Development applications processed by Building Services | 4 | \$35,950 |
| TOTAL | 96 | \$16,761,972 |

Of the 96 development applications, five were for new dwelling developments in housing opportunity areas, proposing a total of nine additional dwellings.

The total number and value of development applications determined between January 2014 and January 2017 is illustrated in the graph below:



The number of development applications received during January was 93. (This figure does not include any development applications to be processed by Building Approvals as part of the building permit approval process).

The number of development applications current at the end of January was 203. Of these, 59 were pending further information from applicants and 12 were being advertised for public comment.

In addition to the above, 194 building permits were issued during the month of January with an estimated construction value of \$22,062,175.

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 96 development applications were determined for the month of January with a total amount of \$58,945 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.

MOVED Cr Jones, SECONDED Cr Hollywood that Council NOTES the determinations and recommendations made under delegated authority in relation to the:

- 1 Development applications described in Attachment 1 to Report CJ020-03/17 during January 2017;**
- 2 Subdivision applications described in Attachment 2 to Report CJ020-03/17 during January 2017.**

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf170314.pdf](#)

CJ021-03/17 PROPOSED INITIATION OF SCHEME AMENDMENT NO. 87 TO DISTRICT PLANNING SCHEME NO. 2 – REZONING FROM CIVIC AND CULTURAL TO COMMERCIAL - LOT 12223 (12) BLACKWATTLE PARADE, PADBURY

| | |
|-------------------------------|---|
| WARD | South-West |
| RESPONSIBLE | Ms Dale Page |
| DIRECTOR | Planning and Community Development |
| FILE NUMBER | 55022, 101515 |
| ATTACHMENT | Attachment 1 Location Plan Attachment 2 Scheme amendment maps |
| AUTHORITY / DISCRETION | Legislative - includes the adoption of local laws, planning schemes and policies. |

PURPOSE

For Council to consider initiating an amendment to *District Planning Scheme No. 2 (DPS2)* to rezone Lot 12223 (12) Blackwattle Parade, Padbury from 'Civic and Cultural' to 'Commercial' and remove the existing residential density code.

EXECUTIVE SUMMARY

At its meeting held on 19 May 2015 (CJ082-03/15 refers), as part of the process for acquiring Lot 12223 (12) Blackwattle Parade, Padbury, Council resolved to request a report be submitted to Council to amend the zoning of the site from 'Civic and Cultural' to a commercial type zoning once the site was acquired.

It is proposed that Lot 12223 be rezoned to 'Commercial' under DPS2 as this zone is consistent and compatible with the zonings of the adjoining commercial sites. The subject site currently has a residential density code of R20/40. Clause 4.3.2 of DPS2 states that for 'Commercial' zoned sites greater than 1,000m² the applicable density is R80. As such it is also proposed that the existing residential density code be removed for Lot 12223.

The site is currently vacant and has been identified as not being required for a community purpose facility. The rezoning will provide the opportunity for Lot 12223 to be developed to accommodate businesses or housing which will provide for the needs of the local community.

It is recommended that Scheme Amendment No. 87 be initiated for the purpose of advertising for public comment for 42 days, after which, further consideration can be given to the proposal by Council.

BACKGROUND

| | |
|------------------------|---|
| Suburb/Location | Lot 12223 (12) Blackwattle Parade, Padbury. |
| Applicant | City of Joondalup. |

| | |
|-----------------------|---|
| Owner | Crown Land. |
| Zoning | DPS 'Civic and Cultural'. MRS 'Urban'. |
| Site Area | 3,332m ² . |
| Structure Plan | Not applicable. |

The subject site is vacant Crown Land which the City has a management order for and is currently in the process of acquiring. It is currently zoned 'Civic and Cultural' under DPS2 and has a residential density code of R20/40. It is bound by 'Commercial' zoned lots (Lot 195 Blackwattle Parade and Lot 196 Walter Padbury Boulevard) to the west, a 'Business' zoned lot (Lot 193 Blackwattle Parade) to the east and 'Residential' zoned lots across the road and throughout the immediate locality. The nearby residential lots have a density code of R20/40. Hepburn Avenue adjoins the southern boundary of Lot 12223 (Attachment 1 refers).

Currently, the subject site is proposed to be reserved as 'Civic and Community' under draft *Local Planning Scheme No. 3* (LPS3), however if this rezoning proceeds, it is intended that the subject site will be zoned 'Commercial' under LPS3.

The adjoining 'Civic and Cultural' zoned lot, Lot 504 (12F) Blackwattle Parade, is owned by Telstra Corporation Limited and accommodates a telephone exchange building. Lot 504 is proposed to be reserved as 'Local Road' under draft LPS3 and is not part of this scheme amendment.

It is also proposed through LPS3 that Lot 193 to the east, be rezoned from 'Business' to 'Commercial'.

On the existing 'Commercial' zoned lots (Lots 195 and 196) a range of uses are currently operating including a service station, restaurants, takeaway food outlets and shops. There is an office (real estate agent) currently operating on the 'Business' zoned site (Lot 193).

The subject lot, along with Lots 196, 195 and 193 are collectively known as the 'Hepburn Avenue Neighbourhood Centre' under the City's *Local Commercial Strategy*.

Acquisition of Lot 12223 Blackwattle Parade, Padbury

In 2013 the City commenced the process of acquiring Lot 12223. As part of the process, at its meeting held on 19 May 2015 (CJ082-03/15), Council resolved that:

"4 following acquisition of Lot 12223 (12) Blackwattle Parade, Padbury, REQUESTS the Chief Executive Officer to submit a report to Council to amend the zoning from 'Civic and Cultural' to a commercial type zoning in order to facilitate the site's eventual sale."

The process of acquiring the site has progressed to the point that the contract of sale will be finalised shortly. On this basis it is considered appropriate to commence the scheme amendment process, consistent with the above resolution.

Comment was sought from the Department of Planning (DoP) during the consultation process required for the acquisition of the land. In November 2013 DoP provided a response indicating support for the proposal and stated that any future rezoning of Lot 12223 is to be supported by, inter alia, a Retail Sustainability Assessment (RSA) in accordance with *State Planning Policy 4.2 Activity Centres for Perth and Peel*.

Local Commercial Strategy (LCS)

The City's LCS was endorsed by Council at its meeting held on 10 December 2013 (CJ230-12/13 refers). The LCS assessed the health of existing commercial centres within the local government area and made recommendations on the future growth of the centres. The LCS identifies the subject site along with Lots 195, 196 and 193 as a 'Neighbourhood Centre' and as of 2010 the centre had a shop retail floor space of 1,971m².

As part of the LCS, a Retail Needs Assessment (RNA) was included which considered the indicative shop retail floor space threshold of the Hepburn Avenue Neighbourhood Centre in the context of all surrounding centres within the City of Joondalup. The LCS states that this centre is able to sustain an indicative shop retail floor space of 4,000m² up to 2026 and there has been almost no change to the existing centre in the interim.

The LCS also indicated there is capacity in the medium term for further commercial office development outside of the City Centre in areas such as Padbury.

The analysis and recommendations of the LCS are considered to satisfy the DoP's request that any rezoning proposal be supported by a retail assessment.

DETAILS

It is proposed that Lot 12223 Blackwattle Parade, Padbury be rezoned from 'Civic and Cultural' to 'Commercial'. Given the size and location of the site, it is suitable for accommodating commercial development.

In view of the timing proposed to initiate and progress this amendment under the DPS2 compared with the current status of draft LPS3, it is necessary to consider the operation of the proposed zone under both.

District Planning Scheme No. 2

The 'Commercial' zone will allow for a range of land uses to be accommodated on the site including, *inter alia*, 'Aged or Dependent Persons' Dwellings', 'Bulky Goods Showrooms', 'Consulting Rooms', 'Educational Establishment', 'Grouped Dwelling', 'Shop', 'Medical Centre', 'Place of Worship' and 'Restaurant'.

The applicable residential density code for the site is currently R20/40 however, should the site be rezoned to 'Commercial' it is also proposed to remove the density code consistent with other 'Commercial' zoned lots. The site will then be able to be developed at the density code of R80 in accordance with clause 4.3.2 of DPS2 which states:

4.3.2 Unless a density code is specified on the R-Code Map, for lots with a land area of 1,000m² or more within the Commercial, Business or Mixed Use zone on the Scheme Map the applicable density code is R80.'

Draft Local Planning Scheme No. 3

Currently LPS3 proposes to remove the existing 'Civic and Cultural' zone for the subject site, and reserve it 'Civic and Community'. The residential density of R20 would be maintained. There is no proposed land use permissibility or development standards proposed for the 'Civic and Community' reservation under LPS3.

Should Scheme Amendment No. 87 be initiated and finalised before LPS3 there is scope for the 'Commercial' zone to be maintained along with the applicable land use permissibility currently provided in DPS2. Although there are some minor changes proposed to the land uses between DPS2 and LPS3, the land use permissibility within the 'Commercial' zone is predominantly unchanged.

The residential density of R80 currently afforded to sites greater than 1,000m² in the 'Commercial' and 'Mixed Use' zone will still be applicable under LPS3.

In view of the above, it is considered that the proposed 'Commercial' zoning is appropriate under DPS2, and will be under LPS3 when operational.

Issues and options considered

The issue to be considered by Council is the suitability of rezoning Lot 12223 (12) Blackwattle Parade from 'Civic and Cultural' to 'Commercial' and removing the residential density code.

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

- proceed to advertise the amendment to the local planning scheme without modifications
- proceed to advertise the amendment to the local planning scheme with modifications or
- not proceed to advertise the amendment to the local planning scheme.

Legislation / Strategic Community Plan / policy implications

| | |
|---------------------------------|--|
| Legislation | <i>Planning and Development Act 2005. Planning and Development (Local Planning Schemes) Regulations 2015.</i> |
| Strategic Community Plan | |
| Key theme | Quality Urban Environment. |
| Objective | Quality built outcomes. |
| Strategic initiative | Planning frameworks promote and support adaptive, mixed use developments with active ground floor uses on appropriately zoned sites. |
| Policy | Not applicable. |

Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015

Part 5 of the *Planning and Development Act 2005* along with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) enables a local government to prepare or amend a local planning scheme and sets out the process to be followed.

Under the Regulations, scheme amendments are classified as being basic, standard or complex amendments. In resolving to proceed with an amendment, Council needs to specify the amendment type and explain the reason for that classification. As the proposed 'Commercial' zone is considered to be consistent with existing and proposed zonings in the area, the proposal is considered to be a standard amendment. Standard amendments are not required to be referred to the WAPC prior to advertising.

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

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

District Planning Scheme No. 2

It is proposed to rezone the subject site from 'Civic and Cultural' to 'Commercial'. The following clause of DPS2 sets out the intent and objectives of the 'Commercial' zone;

3.7.1 The Commercial Zone is intended to accommodate existing or proposed shopping and business centres where it is impractical to provide a Structure Plan in accordance with Part 5 of the deemed provisions.

The objectives of the Commercial Zone are to:

- (make provision for existing or proposed retail and commercial areas that are not covered by a Structure Plan;
- provide for a wide range of uses within existing commercial areas, including retailing, entertainment, professional offices, business services and residential.

Risk management considerations

It is anticipated that should the amendment to DPS2 be initiated now and advertised for public comment, following final consideration by Council, the new 'Commercial' zoning could be incorporated into LPS3 prior to its finalisation.

However, there is a risk that in the event that LPS3 has progressed beyond a point where there is the ability to capture this subject amendment, a new amendment would need to be initiated following the finalisation of LPS3 to implement the 'Commercial' zoning.

Financial / budget implications

The City, as the proponent is required to cover the costs associated with the scheme amendment process. The costs incurred are for the advertising of the scheme amendment which includes letters to adjoining and nearby owners, placing a notice in the local newspaper and on the City's website, and a sign on the site. The total cost of advertising is estimated to be \$2,000. A notice will also be placed in the *Government Gazette* in the event that the scheme amendment is approved.

Regional significance

Not applicable.

Sustainability implications

Although the site has been identified as not being required for a community purpose facility, the rezoning will provide the opportunity for the site to be developed to accommodate businesses or potentially provide housing options that will service the needs of the community.

Consultation

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

- letters to adjoining and nearby landowners
- a notice placed in the *Joondalup Community newspaper*
- a notice and documents placed on the City's website
- documents available to view at the City's Administration building
- letters to relevant service authorities
- sign on site
- a notice placed through the City's social media platforms.

COMMENT

Suitability of the proposed rezoning and removal of the density code

As indicated by the objectives of the 'Commercial' zone in DPS2, the proposed zone provides the opportunity for a range of land uses, both commercial and residential, to be developed on the site.

Sites immediately west (Lots 195 and 196) are currently zoned 'Commercial' and Lot 193 (immediately east) is proposed to be zoned 'Commercial' under LPS3. It is therefore appropriate to also rezone Lot 12223 to 'Commercial' to complete the Neighbourhood Centre and provide consistency across the centre in regard to land use permissibility.

The development of the site, along with the rest of the centre, has the potential to benefit the local community by providing services or businesses to meet their daily or weekly needs. There is the possibility of housing being developed on the site which would provide the opportunity for existing residents to down size but stay in the area or provide housing choice for others wanting to live in the locality.

On this basis, the proposed 'Commercial' zone is considered to be appropriate.

Retail Sustainability Assessment

In November 2013, during the consultation process required for the acquisition of the site, comment was received from the Department of Planning indicating that any amendment to rezone Lot 12223 to a 'Commercial' or 'Business' zone would need to be supported by a Retail Sustainability Assessment (RSA).

An RSA has not been undertaken specifically for Lot 12223 as the City's LCS was endorsed by Council at its meeting held on 10 December 2013 (CJ230-12/13 refers), subsequent to the Department of Planning's advice. The City's LCS included a Retail Needs Assessment (RNA) and considered the indicative shop retail floor space threshold of the Hepburn Avenue Neighbourhood Centre in the context of all surrounding centres within the City.

It is further noted that, although not commercially zoned, the LCS did recognise the subject lot as forming part of the Hepburn Avenue Neighbourhood Centre. Accordingly the findings of the LCS remain relevant in considering the proposed rezoning of the subject site to 'Commercial'.

The analysis and recommendations of the LCS are also considered to be relevant given there has been almost no change to the existing centre since the LCS was endorsed by Council. In 2010 the centre had approximately 1,971m² of shop retail floor space and as no further expansion has occurred since, there is capacity for further retail development in the centre.

The proposed 'Commercial' zone will provide the opportunity for a greater number of land uses to locate on Lot 12223 which are unable to be considered under the existing 'Civic and Cultural' zoning. The inclusion of commercial development will strengthen the land use diversity of the centre and provide greater choice for the community.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Hollywood that Council:

- 1 Pursuant to regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* RESOLVES that Scheme Amendment No. 87 is a standard amendment as the proposed 'Commercial' zone is considered to be consistent with the existing and proposed zonings in the area;
- 2 Pursuant to section 75 of the *Planning and Development Act 2005* and regulation 35 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to proceed to advertise Scheme Amendment No. 87 to the *City of Joondalup District Planning Scheme No. 2* to:
 - 2.1 amend the Scheme Map to rezone Lot 12223 (12) Blackwattle Parade, Padbury from 'Civic and Cultural' to 'Commercial';
 - 2.2 amend the Residential Density Code Map to recode Lot 12223 (12) Blackwattle Parade, Padbury to remove the residential density codes,

as depicted at Attachment 2 to Report CJ021-03/17, for the purpose of public advertising for a period of 42 days.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf170314.pdf](#)

Disclosures of interest affecting impartiality

| | |
|---------------------------|---|
| Name/Position | Mayor Troy Pickard. |
| Item No./Subject | CJ022-03/17 – Draft <i>Sorrento Activity Centre Plan</i> and Scheme Amendment Nos. 77 and 79 – Consideration following advertising. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Mayor Pickard and previously some of the applicants have made contributions towards a fundraising dinner prior to Mayor Pickard's current term. |

| | |
|---------------------------|---|
| Name/Position | Cr Liam Gobbert. |
| Item No./Subject | CJ022-03/17 – Draft <i>Sorrento Activity Centre Plan</i> and Scheme Amendment Nos. 77 and 79 – Consideration following advertising. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Employees of the consultant are known to Cr Gobbert. |

| | |
|---------------------------|---|
| Name/Position | Cr Kerry Hollywood. |
| Item No./Subject | CJ022-03/17 – Draft <i>Sorrento Activity Centre Plan</i> and Scheme Amendment Nos. 77 and 79 – Consideration following advertising. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Cr Hollywood has been involved with development in this area and Mr Stuart Hawkins is known to Cr Hollywood. |

CJ022-03/17 DRAFT SORRENTO ACTIVITY CENTRE PLAN AND SCHEME AMENDMENTS NO. 77 AND 79 - CONSIDERATION FOLLOWING ADVERTISING

| | |
|-------------------------------|---|
| WARD | South-West |
| RESPONSIBLE DIRECTOR | Ms Dale Page Planning and Community Development |
| FILE NUMBER | 104505, 101515, 104256, 104511 |
| ATTACHMENT | Attachment 1 Location plan Attachment 2 Scheme amendment maps Attachment 3 Sorrento Activity Centre Plan Map Attachment 4 Sorrento Activity Centre Plan (available electronic only) Attachment 5 Sorrento Activity Centre Plan Map – applicant proposal Attachment 6 Consultation map Attachment 7 Summary of submissions Attachment 8 Summary of submissions – Scheme Amendments Attachment 9 Cross sections of building height Attachment 10 Overshadowing diagrams Attachment 11 Model centre framework Attachment 12 Schedule of modifications |
| AUTHORITY / DISCRETION | Legislative - includes the adoption of local laws, planning schemes and policies. |

PURPOSE

For Council to consider the draft Sorrento Activity Centre Plan (SACP) and Scheme Amendments No. 77 and 79 following public consultation.

EXECUTIVE SUMMARY

The Sorrento Local Centre is currently zoned 'Commercial' and 'Residential' under *District Planning Scheme No. 2 (DPS2)*. To facilitate cohesive redevelopment of the centre, the draft Sorrento Activity Centre Plan (SACP) and two scheme amendments have been submitted on behalf of the owners of several of the lots that comprise the local centre.

The two scheme amendments propose to rezone the subject lots to 'Centre' under DPS2. The 'Centre' zone is considered appropriate as it will require the preparation and adoption of an activity centre plan prior to redevelopment of the centre (which has been lodged concurrently with the scheme amendments). The scheme amendments also propose to remove the residential density code to allow the density code to be set in the activity centre plan.

The draft SACP will facilitate the development of a mixed use coastal centre, comprised of active uses on the ground floor such as restaurants and shops, with residential above. A density code of R80 is proposed for the site with a range of maximum building heights. This range includes a maximum building height of three storeys for Lot 146, which fronts Padbury Circle; five storeys for Lots 147 and 148, which front The Plaza; and six storeys for Lots 2, 149, 153 and 154, which front West Coast Drive and Raleigh Road (Attachment 3 refers).

The draft SACP and scheme amendments were advertised concurrently for a period of 42 days closing on 22 December 2016. A total of 617 submissions were received, consisting of six submissions from service authorities, a submission from the Department of Planning and 610 submissions from the general public. Of the submissions from the general public, there were 202 submissions of support, 407 objections to the proposal and one comment. In addition, two petitions of support were received and one submission from the Marmion, Sorrento, Duncraig Progress and Ratepayers Association was received consisting of 117 questionnaires.

The objections were predominantly opposed to the six storey building height, the increase in traffic and parking in the area that will be caused by the development and the bulk and scale of the development being out of character with the area. The submissions of support predominantly supported upgrading of the centre which will enhance the area and provide alternative housing choice.

In response to the submissions, the applicant has proposed to reduce the building height on Lots 153 and 154 from six storeys to five storeys and to increase the building separation between Lots 2 and 153 from four metres to six metres. The applicant has also proposed to remove the four metre separation between Lots 2 and 149, and increase the setback from Lot 154 to the adjacent 'Residential' zoned lot.

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the LPS Regulations), activity centre plans are determined by the Western Australian Planning Commission (WAPC) and scheme amendments are determined by the Minister for Planning (on advice of the WAPC). Therefore, while the report addresses the assessment of the activity centre plan and scheme amendments from the City's perspective, and considers the submissions received through the advertising process, Council's role is to make a recommendation to the WAPC.

Following assessment of the draft SACP and in consideration of the submissions received, it is recommended that a number of modifications be made to improve the clarity and workability of the document. In addition, it is recommended that the building height be reduced on Lots 153 and 154 from six to five storeys, which will reduce the overshadowing impacts and building bulk on that corner.

It is however noted, that the subject site is an identified local activity centre and a coastal node and, as such, will have a different built form character to the surrounding residential area.

It is recommended that Council advises the WAPC that it supports the draft Sorrento Activity Centre Plan, subject to the modifications outlined at Attachment 12, and supports Scheme Amendments No. 77 and No. 79 as modified to incorporate land use permissibility.

BACKGROUND

| | |
|------------------------|---|
| Suburb/Location | Lots 146 (4) and 147 (2) Padbury Circle, Lots 2 (130), 148 (136A-136B), 149 (134) and 153 (128) West Coast Drive, and Lot 154 (1) Raleigh Rd, Sorrento. |
| Applicant | Activity Centre Plan and Amendment No. 77 – Rowe Group on behalf of ABN Group. Amendment No. 79 – Hames Sharley on behalf of Equation Pty Ltd. |
| Owner | Lots 146 (4) and 147 (2) Padbury Circle, and Lot 148 (136A-136B) West Coast Drive, Sorrento – Equation Pty Ltd. Lot 149 (134) West Coast Drive, Sorrento – Peter John Peard. Lot 2 (130) West Coast Drive, Sorrento – Shannonbrae Pty Ltd, Stonehawk Pty Ltd, Rodney Michael O'Mara, Mary Anne O'Mara and Pauline Kaye Wilson. Lot 153 (128) West Coast Drive and Lot 154 (1) Raleigh Rd, Sorrento – BP Australia Pty Ltd. |
| Zoning | DPS Commercial and Residential. MRS Urban. |
| Site Area | Lot 146 (4) – 847 m ² Lot 147 (2) – 703 m ² Lot 148 (136A-136B) – 759 m ² Lot 149 (134) – 792 m ² Lot 2 (130) – 1,685 m ² Lot 153 (128) – 707 m ² Lot 154 (1) – 894 m ² Total 6,387m² |
| Structure Plan | The subject of this report. |

The Sorrento Local Centre comprises several lots as detailed above (Attachment 1 refers). It currently consists of a liquor store and two restaurants to the north, the Sorrento Commercial Centre in the centre and a service station to the south. In addition, two residential lots to the north and east have been included in the activity centre plan boundary. One lot (Lot 147) currently accommodates a car park for the liquor store and the other, Lot 146, contains a single residential dwelling. The subject area abuts a vacant residential lot to the south-east and existing residential dwellings to the north-east. The Sorrento foreshore and beach is to the west of the subject site.

Three applications have been lodged concurrently for the centre as follows:

- Scheme Amendment No. 77 – which proposes to rezone Lots 148, 149, 2, 153 West Coast Drive and Lot 154 Raleigh Rd, Sorrento from 'Commercial' to 'Centre' and remove the residential density code from the land (Attachment 2 refers).
- Scheme Amendment No. 79 – which proposes to rezone Lots 146 and 147 Padbury Circle from 'Residential' to 'Centre' and to remove the residential density code from the land (Attachment 2 refers).
- Draft Sorrento Activity Centre Plan (SACP) - to guide the future redevelopment of the subject area (Attachments 3 and 4 refer).

At its meeting held on 21 April 2015 (CJ051-04/15 refers), Council resolved to advertise the scheme amendments and the draft SACP subject to modifications. The modifications to the draft SACP included editorial changes to improve formatting, changes to some of the proposed land use permissibilities and a requirement for a revised transport assessment. The revised SACP including the revised transport assessment was lodged with the City in October 2016.

In accordance with the LPS Regulations and Council's resolution of 21 April 2015, the City advertised the draft SACP and scheme amendments for a period of 42 days from 10 November until 22 December 2016.

DETAILS

Submission on behalf of owners of Lots 146 and 147 Padbury Circle and 148 West Coast Drive

A submission was received from planning consultants Hames Sharley, on behalf of the owners of the above lots which are part of the SACP area. The submission advised that the owners are not supportive of the rear laneway access through Lot 147 as this laneway would make developing one building over these lots difficult. Due to the different zonings and height limits on Lot 146 and 147 (Lot 146 is 'Residential' with a three storey height limit and Lot 147 'Commercial' with a five storey height limit), one building would be difficult to develop over these lots, and a mixed use building is not permitted on Lot 146.

Notwithstanding, it is considered that the rear laneway is important to the circulation of the centre and necessary to facilitate service access that does not impact on the surrounding local network. It is therefore appropriate that this rear access be maintained, and is a position supported by the Department of Planning. The owners have requested extra height and less parking be incorporated into the draft SACP for Lots 146 and 147 in exchange for the retention of the rear laneway, however, a reduction in the provision of parking or additional height due to the requirement for the rear laneway is not supported.

Request for inclusion of Lot 145 (2) Drakes Walk, Sorrento into the SACP

During the consultation process a submission was received from planning consultants TPG + Place Match on behalf of the owners of Lot 145 (2) Drakes Walk requesting inclusion of their land in the SACP due to their location adjoining the centre and sharing boundaries with four lots in the SACP area. It is not considered appropriate to make any changes to the boundary of the activity centre plan area at this stage as the boundary has been proposed by the applicant and any modification is likely to trigger the need to readvertise the draft SACP and an associated scheme amendment. However, there may be some merit in the consideration of the inclusion of this lot in the activity centre in the future due to its location and level differences at the rear. Once the SACP is finalised, the owner of Lot 145 can request modification to the SACP at that time.

Assessment of the draft SACP

The draft SACP has been assessed against the *Structure Plan Framework*, SPP 4.2, SPP 2.6, the R-Codes, the City's DPS2 and relevant local planning policies.

Residential Density

Under DSP2, the local centre currently has a residential density code of R40 where the lot sizes are less than 1,000m² and R80 where the lot sizes are over 1,000m². The draft SACP proposes a residential density code of R80 across the site. The application of different density codes across one local centre is not considered effective for the cohesive redevelopment of the centre as the varying densities will restrict coordinated redevelopment. The R80 density code is considered appropriate as the centre should be assessed as a whole rather than as individual lots. It is noted that under current planning regulations, the developer could amalgamate all lots within the centre and the R80 code would apply.

Directions 2031 and Beyond proposes that 47% of new dwellings in the Perth area are to be provided by infill development. In addition, SPP 4.2 sets a desirable yield of 25 dwellings per gross hectare for neighbourhood and local centres. The draft SACP envisages the development of approximately 76 dwellings. This equates to a dwelling yield of 119 dwellings per gross hectare which meets the dwelling targets set by SPP 4.2.

It is considered that the proposed density meets the objectives of *Directions 2031* and SPP 4.2.

Development requirements

Part 1 of the draft SACP contains the development requirements applicable to the future development of the centre. The development standards propose:

- the architectural features of non-residential development are to promote passive surveillance and a high level of integration at ground level
- continuous awnings along street frontages with the exception of Lot 146 (to be zoned 'Residential')
- a minimum of 60% clear glazing to the ground floor
- the use of high quality materials and compatible colours
- active uses on the ground floor
- corner buildings to address both street frontages
- clearly identifiable building entrances
- landscaped areas fronting streets are to be integrated with the streetscape
- nil to two metre building setbacks to all street frontages with the exception of Lot 146.

The proposed development requirements are considered appropriate for the redevelopment of a coastal local activity centre. The nil to two metre setback requirements will provide the desired urban structure and built form. The requirement for awnings along street frontages will provide weather protection for pedestrian comfort. Active uses on the ground floor, the use of clear glazing, and clearly identifiable entrances will all contribute to the development of buildings with a good street interface and which activate the street.

There are a number of changes proposed to the development requirements of the draft SACP (Attachment 12 refers). Some of these more significant changes have been discussed previously (building height, side setbacks). However, many of these changes are relatively minor and predominantly seek to improve the clarity of the development requirements to ensure they are specific and appropriate to assess future development applications against.

The draft SACP includes a table of 'Residential Design Codes Variations' which effectively relates the relevant development requirements set out in Section Six of Part One to the corresponding Residential Design Code (R-Code) provision. Changes have been recommended to the table of 'Residential Design Codes Variations' (Attachment 12 refers) to align with the changes recommended to the development requirements set out in Section Six of Part One and to improve the integration of the draft SACP and the R-Codes.

It is considered that the proposed development standards along with the proposed changes will ensure the desired built form outcomes are achieved. These requirements will be applied during assessment of forthcoming development applications.

Vehicular and pedestrian access

Historically the centre has had a complicated array of easements over the lots to facilitate access and shared parking. Access to the site is proposed to be reduced to three locations; one from Padbury Circle, one from Raleigh Road and one from West Coast Drive. Car parking is proposed to be contained at the rear of the lots, sleeved behind the development and screened from view from the street.

The consolidation of access and parking on the site is supported. It is also considered important that the existing connection between Raleigh Road and Padbury Circle be retained to allow circulation through the site and to reduce traffic on West Coast Drive and within the residential streets of Sorrento. The proponent has advised that due to the fragmented ownership of the lots within the centre and the level differences across the site, this will be problematic as the site will essentially be developed as three individual development sites with different timeframes.

However, the activity centre plan is the correct instrument to ensure the coordinated development of the site and staged delivery of an upgraded access. This connection is considered essential for the movement of traffic, service vehicles, cyclists and pedestrians visiting the site, allowing parking to be shared by the various commercial developments and movement directly through and across the site.

Council at its meeting held on 21 April 2015 resolved to require that vehicle, cyclist and pedestrian access along the rear of the centre be retained in an upgraded form, however, the applicant has not specifically included this access in the revised draft SACP. As an alternative, the applicant has included a provision in the draft SACP which requires the preparation of an 'Access and Parking Strategy' prior to a subdivision or development application, which will address this requirement.

It is the continued position of the City and the Department of Planning that this connection is essential to allow circulation through the site and to allow parking to be shared by the various commercial developments. This is also reflected in the applicant's transport assessment which, inter alia, states that an access way along the rear of the centre will improve the performance of the West Coast Drive/Raleigh Road intersection. This is discussed in further detail below.

In view of the above, it is recommended that Part One of the draft SACP be modified to include the retention of the vehicular and pedestrian access along the rear in an upgraded form to provide clarity and certainty that this access is provided (Attachment 12 refers).

Transport assessment

A new transport assessment was submitted with the revised draft SACP. A detailed assessment of the transport assessment has been undertaken by the City. The City is supportive of the revised transport assessment and notes that the previous changes required have been undertaken by the consultant to the satisfaction of the City.

The transport assessment has identified that if the centre is developed to the extent envisaged by the draft SACP, there will be a need to upgrade the West Coast Drive/The Plaza intersection to improve the right turn traffic turning movement from The Plaza. The report states that this would be beneficial to the local traffic function and would be sufficient to accommodate the projected traffic demand through to 2031.

The report also states that the intersection of West Coast Drive/Raleigh Road is likely to operate at an acceptable level for all movements except for the right turn out from Raleigh Road. The retention of the vehicular access through the rear of the site results in an improvement in performance at the Raleigh Road intersection, and therefore negates the need for upgrade of this intersection by allowing traffic to access West Coast Drive via the intersection with The Plaza. It is therefore considered essential for traffic flows that the rear access through the site be maintained.

The City has recommended a provision be incorporated into Part One of the draft SACP to require the infrastructure upgrade to the West Coast Drive/The Plaza intersection in accordance with the transport assessment. The upgrade will be undertaken by the relevant applicant as part of subsequent development applications, when the proposed scale of development triggers the need for the upgrade.

Car parking

Clause 6.8.3(a) of the draft SACP, which allows any nearby on-street car bays to be credited to the on-site parking requirement, is recommended to be deleted as it is not considered appropriate. The number of bays required by the 1 bay per 20m² NLA parking standard must be provided on-site. Any bays provided in the road reserve would be in addition to the on-site parking requirement.

Similarly, Clause 6.8.3(b) of the draft SACP, which specifically allows the bays adjoining Lots 148 and 149 within the road reserve of The Plaza to be credited to the on-site parking supply, is recommended to be deleted. Once Lots 148 and 149 are redeveloped in accordance with setback requirements of the draft SACP, access to these parking bays will no longer be available, and in any event, should not be credited as on-site parking supply.

SPP 4.2 – Model centre framework

The draft SACP has been assessed against the model centre framework set out in SPP 4.2 (Attachment 11 refers) and is considered to meet the intent and requirements of SPP 4.2. It is noted that some of the requirements of the model centre framework are not relevant to a local centre.

SPP 2.6 – State Coastal Planning Policy

In regards to coastal hazard risk management and adaptation planning, SPP 2.6 states that this should be undertaken by the responsible management authority and/or proponent prior to proposed development. Part 1 of the draft SACP states that a coastal hazard risk assessment and adaptation plan must be submitted to and be endorsed by the City prior to a development application or subdivision being lodged. In addition, Part 2 advises that coastal hazards are minimised by the centre's separation from the beach by way of a road. Notwithstanding this, provisions have included in Part 1 to ensure all requirements of SPP 2.6 are addressed. This in turn will also address the City's draft *Coastal Local Planning Policy*.

Local Commercial Strategy

The City's *Local Commercial Strategy* identifies a recommended shop retail floorspace threshold of 1,500m² for the Sorrento Local Centre. The draft SACP proposes 1,475m² NLA and therefore does not intend to exceed this threshold. It also proposes to equitably distribute the total NLA across the individual lots as a percentage of their area.

Editorial changes required to the draft SACP

A detailed schedule of modifications has been prepared which are required to format the document in accordance with the WAPC's *Structure Plan Framework*, correct grammatical errors, improve the structure and generally make the activity centre plan easier to read and understand (Attachment 12 refers). This schedule of modifications also includes the proposed changes discussed previously in the report.

Scheme Amendment No. 77

The proposed scheme amendment applies to the portion of the Sorrento Local Centre that is currently zoned 'Commercial', being Lots 148, 149, 2, 153 and 154. The scheme amendment proposes to rezone the site 'Centre' and to remove the residential density code from the land (Attachment 2 refers). The 'Centre' zone requires that an activity centre plan be adopted to guide the future development of the area and to set the zoning and density code, prior to any development or subdivision occurring over the site.

Scheme Amendment No. 79

This proposed scheme amendment applies to the 'Residential' zoned lots that fall within the boundary of the Sorrento Local Centre, being Lots 146 and 147. As with Scheme Amendment No. 77, the lots are proposed to be rezoned 'Centre' and for the residential density code to be removed from the land (Attachment 2 refers). As above, the 'Centre' zone requires an activity centre plan to guide the future development of the area and to set the zoning and density code.

Draft Sorrento Activity Centre Plan

The draft SACP consists of three parts. Part 1 is the implementation section that applies the zoning, density code and land uses to the land, and through objectives and development provisions, provides a framework for the coordinated assessment of future development proposed for the site (Attachments 3 and 4 refer).

Part 2 of the draft SACP is the explanatory report, which provides the background, description of the site, context, opportunities and constraints, design philosophies and principles. While Part 2 also includes background information relating to transport, the specific technical reports relating to this information are included in Part 3 (Attachments 3 and 4 refer).

The draft SACP proposes:

- a mixed use coastal centre
- active uses on the ground floor such as restaurants and shops with residential above
- a residential density of R80
- approximately 76 multiple dwellings
- a maximum retail net lettable area (NLA) of 1,475m²
- a minimum building height of three storeys and a maximum building height of between five and six storeys (17.0 metres to 20.2 metres), with the exception of Lot 146 Padbury Circle which has a maximum height of three storeys (10.6 metres)
- a minimum building front setback of nil to a maximum building front setback of two metres, with the exception of Lot 146 which is proposed to have a minimum building front setback of two metres
- three access points, one for each landholding
- to assign a 'Commercial' zone to all sites, with the exception of Lot 146 Padbury Circle, which is assigned a 'Residential' zoning. Scheme Amendments 77 and 79, which have been proposed in conjunction with the draft SACP, assign an overarching 'Centre' zone under DPS2 to all land within the Sorrento Local Centre. The 'Centre' zone requires the preparation of an activity centre plan which must include, among other things, more detailed zoning allocation to guide land use permissibility and distribution throughout the centre. In this instance, the 'Commercial' and 'Residential' zoning proposed under the draft SACP provide this additional level of zoning detail.

Modifications proposed by the applicant

Following public consultation, the applicant has proposed the following modifications to the draft SACP (Attachment 5 refers):

- Increase the building separation above the third storey between Lots 2 and 153 from four metres to six metres.
- Remove the building separation between Lots 2 and 149.
- Reduce the building height on Lots 153 and 154 from six storeys to five storeys.
- Require any future development on Lot 154 to be setback from Lot 155 in accordance with the Residential Design Codes (R-Codes).

The applicant has provided the following justifications for the proposed modifications:

It is noted that a number of the submissions which were received during the advertising period detailed concerns with regard to the proposed view corridors. In reviewing the proposed Built Form Controls, it was noted that the Lots 2 and 149 are intended to be amalgamated and developed as one lot and therefore it is not appropriate to provide for a view corridor in the previously proposed location. As such, the plan has been amended to provide for an increased 6.0m wide view corridor on the boundary of Lot 2 and Lot 153 which is likely to provide for more meaningful views to the ocean and better punctuate the development, therefore lessening the development's impact on the surrounding residential area. It is noted that such an outcome is not inconsistent with the objectives and principles of State Planning Policy 2.6 – State Coastal Planning Policy.

The building heights proposed under the Activity Centre Plan have been revised to provide a more “tiered” approach which is considered to produce a better design outcome which is less obtrusive on the adjacent residential areas. Lots 153 and 154 have been reduced in height accordingly from a maximum of six (6) storeys to a maximum of five (5) storeys. On this basis, those areas shown as having a maximum permitted building height of six (6) storeys have been limited to Lots 2 and 149 which are located closest to West Coast Drive and towards the centre of the site, thus minimising the impact of building height on the adjoining residential areas.

The reduction in building height also lessens the development's impact in terms of overshadowing over the public realm. The revised proposal also mitigates impacts from overshadowing over the existing dwelling on No. 2 Raleigh Road, Sorrento which was raised as a concern by some members of the community. As demonstrated on the Overshadowing Plan, the revised building heights proposal satisfies the relevant overshadowing “test” of the Residential Design Codes of WA, with the dwelling not being subject to impacts from overshadowing when measured at midday on 21 June.

In conjunction with reducing the overall maximum building heights permitted on Lots 153 and 154, the Built Form Controls Plan (Plan 2) has been revised to ensure future development is appropriately setback from No. 3 Raleigh Road which abuts the site's easternmost boundary. On this basis, the Built Form Controls Plan has been amended to require any future development on Lot 154 to be setback from the adjacent boundary with No. 3 Raleigh Road in accordance with the boundary setback provisions of the Residential Design Codes of WA.

Further, it is understood that both the City of Joondalup and Department of Planning deems that the rear access way should be retained and included within the revised proposal. The proponent does not object to the provision of an ultimate rear access way on the basis that each property will also retain access from the existing vehicular access points from their respective street frontages until such time as the centre is fully developed and an ultimate rear access way can be provided for.

Issues and options considered

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

- support the amendments to the local planning scheme without modification
- support the amendments to the local planning scheme with modifications to address any relevant issues raised in the submissions
or
- not support the amendments to the local planning scheme.

The options available to Council in considering the draft activity centre plan are:

- recommend the WAPC approves the draft SACP without modification
- recommend the WAPC approves the draft SACP with modifications
or
- recommend the WAPC not approve the draft SACP.

Legislation / Strategic Community Plan / policy implications

| | |
|---------------------------------|--|
| Legislation | <i>Planning and Development Act 2005.</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i> |
| Strategic Community Plan | |
| Key Theme | Quality Urban Environment. |
| Objective | Quality built outcomes. |
| Strategic Initiative | Planning frameworks promote and support adaptive, mixed-use developments with active ground floor uses on appropriately zoned sites. |
| Key Theme | Economic Prosperity, Vibrancy and Growth. |
| Objective | Activity Centre development. |
| Strategic Initiative | Understand local commercial needs and opportunities. Facilitate increased housing density in Activity Centres. |
| Policy | <i>State Planning Policy 4.2 Activity Centres for Perth and Peel.</i> <i>State Planning Policy 2.6 State Coastal Planning Policy.</i> <i>Height of Non-Residential Buildings Local Planning Policy.</i> <i>Residential Development Local Planning Policy.</i> |
| Strategy | <i>City of Joondalup Local Commercial Strategy.</i> |

Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015

Activity Centre Plan

The process for assessing and determining activity centre plans is controlled by the LPS Regulations. Under the LPS Regulations, the local government must advertise the activity centre plan within 28 days of determining that any further information requested is acceptable.

Within 60 days of the close of advertising, the local government must prepare a report for the WAPC including the local government's consideration of submissions, schedule of any proposed modifications, assessment of the activity centre plan and a recommendation on whether the activity centre plan should be approved by the WAPC. Given the volume of submissions received, the City requested and was granted an extension of time from the WAPC to consider the proposal until 21 March 2017.

Within 120 days of receiving the activity centre plan, the WAPC must consider the plan and report and either approve the activity centre plan with or without modifications or refuse to approve the activity centre plan.

Under the LPS Regulations, activity centre plans no longer have statutory effect but are still an instrument that parties are required to have 'due regard' to. The LPS Regulations also limit the lifespan of an activity centre plan to 10 years, commencing on the day the WAPC approves the plan.

Scheme Amendments

Part 5 of the *Planning and Development Act 2005* along with the *Planning and Development (Local Planning Schemes) Regulations 2015* enables a local government to amend a local planning scheme and sets out the process to be followed.

At its meeting held on 21 April 2015 (CJ051-04/15 refers), Council resolved to initiate the scheme amendments for the purposes of public advertising. The proposed amendments were then referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review was necessary. The EPA did not consider that Amendments No. 77 and 79 should be assessed under Part IV Division 3 of the *Environmental Protection Act 1986*. Upon receipt of the revised activity centre plan, the amendments were advertised for public comment concurrently with the draft activity centre plan.

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

Since the initiation of the scheme amendments, the LPS Regulations have come into effect, replacing the *Town Planning Regulations 1967*. The LPS Regulations have introduced three 'streams' of amendment, being basic, standard and complex. Under the LPS Regulations, the scheme amendments are considered to be standard amendments. The process for considering a standard amendment remains mostly unchanged in regard to the mechanisms and timeframes for consultation, referrals and consideration of submissions.

State Planning Policy 4.2 Activity Centres for Perth and Peel

State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP 4.2) specifies the broad planning requirements for the planning and development of new activity centres and the redevelopment and renewal of existing centres in Perth and Peel. It is mainly concerned with the distribution, function, broad land use and urban design criteria of activity centres.

Under clause 6.3 of SPP 4.2, activity centres should be zoned to reflect the activity centre hierarchy. The appropriate zoning under DPS2 for the redevelopment of a local centre (such as Sorrento) is 'Centre' zone. DPS2 requires an activity centre plan for land zoned 'Centre'.

Under clause 6.4(1) of SPP4.2, activity centre plans are required to be prepared for strategic metropolitan, secondary, district and specialised centres. Activity centre plans for neighbourhood or local centres are not mandatory and therefore SPP 4.2 offers minimal specific guidance for a centre such as the Sorrento Local Centre.

State Planning Policy 2.6 State Coastal Planning Policy

State Planning Policy 2.6 State Coastal Planning Policy (SPP 2.6) aims to provide guidance for decision-making within the coastal zone including managing development and land use change. It requires that coastal hazard risk management and adaptation is appropriately planned for and encourages innovative approaches to managing coastal hazard risk.

SPP 2.6 includes a number of objectives and policy measures to address development within the coastal zone. It states that maximum height limits should be specified as part of controls outlined in local planning schemes or structure plans. It also states that when determining building height controls in a structure plan, the location as part of an identified coastal node should be taken into consideration as well as the overall visual permeability of the foreshore from nearby residential areas, the built form, topography and landscape of the surrounding area and buildings should not significantly overshadow the foreshore.

Height of Non-Residential Buildings Local Planning Policy

The purpose of this local planning policy is to set provisions for the height of non-residential buildings in the City of Joondalup. This policy does not apply to non-residential buildings on land subject to an approved structure plan, activity centre plan or local development plan, where relevant height provisions are included.

This policy states that the Sorrento Local Centre is a non-residential coastal site and therefore greater height can be approved as part of a structure plan, activity centre plan or local development plan, taking into account:

- (a) existing built form, topography and landscape character of the surrounding area
- (b) building siting and design
- (c) bulk and scale of buildings and the potential to unreasonably overshadow adjoining properties or the foreshore
- (d) visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces
- (e) whether the development is sympathetic to the desired character, built form and amenity of the surrounding area.

In the absence of a structure plan or activity centre plan, the maximum building height is in accordance with Table 3 Category B of the R-Codes (six metre wall height and nine metre pitched roof height).

Local Commercial Strategy

The City's *Local Commercial Strategy* (LCS) provides the framework for decision making for commercial centres with respect to development of new structure plans, amendments to existing structure plans and future rezoning and development applications. The centre is identified in the LCS as a local activity centre.

The LCS provides indicative retail floorspace thresholds for all centres, which provide guidance to the City on the appropriate amount of retail floorspace for each centre without impacting on the economic health of other centres. The LCS identifies a recommended shop retail floorspace threshold of 1,500m² for the Sorrento Local Centre.

Residential Development Local Planning Policy

The Residential Development Local Planning Policy applies to all residential development within the City of Joondalup. The policy states that residential development in the coastal area shall comply with Table 3 Category B of the R-Codes (same as the Height of Non-Residential Buildings LPP). However, the policy also states that where an activity centre plan is in conflict with any provision in the policy, the activity centre plan prevails.

Risk management considerations

Activity Centre Plan

The City has been granted an extension for the consideration of the activity centre plan until 21 March 2017. Should Council defer a decision on the report beyond this date, then the activity centre plan may be determined by the WAPC without Council's input.

Scheme Amendments

Under DSP2, the local centre currently has a residential density code of R40 where the lot sizes are less than 1,000m² and R80 where the lot sizes are over 1,000m². The draft SACP proposes a residential density code of R80 across the site.

The application of different density codes across one local centre is not considered effective for the cohesive redevelopment of the centre as the varying densities will restrict coordinated redevelopment. The R80 density code is considered appropriate as the centre should be assessed as a whole rather than as individual lots.

If the scheme amendments are not progressed, the R40 and R80 density codes will apply (depending on lot size). The R40 and R80 density codes have a number of differing development standards for design elements such as street setbacks, building height and plot ratio. In the event the differing density codes remain, the cohesive redevelopment of the centre will be compromised.

It is anticipated that the proposed amendments to DPS2 following final consideration by Council, could be incorporated into LPS3 prior to its finalisation.

However, if consideration of the proposed scheme amendments is delayed there is a risk that LPS3 will have progressed beyond a point where there is the ability to capture this subject amendment. A new amendment to LPS3 would need to be initiated following the finalisation of LPS3 to implement the 'Centre' zoning.

Financial / budget implications

The applicant has paid fees of \$9,447.31 (including GST) for assessment of the structure plan.

The applicants have paid fees of \$7,751.40 (including GST) for the assessment of the scheme amendments.

The above fees do not include costs of advertising signs, as the applicants are required to cover these costs separately.

Regional significance

Although the structure plan is for a local centre, given its location on the coast adjacent to Sorrento foreshore and beach, the redevelopment has the potential to create a regionally attractive coastal node.

Sustainability implications

Environmental

The redevelopment of the local centre would facilitate additional residential development in an established area, which could utilise existing infrastructure, such as sewer, road and bus systems thereby reducing the need for additional services to be provided.

Social

The proposed activity centre plan would facilitate the development of a mixed use local centre, including commercial services and multiple dwellings. The multiple dwellings would offer an alternative housing type to the predominant single residential dwellings currently available in the area. The commercial development would increase the services available to the area and continue to create a community hub at the local centre.

Economic

The proposed structure plan would enable the redevelopment of the local centre which would provide additional local employment opportunities as well as additional residents who would contribute to the local economy.

Consultation

The proposed scheme amendments and draft SACP were advertised for public comment for a period of 42 days, closing on 22 December 2016, by way of:

- letters to 702 land owners and occupiers surrounding the site (Attachment 6 refers)
- a notice placed in the Joondalup Community newspaper
- two signs on the subject site
- a notice on the City's website
- documents available at the City's Administration Centre and Whitford Customer Service Centre.

A total of 617 submissions were received, consisting of six submissions from service authorities, one submission from the Department of Planning and 610 submissions from the general public. There were also two petitions in support of the proposal comprising 25 and 303 signatures and 117 questionnaires from a community meeting conducted by the Marmion, Sorrento, Duncraig Progress and Ratepayers Association consisting of 110 objections, four support and three undecided. Of the submissions from the general public, there were 202 submissions of support, 407 objections to the proposal and one comment.

In regard to the location of submitters, 336 objections to the draft SACP were from Sorrento and 49 submissions of support were from Sorrento. Of those 702 landowners and occupiers contacted in writing by the City (Attachment 6 refers), 149 objections and 21 submissions of support were received.

Due to the large number of submissions received, comments have been summarised into key themes and the number of responses to each theme recorded (Attachment 7 refers).

A detailed submission was also received from the Marmion Sorrento Duncraig Progress and Ratepayers Association. This submission aligned with the key themes identified in the overall submissions and also highlighted concerns with the accuracy of the draft SACP.

In accordance with the requirements of the LPS Regulations, a separate schedule of submissions that specifically commented on the scheme amendments has been compiled (Attachment 8 refers). There were 21 objections and eight submissions of support to both Amendments No. 77 and 79.

It is also noted that during the City's advertising period, the applicants undertook their own advertising of the draft SACP, consisting of a dedicated website containing Frequently Asked Questions, perspective images and other information regarding the proposed SACP. They also produced brochures showing images of the proposed development.

COMMENT

Scheme Amendments No. 77 and 79

The scheme amendments propose to rezone the subject sites from 'Residential' and 'Commercial' to 'Centre'. This requires the adoption of an activity centre plan prior to the development of the site and will ensure the site can be comprehensively planned and developed in a coordinated and integrated manner. Given that issues such as access, parking, density, land use and built form are critical to the success of an activity centre and can impact on the amenity of an area, the 'Centre' zone is considered appropriate for the subject site so that the activity centre plan can address these issues.

The scheme amendments propose to remove the existing residential density codes of R40 and R80 from the subject site and to allow the density code to be defined in the activity centre plan. This is considered appropriate as it will allow density to be considered in the context of the redevelopment of the centre. The draft SACP proposes to apply a uniform density of R80 across the centre.

Response to submissions on Scheme Amendments No. 77 and 79

The objections to the scheme amendments were mainly concerned with the suburb being unsuited to a high density zoning, the site not meeting the requirements of an activity centre and the rezoning of the 'Residential' zoned properties (Attachment 8 refers).

The 'Centre' zone proposed by the scheme amendments merely allows the comprehensive and coordinated redevelopment of the centre by requiring an activity centre plan. Subsequently, the activity centre plan must include, among other things, more detailed zoning allocation to guide land use permissibility and distribution throughout the centre. In this instance, the 'Commercial' and 'Residential' zoning proposed under the draft SACP provide this additional level of zoning detail, and is largely consistent with the zoning already in place under DPS2.

The current zoning will largely remain in place, with the exception of Lot 147 which is proposed to be zoned 'Commercial', however this zoning will now be established under the draft SACP, with an overarching 'Centre' zone under DPS2 being applied over the entire Sorrento Local Centre as outlined above.

It is appropriate to apply a 'Commercial' zone to Lot 147 under the draft SACP as the lot has been developed as part of the existing centre as a car park and vehicle access point to the centre. Accordingly, the current use of Lot 147 already serves a purpose far more in keeping with a commercial zoning than a residential zoning. The proposed 'Commercial' zoning for Lot 147 under the draft SACP is therefore in keeping with the existing use of the lot.

It is recommended that Council supports the proposed scheme amendments.

Modifications to Scheme Amendments No. 77 and 79

A modification to Scheme Amendments No. 77 and 79 is recommended to include a land use permissibility table for the Sorrento Local Centre in DPS2 (Attachment 12 refers).

The draft SACP proposes land use permissibility within the Sorrento Local Centre which is slightly different to that of the broader scheme area.

The draft SACP proposes land use permissibility be predominately in accordance with the corresponding zone under DPS2, however does set out a number of exceptions, which include prohibiting land uses in the 'Commercial' zone that would otherwise be permissible, such as a Nightclub, Restricted Premises, Veterinary Hospital, Grouped Dwellings and Single Houses. Multiple Dwellings are proposed to become a 'P' (permitted) use in the 'Commercial' zone; however it is noted that DPS2 already permits Multiple Dwellings as 'D' (discretionary) land uses.

It is current practice that land use permissibility be contained within the planning scheme (and not an activity centre plan) as an activity centre plan cannot enforce land use permissibility.

The proposed modification to Scheme Amendments No. 77 and 79 therefore merely relocates the land use permissibility for the Sorrento Local Centre from the draft SACP more appropriately to DPS2.

Draft Activity Centre Plan

Response to submissions

Due to the large number of submissions, the submissions were grouped into themes in order to summarise the main points. The City's comment on each of the key themes is provided in Attachment 7. The key points raised in the submissions are discussed below.

Building height

Objection to the proposed six storey building height was a key theme identified in the submissions, particularly that development of a six storey building would set a precedent for similar development along the coast. There was, however, some support for either a three or four storey development.

SPP 2.6 does not specify a maximum height for development on the coast; however it does require that maximum height limits be specified as part of controls outlined in a local planning scheme or structure plan in order to achieve outcomes which respond to the desired character, built form and amenity of the locality. If the draft SACP is approved by the WAPC, the building heights for the site will be set in the SACP and the City's *Height of Non-Residential Buildings Local Planning Policy* will no longer apply.

The *Height of Non-Residential Buildings Local Planning Policy* allows an activity centre plan for the Sorrento Local Centre to set its own height limit taking into account a number of factors. These factors, along with discussion on how the draft SACP responds to each, are outlined below.

Existing built form, topography and landscape character of the surrounding area

The topography of the site is such that it sits several metres lower than the lots to the rear, with the exception of Lot 146. Beyond the adjoining lots, the level of the suburb also continues to rise as you move away from the coast. The cross sections provided as Figures 11 to 14 of the draft SACP illustrate this (Attachment 9 refers). It is considered that the draft SACP has taken into account the topography of the surrounding area in regard to the building heights proposed, by locating the tallest buildings on the lowest part of the site.

Building siting and design

The SACP incorporates design requirements including building setbacks and separation, and access that aim to promote an appropriate built form and are typical development standards for an activity centre of this scale.

Further, the design requirements detailed in the draft SACP set an appropriate framework at this level of planning to require a high degree of design consideration be included in subsequent development applications.

Siting of the varying building heights across the centre provide a graduation in height increase from surrounding properties and also ensure surrounding properties are not unduly overshadowed.

Bulk and scale of buildings and the potential to unreasonably overshadow adjoining properties or the foreshore

The building heights proposed do not result in overshadowing of the beach or foreshore which is demonstrated by the shadow diagrams (Attachment 10 refers). The most significant overshadowing occurs at 9.00am in winter but this only extends over the dune system and does not shade the beach. The property most affected by overshadowing is Lot 192 (2) Raleigh Road; however the overshadowing of this property complies with the provisions of the R-Codes in regard to the shadow cast at midday on 21 June. The applicant has proposed to reduce the building height on Lots 153 and 154 from six storeys to five storeys; this further reduces the overshadowing impact on Lot 192 (2) Raleigh Road (Attachment 10 refers).

Visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces

The *Height of Non-Residential Buildings Local Planning Policy* states that greater height approved as part of an activity centre plan must take into account the visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces. The Sorrento local centre is a small and narrow coastal node, and is not a continuous tract of commercial land on the coast where development would substantially obscure all views of the ocean from the surrounding residential areas. For the most part, although the new development may form part of the view or partially affect the view, the size and location of the centre will mean that views of the ocean will still be present on either side of the centre. There will be some residents who will have views of the ocean obscured, but it is likely some of these properties would have views obscured whether the buildings are developed as proposed or whether they are developed at lower heights of three or four storeys. In addition, the applicant has proposed to increase the building separation between Lot 2 and Lot 153 to six metres and reduce the building height on Lots 153 and 154 to five storeys to contribute to greater visual permeability of the beach and foreshore.

It is, however, recommended that the building separation between Lots 2 and 154 be increased to eight metres which is in accordance with the side setback requirements of the R-Codes (four metres for an R80 coded site where the lots are wider than 16 metres).

The applicant has proposed to remove the building separation above the third storey between Lots 2 and 149 as those lots are in the same ownership and are intended to be developed as one building. This is not considered significant as the building separation between Lot 2 and 153 has been increased and the height has been reduced on Lots 153 and 154.

Whether the development is sympathetic to the desired character, built form and amenity of the surrounding area

The Sorrento Local Centre is an existing commercial node, surrounded by predominantly single dwellings. The expected character and built form of the site is therefore different to that of the surrounding locality, as already evidenced by the existing buildings on site.

The proposed redevelopment of the Sorrento Local Centre seeks to improve the amenity of the surrounding area by providing new and additional cafe/restaurant and commercial tenancies as well as greater housing choice in an area that is typically characterised by single, detached housing.

Further, a five and six storey development on this site will not set a precedent in the area for other mixed used developments, as there is no other nearby 'Commercial' zoned land. The nearest 'Commercial' zoned site on the coast in the City of Joondalup is in Mullaloo which has already been developed with a mixed use four storey building. That development has not set a precedent for the rest of Oceanside Promenade to be developed with similar buildings. Mixed use buildings can only be developed where the zoning allows it (that is 'Commercial' or 'Mixed Use' zone); it cannot be developed on 'Residential' zoned land. Any multiple dwelling developments proposed on nearby 'Residential' zoned land must comply with the density code of the site and the requirements of the R-Codes and the City's *Residential Development Local Planning Policy*.

Bulk and scale of development

There were objections to the bulk and scale of the proposed development, and that it is out of character with the existing suburb.

It is acknowledged that the potential future development of the site will be of a greater scale than that which currently exists on the site and surrounding suburb. However, while the proposed development will be different to the surrounding area, the Sorrento Local Centre is an identified coastal activity node and as such it is expected that development will be of a different scale. The site currently has a residential density up to R80 which allows development with a greater bulk and scale than can occur at an R20 density (which is the typical density coding of the Sorrento suburb).

Commercial and mixed use development is different to solely residential development and will have a different character. This does not automatically render the development unwarranted or out of place. Instead, it is just part of the larger area in which it sits and provides facilities for the surrounding residential community.

The applicant has proposed to reduce the building height on Lots 153 and 154 to from six storeys to five storeys and for the side setback on Lot 154 to be in accordance with the R-Codes. These proposed changes will reduce the building bulk on the West Coast Drive/Raleigh Road corner and will also reduce the impact and building bulk of a mixed use building on the adjoining residential property (Lot 155).

Car parking

One of the themes identified in the submissions relates to insufficient parking being provided on-site which will contribute to parking problems in the area.

For the commercial component of the development, the draft SACP proposes a car parking ratio of one bay per 20m² NLA which is same parking ratio as the current 'Shop' and 'Shopping Centre under 30,000m² parking standard in DPS2. This standard is considered appropriate as it is consistent with the current scheme standard.

Residential car parking is required to be provided in accordance with the R-Codes, which is based on the floor area of the dwelling and the number of bedrooms proposed. Separate visitors' car parking for the multiple dwellings must also be provided in accordance with the requirements of the R-Codes.

The draft SACP requires car parking in accordance with DPS2 and R-Code requirements. It is considered unreasonable to attempt to specify a greater parking standard than would otherwise be required. It is noted that the activity centre is only required to provide parking for residents and visitors to the local centre, it is not required to provide parking for beach users or people undertaking other activities in the area.

Traffic

An increase in traffic in the area was another common theme in the submissions. It is acknowledged that the proposal will increase traffic in the area, however the ultimate removal of the service station will also reduce vehicle movements to/from the local centre. The transport assessment submitted with the draft SACP identifies that the broader surrounding road network has sufficient capacity to carry the traffic volumes expected from the proposed development and that the additional traffic will have a minor effect on the broader operation of these roads.

The transport assessment recommends that for the extent of redevelopment proposed by the activity centre plan, the intersection of West Coast Drive and The Plaza would need to be upgraded to improve the functioning of the right turn out from The Plaza. Given the fragmented ownership of the centre and different development intentions and timelines of each owner, development of the centre will be staged over a period of time. As such, these works will only need to be undertaken by the developers when the proposed level of development triggers it. Appropriate wording is proposed to be incorporated into Part One of the draft SACP to require this.

Nil street setback

A concern that the proposed nil setback of the development to West Coast Drive, Raleigh Road and Padbury Circle will create an overbearing feeling on the streetscape, was another common theme in the submissions.

The draft SACP proposes street setbacks of a minimum of nil to a maximum of two metres.

A minimum nil street set back is considered appropriate for an activity centre as it creates an active frontage to the street with access and windows directly onto the street and is consistent with contemporary best practice planning principles for centres. Requiring a minimum amount of glazing, continuous awnings and architectural features will enhance the streetscape and contribute to a pedestrian friendly environment.

The existing buildings are setback from the property boundary and therefore current alfresco dining opportunities are provided within the site itself, A nil to two metre setback as proposed will allow alfresco dining either within the property boundary or on the verge in accordance with the City's *Alfresco Activities Local Planning Policy*.

Conclusion

The proposed scheme amendments and draft SACP, together with the provisions of the relevant State Planning Policies and DPS2 create the planning framework to guide the redevelopment of the centre. The redevelopment of the centre will attract businesses, employment opportunities and visitors to the City of Joondalup. It will also provide residential dwellings (in the form of multiple dwellings) in accordance with the targets of *Directions 2031* and SPP 4.2.

Following assessment of the draft SACP and in consideration of the submissions received, it is recommended that a number of modifications be made to improve the clarity and workability of the document. In addition, it is recommended that the building height be reduced on Lots 153 and 154 from six to five storeys which will reduce the overshadowing impacts and building bulk on that corner.

It is noted that there were a significant number of submissions of objection to the draft SACP; however, on balance, it is considered that the draft SACP has planning merit and addresses SPP 4.2, SPP 2.6 and the City's DPS2 and local planning policies. It is also noted that the subject site is an identified local activity centre and a coastal node, and as such, will have a different built form character (including height and setbacks) to the surrounding residential area.

It is recommended that Council advises the WAPC that it supports the draft SACP subject to the modifications outlined in Attachment 12 and supports Scheme Amendments No. 77 and No. 79 as modified below to include land use permissibility.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 Pursuant to section 75 of the *Planning and Development Act 2005* and Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:
 - 1.1 SUPPORT Scheme Amendments No. 77 and 79 to the *City of Joondalup District Planning Scheme No. 2*, subject to modification to insert the following in Schedule 10:
 - 2 *Sorrento Activity Centre Plan*
 - 2.1 *Land use permissibility for land zoned 'Centre' within the Sorrento Activity Centre shall be in accordance with Table 1 with the exception of the following:*

| | <i>Commercial Zone</i> |
|----------------------------|------------------------|
| <i>Grouped Dwelling</i> | X |
| <i>Multiple Dwelling</i> | P |
| <i>Night Club</i> | X |
| <i>Single House</i> | X |
| <i>Restricted Premises</i> | X |
| <i>Veterinary Hospital</i> | X |

- 1.2 CLASSIFY the scheme amendments as standard amendments as the proposed 'Centre' zone is considered appropriate in the context of the Sorrento Local Centre;
- 2 AUTHORISES the affixation of the Common Seal and signing of the documents associated with Amendments No. 77 and 79 to the *City of Joondalup District Planning Scheme No. 2*;
- 3 Pursuant to Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* FORWARDS Amendments No. 77 and 79 and Council's decision to the Western Australian Planning Commission for consideration;
- 4 Pursuant to clause 20 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:
- 4.1 SUPPORT the draft Sorrento Activity Centre Plan, subject to the modifications specified in Attachment 12 to Report CJ022-03/17;
- 4.2 FORWARD its recommendations, schedule of recommended modifications and schedule of submissions to the Western Australian Planning Commission for consideration and determination;
- 5 NOTES the submissions received and ADVISES the submitters of Council's recommendations to the Western Australian Planning Commission.

MOVED Cr Norman, SECONDED Cr Hamilton-Prime that Council:

- 1 Pursuant to Section 75 of the *Planning and Development Act 2005* and Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES:
- 1.1 to SUPPORT Scheme Amendments No. 77 and 79 to the *City of Joondalup District Planning Scheme No. 2*, subject to modification to insert the following in Schedule 10:
- 2 ***Sorrento Activity Centre Plan***
- 2.1 ***Land use permissibility for land zoned 'Centre' within the Sorrento Activity Centre shall be in accordance with Table 1 with the exception of the following:***

REASON

In accordance with Regulation 11(da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the administration recommended is to give due consideration to the residents' concerns regarding the height of the proposed Sorrento Activity Centre Plan and set a maximum building height of four storeys due to the bulk and scale of the proposed development at this beach front setting.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3aqn170321.pdf](#)

Disclosures of interest affecting impartiality

| | |
|---------------------------|--|
| Name/Position | Cr Philippa Taylor. |
| Item No./Subject | CJ023-03/17 - Proposal to change the District Boundary of the City of Joondalup. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Cr Taylor is a member of the Ocean Reef Sea Sports Club. |

CJ023-03/17 PROPOSAL TO CHANGE THE DISTRICT BOUNDARY OF THE CITY OF JOONDALUP

| | |
|-------------------------------|---|
| WARD | North Central |
| RESPONSIBLE | Mr Garry Hunt |
| DIRECTOR | Chief Executive Officer |
| FILE NUMBER | 04171, 101515 |
| ATTACHMENT | Attachment 1 Site Plan – proposed district boundary amendment |
| AUTHORITY / DISCRETION | Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |

PURPOSE

For Council to note the comments received from the Department of Transport and the Department of Parks and Wildlife regarding the proposal of change the district boundary of the City of Joondalup.

EXECUTIVE SUMMARY

At its meeting held on 16 August 2016 (CJ117-08/16 refers) it was agreed that Council:

- “1 *APPROVES in principle the proposal to change the City of Joondalup district boundary at the existing Ocean Reef Boat Harbour to include the proposed Ocean Reef Marina development;*
- 2 *REQUESTS the Chief Executive Officer to issue a direct invitation to the Department of Transport (Marine and Harbours) and the Department of Parks and Wildlife seeking comments on the proposal as outlined in Part 1 above;*
- 3 *REQUESTS the Chief Executive Officer to provide a further report to Council detailing comments received from the Department of Transport and the Department of Parks and Wildlife prior to making a final determination to the Local Government Advisory Board to submit a proposal to change the City of Joondalup district boundary at the existing Ocean Reef Boat Harbour.”*

In correspondence received by the City in September 2016, both the Department of Transport (DoT) and the Department of Parks and Wildlife (Parks and Wildlife) have indicated in-principle support for an amendment to the City’s district boundary.

However both agencies suggest that the outcome of the current planning and environmental assessments of the Ocean Reef Marina may influence the location of the amended boundary. The excision of the development from the Marmion Marine Park and the location of the amended marine park boundary may also affect the location of the City's district boundary.

It is considered appropriate that a submission to the Local Government Advisory Board (LGAB) for an amendment to the City's district boundary not be made until there is more clarity on the exact location of the amended boundary which will occur following finalisation of the Public Environmental Review (PER) and Metropolitan Region Scheme (MRS) Amendment processes.

It is therefore recommended that Council:

- 1 *NOTES the comments provided by the Department of Transport and the Department of Parks and Wildlife regarding the proposal to amend the district boundary of the City of Joondalup;*
- 2 *REQUESTS the Chief Executive Officer to liaise with the Department of Transport and the Department of Parks and Wildlife to determine the preferred location of the amended district boundary following the finalisation of the Public Environmental Review and Metropolitan Region Scheme Amendment processes;*
- 3 *REQUESTS the Chief Executive Officer to provide a further report to Council for a determination to submit a proposal to the Local Government Advisory Board to change the City of Joondalup district boundary at the existing Ocean Reef Boat Harbour based on the outcome of the liaison outlined in Part 2 above.*

BACKGROUND

The City is undertaking the preparation of a structure plan for the Ocean Reef Marina based on the current concept plan. The City is also pursuing an amendment to the MRS boundary and intends to amend the boundary of the City's *District Planning Scheme No. 2 (DPS2)* to incorporate the proposed marina. The marine components of the Ocean Reef Marina are also being formally assessed by the Environmental Protection Authority through a PER, the highest level of assessment.

In order for the Ocean Reef Marina structure plan to be formally considered and adopted by Council and the Western Australian Planning Commission, the area of the structure plan must be within the City's district boundary.

The current City of Joondalup district boundary at the existing Ocean Reef Boat Harbour, the site of the proposed Ocean Reef Marina, follows the water line around the shore and groynes. It does not include the internal water body or the finger jetties. Therefore, once developed portions of the proposed Ocean Reef Marina will fall outside of the City's existing district boundary.

The *Local Government Act 1995* (the Act) sets out the requirements for the changing of a local government district boundary. A proposal to change the district boundary of a local government may be made to the LGAB who, in accordance with the relevant clauses and schedules of the Act, may make a recommendation to the Minister to either accept or reject the proposal. On the recommendation of the Minister, the Government may make an order to change the boundary of a district.

At its meeting held on 16 August 2016 (CJ117-08/16 refers) Council gave in-principle approval to change the City's district boundary to include the proposed Ocean Reef Marina (Attachment 1 refers).

As part of the area impacted by the proposed change is currently within the Marmion Marine Park, Council requested that Parks and Wildlife be invited to comment on the proposed boundary amendment prior to determining its final position and submitting its proposal to the LGAB. Council also requested that DoT be invited to comment.

DETAILS

Both DoT and Parks and Wildlife responded to the City's invitation for comment on the district boundary amendment in September 2016.

Parks and Wildlife indicated that it was not opposed to the progression of the preparatory administrative processes for the proposed boundary amendment. However, it was noted that the marine components of the Ocean Reef Marina were currently under assessment via Part IV of the *Environmental Protection Act 1986* (EP Act). Parks and Wildlife is providing input to the EP Act process with respect to advice on design and management aspects of the marina and appropriate compensatory measures to mitigate impacts on the marine park and its environmental, social and economic values in the regional context. This advice and the outcome of the EP Act process are likely to affect the content of the applicable scheme provisions relating to the marina area. These affects could impact on the structure plan area. Therefore the precise location of the amended boundary cannot be accurately determined at this point in time.

The Coastal Infrastructure Business Unit of DoT advised that it had no objection to amending the City's district boundary to include the Ocean Reef Marina. However it was recommended that the proposed boundary affords flexibility for the final design of breakwaters and advocated that the boundary amendment aligns more closely with the MRS boundary amendment. It is considered by DoT that this will permit sufficient flexibility for detailed design modifications and future maintenance requirements.

DoT noted that any future maintenance activities will need appropriate separation from the Marmion Marine Park boundary in order to avoid lengthy permission procedures for each maintenance task. In this regard, DoT recommended that technical comment be obtained from Parks and Wildlife.

Issues and options considered

In order for the *Ocean Reef Marina Structure Plan* to be considered and adopted by Council and the WAPC, the structure plan area must fall within the City's district boundary. Without an amendment to the City's district boundary the structure plan process cannot proceed and the Ocean Reef Marina will not progress to construction.

Council may determine to proceed with the submission of a proposal to the LGAB for amending the City's district boundary as per the site plan provided as Attachment 1 to this report. However, DoT recommended that the boundary aligns more closely with the MRS boundary amendment.

Advice from Parks and Wildlife suggests that the outcome of the current environmental assessment process may influence the MRS boundary which could therefore influence the proposed location of the City's amended district boundary.

Should Council proceed with the submission of a proposal to amend the district boundary based on the attached site plan (Attachment 1 refers), there is a risk that a further district boundary amendment may be required following the conclusion of the environmental assessment process and the gazettal of the MRS amendment.

Legislation / Strategic Community Plan / policy implications

Legislation Section 2.1(2) of the *Local Government Act 1995* provides that in relation to creating, changing the boundaries of and abolishing districts Schedule 2.1 has affect.

Strategic Community Plan

Key theme Economic Prosperity, Vibrancy and Growth.

Objective Destination City.

Strategic initiative

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

Policy Not applicable.

Risk management considerations

Proceeding with a proposal to amend the City of Joondalup's district boundary is relatively low risk. However it is considered important that the location of the amended boundary is consistent with the MRS boundary and that agreement on the location is provided by Parks and Wildlife and DoT.

The amendment appears consistent with the LGAB Guiding Principles, specifically the following points:

- Economic factors - by ensuring that relevant land and developments are valued and rated, and that services are delivered by the City of Joondalup consistent with other land and developments in the City.
- History of the Area – the existing Ocean Reef Boat Harbour is currently within the City's boundary.
- The amendment would also be consistent with other similar marine developments which are wholly contained within a district boundary.

Financial / budget implications

Financial and budget implications in relation to making a submission for the proposed boundary change are minor. Assistance will be sought from a consultant in regard to the issues and requirements and preparation the draft of a submission to the LGAB. The anticipated cost is approximately \$6,000 to \$7,000 which will be funded from the Ocean Reef Marina capital budget.

Current financial year impact

Account no. 220-C1001.
Budget Item Ocean Reef Marina.
Budget amount \$ 882,313

Amount spent to date \$ 422,483

Balance \$ 459,650

Note: The 2016-17 approved budget includes income of \$500,000 (State Government financial contribution).

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The *Local Government Act 1995* sets out in Schedule 2.1 the need for the LGAB to undertake an inquiry in relation to a district boundary proposal unless it determines that the proposal is of minor nature. A formal inquiry would require notice to affected electors, affected local governments and effected electors of other local governments.

There is no stipulation as to the consultation required to be made by a local government prior to it submitting a proposal. It is open to a local government to make its own determination as to whether or not it wishes to do so. If the LGAB determines that the proposal is not of a minor nature it is obliged to conduct its own inquiry even if the local government has already undertaken its own consultation.

Given that the proposed amendment does not deal with a common district boundary with any other local government, it is not proposed that the City consult other local governments or their electors. Further, as the proposed amendment does not impact on existing residents or property, it is not proposed that the City undertake community consultation.

The City sought comment from DoT and Parks and Wildlife on the proposal to amend the City's district boundary. Further consultation with these agencies will be required to ensure the location of the amended boundary is cognizant of the MRS boundary and the amended Marmion Marine Park boundary.

COMMENT

The current alignment of the City of Joondalup district boundary does not incorporate the proposed Ocean Reef Marina. This means that the *Ocean Reef Marina Structure Plan* cannot be adopted by the City or the WAPC. A change to the City's district boundary is therefore required.

Advice received from DoT and Parks and Wildlife suggests that the location of the district boundary cannot be determined until more certainty on the MRS boundary amendment and the amendment to the Marmion Marine Park is obtained. This is likely to occur following the finalisation of the environmental assessment process.

It is therefore considered appropriate that a submission to the LGAB for an amendment to the City's district boundary not be made until there is more clarity on where the amended boundary should be located.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Taylor that Council:

- 1 NOTES the comments provided by the Department of Transport and the Department of Parks and Wildlife regarding the proposal to amend the district boundary of the City of Joondalup;**
- 2 REQUESTS the Chief Executive Officer to liaise with the Department of Transport and the Department of Parks and Wildlife to determine the preferred location of the amended district boundary following the finalisation of the Public Environmental Review and Metropolitan Scheme Amendment processes;**
- 3 REQUESTS the Chief Executive Officer to provide a further report to Council for a determination to submit a proposal to the Local Government Advisory Board to change the City of Joondalup district boundary at the existing Ocean Reef Boat Harbour based on the outcome of the liaison outlined in Part 2 above.**

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf170314.pdf](#)

CJ024-03/17 CURRENT STATUS OF RESERVE 43290, LOT 12050 (580) JOONDALUP DRIVE, JOONDALUP AND CONSIDERATION OF ANY DEVELOPMENT OPTIONS

| | |
|-------------------------------|--|
| WARD | North |
| RESPONSIBLE | Mr Garry Hunt |
| DIRECTOR | Chief Executive Officer |
| FILE NUMBER | 49380, 101515 |
| ATTACHMENT | Attachment 1 Location Plan Attachment 2 Area View of Lot 12050 Attachment 3 Yellagonga Regional Park Management Zone Plan – Figure 4 Management Zones and Areas |
| AUTHORITY / DISCRETION | Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |

PURPOSE

For Council to consider the status of Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup (Lot 12050) including information relating to potential development options.

EXECUTIVE SUMMARY

On 11 October 2016, a report was requested on the status of a property on Lakeside Drive, Joondalup identified as Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup (Attachment 1 refers) including the history of the lot, ownership and development potential. Also, from a development perspective, if a large scale commercial community garden could be considered with plots within the garden being leased.

Lot 12050 is a Class 'A' Reserve within Yellagonga Regional Park (Park) owned by the Crown with a Management Order in favour of the Conservation and Parks Commission; the Department of Parks and Wildlife (DPW) maintain the site. The site is zoned "Parks and Recreation" under the Metropolitan Region Scheme, therefore the Western Australian Planning Commission (WAPC) rather than the City would be the approval authority for any proposed development on the site. Attachment 2 indicates the location of Lot 12050 within the Park.

The City does not own or manage Lot 12050 and any changes to the tenure of a Class 'A' reserve would require a decision involving both Houses of State Parliament. It would also need support from the DPW, the Conservation and Parks Commission and the Department of Planning (DoP).

The *Yellagonga Regional Park Management Plan 2003-2013* (Plan) is the key management document for the Park and provides broad direction for the protection and enhancement of the conservation, recreation and landscape values of the Park.

It includes a management zoning framework with its purpose being to minimise potential land use conflicts within the Park. Lot 12050 is mainly in Area 4 within the framework, which is a Recreation Management Zone. Area 4 is predominantly passive recreation pursuits, allowing for park and picnic facility development. The Plan states that, commercial concessions for visitor services may be considered within Area 4. Attachment 3 indicates the location of Lot 12050 within the Park and its relation to Management Zones and Areas 2 and 4.

Development has been considered for Lot 12050 when during 2007, a feasibility study was undertaken concerning the site for an Environment Centre within the Park. Lot 12050 was considered the preferred location, however, due to other project priorities and budget constraints, the proposal did not progress.

The wetlands within the Park are considered a Conservation Category Wetland, Area 2 refers. The development of a large scale community garden is considered to be unsuitable and would likely have significant impact on the water quality of the wetlands and the health of the bushland. It is considered that such a proposal would be unlikely to receive the support of the land manager and approval authorities.

It is therefore recommended that Council:

- 1 *NOTES that the City does not own, or manage Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup which is Class 'A' Reserve;*
- 2 *NOTES that due to being a Class 'A' Reserve, any amendment to the tenure arrangements concerning Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup would require it to be laid before both Houses of State Parliament for approval;*
- 3 *NOTES that a large scale community garden is considered to be an unsuitable land use for Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup due to the adverse impact that pollutants from fertilisers, herbicides and pesticides are likely to have on the water quality of the wetland environment.*

BACKGROUND

| | |
|------------------------|--|
| Suburb/Location | Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup. |
| Owner | State Government of Western Australia. |
| Management Body | Conservation and Parks Commission. |
| Zoning | DPS Parks and Recreation. MRS Parks and Recreation. |
| Site Area | 27,1146ha. |
| Bush Forever | Yes – Site 299. |

Lot 12050 is a Class 'A' reserve which is a classification that is only provided to areas of high conservation or community value. It is also a Bush Forever site – Site 299. Lot 12050 is owned by the Crown with a management order in favour of the Conservation and Parks Commission for the purpose of a "Conservation Park." The significance of a Class 'A' reserve is summarised by the Department of Lands (DoL):

“Class ‘A’ has the greatest degree of protection, requiring approval of Parliament to amend the reserve’s purpose or area, or to cancel the reservation. The ‘A’ classification is used solely to protect areas of high conservation or high community value.”

Should an amendment be requested to Lot 12050, the requirements of section 42 of the Land Administration Act 1997 would apply. Providing the proposal has preliminary support from other related agencies, it would be required to be advertised in a state-wide newspaper and no sooner than 30 days later; the proposal would need to be tabled before both Houses of State Parliament with an explanation. Either House of Parliament then has 14 sitting days to pass a notice of disallowance.

Yellagonga Regional Park Management Plan 2003-2013

The *Yellagonga Regional Park Management Plan 2003-2013* (Plan) was developed by the DPW in consultation with the Cities of Joondalup and Wanneroo and is still the guiding document for the Park’s management. A management zoning framework detailed in the Plan was developed for protecting the Park by minimising existing and potential conflicts between uses and activities. (Attachment 3 refers)

Area 2 – Conservation and Protection Zone

Under the management zoning framework within the Plan, Lot 12050 is shown as being predominantly within Area 4, but the eastern part of the site is shown as Area 2 which is a Conservation and Protection Zone. The Plan states that the management emphasis for Area 2 is protection, as Area 2 is within the wetlands of Lake Joondalup. Besides protection, actions such as restricted public access and enhancement of natural habitats to ensure the survival of the wetland ecosystem are also considered to be essential.

Area 4 - Recreation Management Zone

Lot 12050 is predominantly within Area 4, which is a Recreation Management Zone. It is indicated in the Plan that the prime emphasis of management in this zone is to provide a variety of recreation opportunities. The intensity of the proposed use will depend on the environmental values of the given area, community demand for recreation and the appropriate management of the Park. Predominantly passive recreation uses are considered acceptable such as picnic facilities and parking.

The Plan details that commercial concessions for visitor services may also be considered providing there is sensitive placement and provision of access and facilities. Lot 12050 has in the past been considered as a location for an Environment Centre.

Environment Centre – Feasibility Study

A feasibility study was undertaken in 2007 which was jointly commissioned by the Cities of Joondalup and Wanneroo to investigate the feasibility and potential options for the establishment of an Environment Centre to be located within the Park.

The preferred site identified was Lot 12050 (referred to as Lot 1 within the study) due to proximity to population bases, public access, large open areas, aesthetics and access to the water body. The study recognised that for an Environment Centre to be developed on part of Lot 12050, the land would need to be under the management of the City rather than the Conservation and Parks Commission. Due to Lot 12050 being a Class ‘A’ reserve, any proposed amendment to the tenure would require legislative change needing the proposed amendment to be laid before both Houses of State Parliament with approval and support from the DPW, the Conservation and Parks Commission and the DoP.

The Environment Centre proposal did not proceed due to other project priorities and budget constraints, as no funds for the proposal were forthcoming from State or Federal Governments.

The Yellagonga Integrated Catchment Management Plan 2015-2019

The *Yellagonga Integrated Catchment Management Plan 2015-2019* (YICMP) was developed by the Cities of Joondalup and Wanneroo to provide a holistic and long-term strategic plan to improve catchment health and protect the diverse values of the Park. One of the key considerations of the YICMP is the water quality of the wetland areas. Significant work has been carried out to improve water quality including annual water monitoring, storm water outfall upgrades and community education.

A key objective of the Council endorsed YICMP is to “*Ensure positive environmental, social and economic outcomes for the Yellagonga Regional Park and its wetlands.*”

DETAILS

Planning Approval Considerations

From a planning approval perspective, the WAPC is the determining authority. Should there be a proposal to be considered for this land, a Metropolitan Regional Scheme (MRS) Form 1 would need to be signed by the DoL as owner of the land, with accompanying support provided by the DPW as land managers. The MRS Form 1 would be submitted to the WAPC and referred to the City by the WAPC for comments and recommendation.

The WAPC’s Development Control Policy 5.3 provides guidance on development which may be permitted on land reserved for Parks and Recreation under the MRS and it also sets out procedures for obtaining land use and development approval.

The environmental constraints concerning Lot 12050 would be a definite consideration given the proximity of Lake Joondalup and the fact the site is Bush Forever.

Environmental Considerations

The Park is one of the City’s key environmental assets; it is highly valued by residents and visitors to the area for its environmental, cultural and recreational values. It is a Conservation Category Wetland which has the objective to preserve wetland (natural) attributes and functions. The wetlands within the Park are some of the last remaining freshwater wetland systems on the Swan Coastal Plain and serve as an important breeding and foraging ground for local and migratory birds.

Water quality is vital to the wetland ecosystem health; pollutants from fertilisers, herbicides and pesticides can cause a number of water quality issues such as the following:

- Nutrient enrichment resulting in depletion of the oxygen supply in the water body, algal blooms and midge outbreaks.
- Impacts on wetland fauna including compromised immune systems, mutations, hormone disruption, reproductive interference, poisoning, injury and death to wetland fauna.
- Pollutants bound to sediments can be re-released in water leading to the mobility of these contaminants throughout food chains with unknown effects of bio-accumulation on wetland fauna.

Agricultural and garden fertilisers were identified in the plan as being one of the major contributors to nutrient enrichment of the wetlands.

The City has taken significant steps in recent years to improve the water quality of the wetlands including upgrading all stormwater outfalls within the City that drain into the wetland, providing education and information on fertiliser and herbicide use to communities in the surrounding catchment, undertaking revegetation projects and investigating other options for improving water quality.

The park is also a Bush Forever site containing nine wetland communities (consisting of sedgelands, woodlands, open and closed forests) and five dryland communities (consisting of open and closed forest as well as woodlands). Weeds are identified as one of the key threats to the Park. Weeds produce structural and compositional changes to the vegetation and degrade fauna habitat.

Issues and options considered

Community Garden

For the site to be considered for a large scale commercial community garden, the following points are made:

- The use of fertilisers, herbicides and pesticides within a community garden are likely to adversely impact on the water quality of this sensitive wetland environment. This impact is likely to be increased given the steep slope from Lot 12050 towards the Lake.
- There would be a high potential for exotic plant species (i.e. tomatoes and basil) to spread from the gardens as weeds and impact on the local biodiversity and health of the bushland areas and fauna.
- The irrigation source would also need to be considered. The Perth Groundwater Map (Department of Water) identifies Lot 12050 as unsuitable for the installation of a bore. A bore at this location could potentially impact on the water levels of the lake which is already being impacted by a drying climate. Irrigation from mains water is likely to be expensive both for the provision of the water service infrastructure and ongoing water consumption.

Other land development

The *Yellagonga Regional Management Plan* guides the management of the park including its land uses. Development of some description may be possible on a cleared area of Lot 12050 but it would not be without its challenges. Any development of the land would need to consider potential impacts on the water quality of the wetlands and the health of the bushland areas.

Legislation / Strategic Community Plan / policy implications

Legislation

A change to tenure details will require legislative change through State Parliament. This process may take up to two years to enact and will be initiated by the City of Joondalup Council resolving to request the DPW to commence the legislative change process.

Strategic Community Plan

Key theme

The Natural Environment.

Objective

Environmental resilience.

| | |
|-----------------------------|---|
| Strategic initiative | Identify and respond to environmental risks and vulnerabilities. |
| 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 | <i>Sustainability Policy.</i> |

Risk management considerations

A range of impacts threaten the long-term viability of the park including the drying climate trend, poor water quality, invasive flora and fauna species, wildfires, disease spread, urban encroachment, remaining traditional stormwater drainage, habitat degradation and fragmentation. The development of a large scale community garden within the park poses a significant risk to the health of the wetland ecosystems, bushland areas and flora and fauna.

Financial / budget implications

There is no provision in the City's budget for the investigation into, or the proposed development of part of Lot 12050.

Regional significance

The classification of Yellagonga as a regional park indicates that it is recognised as having regionally significant conservation, landscape and recreation values. The park is a strategic natural asset for the agencies that share the ownership and management and attracts visitors from across the region.

Sustainability implications

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

Consultation

On the assumption that tenure could be transferred to the City for an area within Lot 12050 and in principle support from relevant agencies was also provided for the consideration of some type of development on the site, community consultation would be required. Consultation would need to be conducted in accordance with the City's approved *Community Consultation and Engagement Policy* and *Community Engagement Protocol*.

COMMENT

Large scale community gardening within Yellagonga Regional Park is considered to be unsuitable and could have a significant impact on the health of the wetlands. It is incompatible with the objectives of the *Yellagonga Integrated Catchment Management Plan* and the work the City is doing to reduce pollutants in the water bodies and improve water quality.

There are cleared areas within Lot 12050 where development might be supported, however, commercial type development may be considered too intense. Commercial development such as a cafe may be better suited to areas within Yellagonga Regional Park that attract higher visitor numbers and where existing infrastructure already exists.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Hollywood that Council:

- 1** NOTES that the City does not own, or manage Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup which is Class 'A' Reserve;
- 2** NOTES that due to being a Class 'A' Reserve, any amendment to the tenure arrangements concerning Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup would require it to be laid before both Houses of State Parliament for approval;
- 3** NOTES that a large scale community garden is considered to be unsuitable for Reserve 43290, Lot 12050 (580) Joondalup Drive, Joondalup due to the adverse impact that pollutants from fertilisers, herbicides and pesticides are likely to have on the water quality of the wetland environment.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf170314.pdf](#)

CJ025-03/17 MINUTES OF EXTERNAL COMMITTEES

| | | |
|-------------------------------|--|---|
| WARD | All | |
| RESPONSIBLE | Mr Jamie Parry | |
| DIRECTOR | Governance and Strategy | |
| FILE NUMBER | 03149, 101515 | |
| ATTACHMENT | Attachment 1 | Minutes of Mindarie Regional Council meeting held on 9 February 2017 |
| | Attachment 2 | Minutes of WALGA North Metropolitan Zone meeting held on 23 February 2017 |
| | <i>(Please Note: These minutes are only available electronically).</i> | |
| AUTHORITY / DISCRETION | Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting'). | |

PURPOSE

For Council to note the 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 9 February 2017.
- Minutes of the WALGA North Metropolitan Zone meeting held on 23 February 2017.

DETAILS

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

Mindarie Regional Council meeting - 9 February 2017

A meeting of the Mindarie Regional Council was held on 9 February 2017.

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

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

9.3 Mid Year Budget Review - 2016/17

It was resolved by the Mindarie Regional Council as follows:

"That Council:

Approve by Absolute Majority the forecast deficit position estimated to be \$1,302,065 at 30 June 2017, which includes the following:

- A net estimated decrease in members' and non-members' user charges of \$3,484,252;
- A net estimated decrease in total other charges of approximately \$137,410;
- A net estimated decrease in expenditures of \$1,464,411;
- A net estimated increase in the profit on sale of assets of \$28,085; and
- A net increase in capital expenditures of \$14,904, with the reallocations as noted in the officer's report."

9.4 Adoption of 2016 Annual Compliance Return

It was resolved by the Mindarie Regional Council as follows:

"That Council:

- 1 *adopt the Local Government Compliance Audit Return in the form approved by the Minister for the period 1 January to 31 December 2016 as contained within the Appendices in accordance with the provisions of Regulation 14(3) of the Local Government (Audit) Regulations 1996 and in line with the recommendation from the Audit Committee;*
- 2 *authorise the Chairperson and the Chief Executive Officer to complete the Joint Certification contained in the adopted Return detailed in (1) above; and*
- 3 *authorise the Chief Executive Officer to submit the adopted Return detailed in (1) to the Director General, Department of Local Government and Communities prior to 31 March 2017."*

9.5 Tender Assessment - Provision of Consultancy Services to Undertake a Risk Assessment of Environmental and Health Impacts of Landfill Generated Gas and Leachate at Tamala Park – 13/134

It was resolved by the Mindarie Regional Council as follows:

"That the Council:

- 1 *Award the Tender - Provision Of Consultancy Services To Undertake A Risk Assessment Of Environmental And Health Impacts Of Landfill Generated Gas And Leachate At Tamala Park (Tender Number: 13/134) to DLA Environmental Services at a fixed price of \$84,250 excluding GST.*
- 2 *Advise the unsuccessful tenderers of its decision to award the tender to DLA Environmental Services."*

WALGA North Metropolitan Zone meeting - 23 February 2017

A meeting of the WALGA North Metropolitan Zone was held on 23 February 2017.

At the time of this meeting Cr Christine Hamilton-Prime, Cr John Logan and Cr Russ Poliwka were Council's representatives at the North Metropolitan Zone meeting.

Crs Russ Fishwick and Philippa Taylor were apologies for this meeting only.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the North Metropolitan Zone meeting:

8.1 Provision of Football Facilities and Amenities across Local Government Districts

It was resolved by the North Metropolitan Zone as follows:

"That the North Zone of WALGA recommends to the WALGA State Council:

- 1 *WALGA advocate on behalf of local government and engage with the Department of Sport and Recreation and Football West to inform them that the sector's role is to support community based sport and recreation development and that the development of elite / high level sport facilities should be funded through the State and State Sporting Association;*
- 2 *Local government authorities be engaged and consulted in the development of the Football West Strategic Plan and that it develops a sustainable model for the provision and management of NPL facility development and relegation to accordance with local government authorities' role."*

Legislation / Strategic Community Plan / Policy Implications

| | |
|---------------------------------|--|
| Legislation | Not applicable. |
| Strategic Community Plan | |
| Key Theme | Governance and Leadership. |
| Objective | Strong leadership. |
| Strategic Initiative | Seek out City representation on key external and strategic bodies. |
| Policy | Not applicable. |

Risk Management Considerations

Not applicable.

Financial / Budget Implications

Not applicable.

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Hollywood that Council NOTES the minutes of the:

- 1 Mindarie Regional Council meeting held on 9 February 2017 forming Attachment 1 to Report CJ025-03/17;**
- 2 WALGA North Metropolitan Zone meeting held on 23 February 2017 forming Attachment 2 to Report CJ025-03/17.**

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

To access this attachment on electronic document, click here: [External Minutes 170314.pdf](#)

CJ026-03/17 EXECUTION OF DOCUMENTS

| | | |
|-------------------------------|--|---|
| WARD | All | |
| RESPONSIBLE | Mr Jamie Parry | |
| DIRECTOR | Governance and Strategy | |
| FILE NUMBER | 15876, 101515 | |
| ATTACHMENT | Attachment 1 | Documents executed by affixing the Common Seal during the period 7 February to 23 February 2017 |
| AUTHORITY / DISCRETION | Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting'). | |

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 7 February to 23 February 2017 (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 7 February to 23 February 2017, as detailed in Attachment 1 to Report CJ026-03/17.

BACKGROUND

For the period 7 February to 23 February 2017, six documents were executed by affixing the Common Seal. A summary is provided below:

| Type | Number |
|---|--------|
| Deed of Ratification and Variation of Lease | 1 |
| Deed of Variation of Constitution Agreement | 1 |
| <i>Waste Local Law 2017</i> | 1 |
| Extension of Lease | 1 |
| Deed of Agreement | 1 |
| Section 70A Notification. | 1 |

Issues and options considered

Not applicable.

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

| | |
|-----------------------------|--|
| Key theme | Governance and Leadership. |
| Objective | Corporate capacity. |
| Strategic initiative | Demonstrate accountability through robust reporting that is relevant and easily accessible by the community. |
| Policy | Not applicable. |

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Hollywood that Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 7 February to 23 February 2017, as detailed in Attachment 1 to Report CJ026-03/17.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf170314.pdf](#)

Policy Implications

Each petition may impact on the individual policy position of the City.

Risk Management Considerations

Failure to give consideration to the request of the petitioners and take the appropriate actions may impact on the level of satisfaction of the community.

Financial/Budget Implications

Individual requests made by the way of petitions may have financial implications.

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

The list of petitions is presented to Council for information, detailing the actions taken to date and the actions proposed to be undertaken for those petitions that remain outstanding.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Hollywood that Council NOTES:

- 1 the status of outstanding petitions submitted to Council during the period 16 February 2016 to 21 February 2017, forming Attachment 1 to Report CJ027-03/17;
- 2 that following its decision at its meeting held on 13 December 2016 (CJ208-12/16 refers) with respect to the making of the *City of Joondalup Animals Amendment Local Law 2016*, a further report on a decision to make available a section of Burns Beach as an animal exercise area is proposed to be presented to Council at its meeting to be held on 16 May 2017;
- 3 that following its decision at its meeting held on 13 December 2016 (CJ208-12/16 refers) with respect to the making of the *City of Joondalup Animals Amendment Local Law 2016*, a further report with respect to changing the City's Beach Management Plan to reduce congestion at Hillarys Dog Beach is proposed to be presented to Council at its meeting to be held on 16 May 2017;

- 4 in relation to the petition requesting Council reconsider the proposed installation of the footpath on Strathyre Drive, Duncraig, Council considered the petition as part of its review of the *Residential Development Local Planning Policy*, which was presented to Council at its meeting held on 13 December 2016 (CJ221-12/16 refers);
- 5 in relation to the petition requesting Council ensure that future unit development in Strathyre Drive, Duncraig and surrounding streets with R60 approval provide two car bays per unit, Council considered the petition as part of its review of the *Residential Development Local Planning Policy*, which was presented to Council at its meeting held on 13 December 2016 (CJ205-12/16 refers);
- 6 in relation to the petition requesting Council create a working group to review and develop appropriate signage guidelines and policy to allow small business to have a say on signage and place-making within the City of Joondalup, Council will consider the petition as part of its review of the City's *Signs Policy*;
- 7 in relation to the petition requesting Council retain the horse exercise area at Whitfords Beach, Council considered the request as part of the making of the *City of Joondalup Animals Amendment Local Law 2016* which was presented to Council at its meeting held on 13 December 2016 (CJ208-12/16 refers);
- 8 in relation to the petition requesting Council install a drinking fountain and barbeque facilities with seating and shelter in the area adjacent to the playground at Hawker Park, Warwick as well as additional seating around the oval, Council considered the petition as part of a report presented to Council at its meeting held on 13 December 2016 (CJ222-12/16 refers);
- 9 in relation to the petition requesting Council reverse its decision of 20 September 2016 to move the Whitford City Football Club from Warrandyte Reserve, Craigie, Council considered the petition as part of a report presented to Council at its meeting held on 13 December 2016 (CJ236-12/16 refers);
- 10 in relation to the petition requesting Council in regard to forums, reports and their deadline, for grounds including Warrandyte Park (C62-10/16 amendments):
 - 10.1 assure impartiality by members excusing themselves from presiding where they have made emotional partisan statements;
 - 10.2 significantly extend the arbitrary 13 December 2016 deadline for reports/consultation, that requires additional City resources, given:
 - 10.2.1 eight weeks seems an unreasonable timeframe as the City could not resolve this wide-ranging issue over many years;
 - 10.2.2 there is no urgent requirement or trigger for the City to rush a resolution by this date for such a contentious issue,

Council considered the petition as part of a report presented to Council at its meeting held on 13 December 2016 (CJ236-12/16 refers);

- 11 that a report in relation to the two petitions requesting that Council approves and endorses the Sorrento Local Activity Structure Plan for Lots 2, 148, 149 and 153 West Coast Drive, Lot 154 Raleigh Road and Lots 146 and 147 Padbury Circle and to fully support the redevelopment and transformation of Sorrento Plaza is proposed to be presented to Council at its meeting to be held on 21 March 2017;
- 12 that a report in relation to the petition requesting that Council gives consideration to establishing a nature play park in the Chichester Park area for the benefit of older children in Woodvale is proposed to be presented to Council at its meeting to be held on 27 June 2017;
- 13 that a report in relation to the petition requesting that Council provides a water fountain inclusive of a water bowl at the base for dogs at Geneff Park, Sorrento for the use of the local community who exercise their dogs daily and also for children who play at the park is proposed to be presented to Council at its meeting to be held on 18 July 2017;
- 14 that a report in relation to the petition opposing the proposal to develop Beldon Park for national premier league soccer competition is proposed to be presented to Council at its meeting to be held on 21 March 2017.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf170314.pdf](#)

CJ028-03/17 LIST OF PAYMENTS DURING THE MONTH OF JANUARY 2017

| | | |
|-------------------------------|--|--|
| WARD | All | |
| RESPONSIBLE DIRECTOR | Mr Mike Tidy Corporate Services | |
| FILE NUMBER | 09882, 101515 | |
| ATTACHMENT | Attachment 1 | Chief Executive Officer's Delegated Municipal Payment List for the month of January 2017 |
| | Attachment 2 | Chief Executive Officer's Delegated trust Payment List for the month of January 2017 |
| | Attachment 3 | Municipal and Trust Fund Vouchers for the month of January 2017 |
| AUTHORITY / DISCRETION | Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting'). | |

PURPOSE

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of January 2017.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of January 2017 totalling \$15,857,888.53.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for January 2017 paid under delegated authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 forming Attachments 1, 2 and 3 to Report CJ028-03/17, totalling \$15,857,888.53.

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 January 2017. 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 104454 - 104565 & EF060491 –EF061093 Net of cancelled payments. | \$9,119,707.63 |
| | Vouchers 1850A – 1857A & 1862A – 1867A | \$6,699,997.90 |
| Trust Account | Trust Cheques & EFT Payments 207081 - 207100 & TEF001027 – TEF001067 Net of cancelled payments. | \$38,183.00 |
| | Total | \$15,857,888.53 |

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.

MOVED Cr Jones, SECONDED Cr Hollywood that Council NOTES the Chief Executive Officer's list of accounts for January 2017 paid under Delegated Authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 forming Attachments 1, 2 and 3 to Report CJ028-03/17, totalling \$15,857,888.53.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf170314.pdf](#)

CJ029-03/17 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JANUARY 2017

| | |
|------------------------------|--|
| WARD | All |
| RESPONSIBLE | Mr Mike Tidy |
| DIRECTOR | Corporate Services |
| FILE NUMBER | 07882,101515 |
| ATTACHMENT | Attachment 1 Financial Activity Statement for the period ended 31 January 2017 |
| AUTHORITY/ DISCRETION | Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting'). |

PURPOSE

For Council to note the Financial Activity Statement for the period ended 31 January 2017.

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. Council subsequently amended the budget at its meeting held on 13 December 2016 (CJ220-12/16 refers). The figures in this report are compared to the adopted budget as amended.

The January 2017 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$9,679,634 for the period when compared to the adopted budget.

It should be noted that this variance does not represent a projection of the end of year position or that these funds are surplus to requirements. It represents the year to date position to 31 January 2017 and results from a number of factors identified in the report.

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 \$6,435,665 higher than budget, made up of higher operating revenue \$971,539 and lower operating expenditure of \$5,464,125.

Operating revenue is higher than budget on Interest Earnings \$561,310, Profit on Asset Disposals \$225,647, Fees and Charges \$169,458, Rates \$36,970, Other Revenue \$4,377, Grants and Subsidies \$1,763 offset by lower than budgeted revenue from Contributions, Reimbursements and Donations \$27,986.

Operating Expenditure is lower than budget on Materials and Contracts \$3,441,449, Employee Costs \$1,727,719, Utilities \$377,099, Loss on Asset Disposals \$213,985, Insurance Expenses \$26,271 and Interest Expenses \$21,277 offset by higher than budget expenditure for Depreciation \$343,674.

The Capital Deficit is \$3,179,529 lower than budget. This is due to lower than budgeted expenditure on Capital Projects \$7,393,432, Vehicle and Plant Replacements \$893,593, Loan Repayments \$67,553 and higher than budgeted Capital Contribution revenue \$196,870 offset by lower than budgeted revenue for Capital Grants and Subsidies \$735,091, lower Equity Distribution from Tamala Park Regional Council \$83,333 and higher than budgeted expenditure on Capital Works \$4,553,495.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 January 2017 forming Attachment 1 to Report CJ029-03/17.

BACKGROUND

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

DETAILS

Issues and options considered

The Financial Activity Statement for the period ended 31 January 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 is incurred in accordance with the provisions of the 2016-17 adopted budget (as amended) or has been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Hollywood that Council NOTES the Financial Activity Statement for the period ended 31 January 2017 forming Attachment 1 to Report CJ029-03/17.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf170314.pdf](#)

CJ030-03/17 COMMUNITY SPORTING AND RECREATION FACILITIES FUND SMALL GRANT APPLICATION - WARWICK GREENWOOD JUNIOR FOOTBALL CLUB - REFURBISHMENT OF ELLERSDALE PARK CLUBROOMS

| | |
|------------------------------|---|
| WARD | South |
| RESPONSIBLE DIRECTOR | Mr Mike Tidy Corporate Services |
| FILE NUMBER | 18812, 101515 |
| ATTACHMENT | Attachment 1 Proposed plans of refurbishment |
| AUTHORITY/ DISCRETION | Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |

PURPOSE

For Council to consider an application received for the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund Small Grant (Winter Round) from the Warwick Greenwood Junior Football Club to undertake a refurbishment project of the Ellersdale Park Clubrooms and Change Rooms in Warwick.

EXECUTIVE SUMMARY

The Community Sporting and Recreation Facilities Fund (CSRFF) program aims to increase participation in physical activity through the provision of funding that assists the development of well designed infrastructure for sport and recreation.

The City of Joondalup is required to assess, rank and rate all applications received from sport and recreation clubs located within the City of Joondalup.

The Department of Sport and Recreation (DSR) has \$12 million allocated for the annual CSRFF statewide grants.

The City received an application from the Warwick Greenwood Junior Football Club (WGJFC) for consideration as part of the CSRFF Small Grant Winter Round which closes on 31 March 2017.

The WGJFC is requesting the City consider providing funding and approval for the club to undertake a project to refurbish the Ellersdale Park Clubrooms and Change Rooms in Warwick. The proposed works include the following:

- Enclosing the breezeway between the clubrooms and change rooms to provide an additional storage area (including two new roller doors).
- Removing an internal wall to increase the size of the existing change rooms to incorporate the old storage space.
- Minor alterations to the kitchen to suit the new storeroom design.
- Rendering the southern elevation of the new clubroom structure.

- Other associated works (installation of new internal lights, power outlets, plumbing and the like).

The project has been estimated by the club at a cost of \$48,439. The club has indicated it could contribute \$20,000 towards the project and is seeking funding from the City of Joondalup and the DSR (through CSRFF) of \$14,219. The City is recommending that should the project be supported that the City provides the funding to the club with the club to manage the works through the City's Club Funded Facility Upgrade process. This process allows the club to undertake the works on behalf of the City, with the City providing relevant approvals of the works proposed to ensure they meet with the City's required standard.

At its meeting held on 21 February 2017(CJ019-02/17 refers), Council agreed to approve the inclusion of this project in the 2016-17 financial year, with \$48,439 listed as expenditure and \$34,219 listed as income. As it is recommended that the club manage the project, the City would only be required to provide \$14,219 to the club, with no income associated.

It is therefore recommended that Council:

- 1 *SUPPORTS an application to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) program by the Warwick Greenwood Junior Football Club to part fund the refurbishment of the Ellersdale Park Clubroom and Change Room buildings;*
- 2 *NOTES a payment to the Warwick Greenwood Junior Football Club to undertake the Ellersdale Park Clubroom Refurbishment Project of \$14,219, subject to the project receiving funding in full through the Community Sporting and Recreation Facilities Fund (CSRFF) program;*
- 3 *ENDORSES the ranking and rating of CSRFF applications below:*

| | <i>Applicant's Rank</i> | <i>Applicant's Rating</i> |
|---|--|--|
| 1 | <i>Warwick Greenwood Junior Football Club – refurbishment of the Ellersdale Park Clubrooms, Warwick.</i> | <i>Well planned and needed by the applicant.</i> |

BACKGROUND

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

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

The State Government allocates \$12 million per year for CSRFF grants in three categories over the 2016-17 funding period:

Small Grants (\$1.5 million per year; \$750,000 each round)

Small grants are offered on a bi-annual basis for projects that have a total value of between \$7,500 and \$200,000. Applications close in August and March of each year.

Annual Grants (share of \$10.5 million per year)

Annual grants require greater detail and planning and have a total project value of between \$200,001 and \$500,000. Applications close in September of each year.

Forward Planning Grants (share of \$10.5 million per year)

Forward planning grants are for projects requiring a period of between one and three years to complete with a maximum grant amount of \$4 million (total project value up to \$12 million). Applications close in September of each year.

The City of Joondalup is required to place a priority ranking and rating on applications from organisations that fall within its boundaries based on the following criteria:

- Well planned and needed by the local government.
- Well planned and needed by the applicant.
- Needed by the local government, more planning required.
- Needed by the applicant, more planning required.
- Idea has merit, more preliminary work needed.
- Not recommended.
- A strong emphasis is placed on a planned approach towards CSRFF applications.

DETAILS

The City received one application for the CSRFF Small Grant (Winter Round) for 2016-17.

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

Project Summary

The WGJFC application is to refurbish the existing clubrooms and change rooms at Ellersdale Park Clubrooms, Warwick. The proposed project will allow the club to increase their storage space at the clubrooms while also increasing space in the change rooms, kitchen and improving the aesthetics of the building. The proposed works include the following:

- Enclosing the breezeway between the clubrooms and change rooms to provide an additional storage area (including two new roller doors).
- Removing an internal wall to increase the size of the existing change rooms to incorporate the old storage space.
- Minor alterations to the kitchen to suit the new storeroom design.
- Rendering the southern elevation of the new clubroom structure.
- Other associated works (installation of new internal lights, power outlets, plumbing and the like).

The club has designed and costed the proposed works with a cost of \$48,439. The club is seeking \$14,219 from each of the City and the DSR (through the CSRFF), with the club contributing \$20,000 to the project. The club's \$20,000 contribution has been secured through the Federal Government's Stronger Communities Program (SCP).

Ellersdale Park is a local park that is located on Ellersdale Avenue, Warwick. The park is 3.5 hectares in size and is currently utilised in winter by the WGJFC and in summer by the Warwick Greenwood Junior Cricket Club and the Warwick Greenwood Cricket Club. The park currently has a synthetic turf cricket wicket, two lane cricket practice net, one set of football (AFL) goals, two small park floodlights (that do not meet the relevant Australian Standards), a three on three basketball pad and a tennis hit up wall. Ellersdale Park Clubrooms and Change Rooms are separate buildings (joined by a covered veranda) that were constructed in 1979 and 1970 respectively. Current clubroom user groups include:

- Warwick Greenwood Junior Football Club (winter only)
 - Monday 7.00pm – 10.00pm
 - Wednesday 4.00pm – 7.30pm
 - Thursday 6.30pm – 9.00pm
 - Saturday 8.00am – 12.00pm
 - Sunday 8.00am – 12.00pm
- Warwick Greenwood Junior Cricket Club (summer only)
 - Wednesday 7.00pm - 8.30pm (intermittently)
 - Sunday 10.00am – 2.00pm (intermittently)
- Warwick Greenwood Cricket Club
 - Saturday 1.00pm to 6.30pm
- Mahjong Club
 - Monday 10.00am to 3.00pm
- Wanneroo Shooting Complex
 - Second Tuesday of each month 7.30pm – 9.30pm

The change rooms are accessed by all users who book Ellersdale Park. In 2007-08 the clubroom was refurbished with upgrades to the kitchen, toilets and painting. In 2010-11 the veranda adjoining the two buildings was replaced. At the time of refurbishment, a number of items could not be addressed due to budget constraints.

WGJFC operates throughout the City of Joondalup, with approximately 500 junior members. Currently the club utilise Ellersdale Park, Penistone Park, Hawker Park and Blackall Park. The club has experienced considerable growth throughout the past three years with membership increasing from approximately 400 in 2014 to 500 in 2016.

The City has assessed the application from the WGJFC and recommends that should Council support the project and associated funding, that the project is managed by the club. This would include the club submitting the CSRFF application to the DSR. The City's role in the project would be in an approval and funding capacity, with the club managing the grant and construction process. As the club has been successful in receiving a Stronger Communities Grant from the federal government the timeframe for this project is constrained, with the SCG funding only being available until mid-late 2017.

Should the City manage this project a period of further planning would be required before the project could be considered, this would be in line with the City's normal facility refurbishment process.

The club would be required to undertake the works in line with the City's existing Club Funded Facility Upgrade principles, which would place a number of conditions on the works being undertaken by the club. The proposed project would also be required to receive the relevant approvals (such as building and planning approval).

| | |
|---|---------------------------------|
| Total Project Cost: | \$48,439 (excluding GST) |
| City of Joondalup Contribution: | \$14,219 (excluding GST) |
| CSRFF Grant requested: | \$14,219 (excluding GST) |
| Club contribution (Strong Communities Grant): | \$20,000 (excluding GST) |

Assessment Summary

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

Recommendation Summary

| | |
|------------------|---|
| Ranking: | 1 (of 1). |
| Rating: | Well planned and needed by the applicant. |
| Funding request: | \$14,219 (excluding GST). |

Issues and options considered

The City could choose not to approve this proposal. This would result in the project not being eligible for a CSRFF grant as the local government must be a partner in the project.

Legislation / Strategic Community Plan / policy implications

| | |
|---------------------------------|---|
| Legislation | Not applicable. |
| Strategic Community Plan | |
| Key theme | Community Wellbeing. |
| Objective | Quality facilities. |
| Strategic initiative | Support a long-term approach to significant facility upgrades and improvements. |
| Policy | Not applicable. |

Risk management considerations

The key risk associated with the refurbishment of built assets is the quality of completed works. This risk is mitigated by the City's building and Club Funded Facility Upgrade approval processes. The City also assesses all works on completion.

Should the project not receive a full funding commitment from the DSR a report will be provided for Council to consider the funding allocation and options for the project to continue.

Financial / budget implications

At its meeting held on 21 February 2017(CJ019-02/17 refers), Council agreed to approve the inclusion of this project in the 2016-17 financial year, with \$48,439 listed as expenditure and \$34,219 listed as income. As the project it is recommended that the project be managed by the club, the City would provide its contribution directly to the club, therefore the expenditure would be \$14,219, with no income.

At its meeting held on 15 July 2014 (CJ116-07/14 refers), Council considered the Active Reserve and Community Facility Review. This report provided a priority list for future community facility refurbishments. Ellersdale Park Clubrooms were identified as the ninth priority on a list of 13 facilities. An amount of \$850,000 was identified as the estimated total cost. Given the current progress of facility refurbishments, it is expected that the Ellersdale Park Clubroom refurbishment would be considered for completion in 2021-22 within the Five Year Capital Works Program. The refurbishment of Ellersdale Park Clubrooms proposes to replace the flooring, windows and doors, install a new heating/cooling system, add new security screens, render and paint the exterior and extend the storage area. It is also proposed to refurbish and extend the toilets/change rooms.

The Active Reserve and Community Facility Review estimated that the recommended work could cost approximately \$850,000 however until concept designs are finalised and a cost estimate obtained, exact project costs can not be confirmed. Planning for refurbishment projects commences two years prior to construction so that once concept designs are completed and a cost estimate on the proposed works undertaken, then an amendment to the proposed budget can be made if required.

Should the proposed CSRFF project be successful for CSRFF funding and completed by the club, the works could impact on what works are required within the facility refurbishment. The City has held discussions with the club in regards to the proposed refurbishment of Ellersdale Park Clubrooms in 2021-22 addressing most of if not all of the issues the club is proposing to address, however the club has chosen to continue with their proposed refurbishment.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Community consultation has not been undertaken for this project. The City does not undertake community consultation for a facility refurbishment, other than consulting with existing facility user groups.

As part of the club's application they have provided a letter of support from the WGJCC who have expressed their support for the project.

The City sought comment from the venue's three other user groups. These have been summarised below:

Warwick Greenwood Cricket Club

No objections to the proposed works and wish to be consulted should the works be approved to ensure continued access to suitable facilities during the construction period.

Mahjong Club

No objections to the proposed works and wish to be consulted should the works be approved to ensure continued access to suitable facilities during the construction period.

Wanneroo Shooting Complex

No objections to the proposed works and wish to be consulted should the works be approved to ensure continued access to suitable facilities during the construction period.

COMMENT

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

The refurbishment of Ellersdale Park Clubrooms and Change Rooms, Warwick will provide the club with much needed space for storage and additional change room space for their teams.

The project provides value for money and the City supports the club in managing the project (with on-going oversight / approval of the City) themselves should the project be supported. Should the project proceed the works would need to receive a building permit and be undertaken by a registered builder.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Hollywood that Council:

- 1 SUPPORTS** an application to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) program by the Warwick Greenwood Junior Football Club to part fund the refurbishment of the Ellersdale Park Clubroom and Change Room buildings;
- 2 NOTES** a payment to the Warwick Greenwood Junior Football Club to undertake the Ellersdale Park Clubroom Refurbishment Project of \$14,219, subject to the project receiving funding in full through the Community Sporting and Recreation Facilities Fund (CSRFF) program;
- 3 ENDORSES** the ranking and rating of CSRFF applications below:

| Applicant's Rank | | Applicant's Rating |
|------------------|---|---|
| 1 | Warwick Greenwood Junior Football Club – refurbishment of the Ellersdale Park Clubrooms, Warwick. | Well planned and needed by the applicant. |

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf170314.pdf](#)

CJ031-03/17 REPORT ON CITY RANGERS AFTER 12 MONTHS OF OPERATION

| | |
|------------------------------|--|
| WARD | All |
| RESPONSIBLE | Mr Mike Tidy |
| DIRECTOR | Corporate Services |
| FILE NUMBER | 105326,101515 |
| ATTACHMENT | Nil |
| AUTHORITY/ DISCRETION | Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting'). |

PURPOSE

For Council to note the review of the effectiveness of City Rangers after 12 months of operation.

EXECUTIVE SUMMARY

City Rangers, the combined Ranger and Community Patrol service has been in operation since 1 December 2015. Council requested a review of the effectiveness of the new combined service after 12 months of operation.

The new service is working well. There are no recommended changes to the service identified for this report. The service has improved team accountability and has significantly increased the level of enforcement activity provided to residents inclusive of a dedicated suburban parking service, and a 24/7 Community Patrol service supplementing the current Ranger Service.

Collectively this model has achieved a high level of positive response from the community, based on the regular post action surveying of those residents who have requested assistance and from unsolicited written acknowledgements of appreciation.

It is therefore recommended that Council NOTES the review of the effectiveness of the new combined Ranger/Patrol service over the first twelve months from 1 December 2015 to 30 November 2016.

BACKGROUND

Prior to 1 December 2015 the City provided a distinct Ranger Service and a separate City Watch Community Patrol Service. Both areas had specific functions but were discreet services in their own right with Rangers providing a statutory function to the City, enforcing Acts, Regulations and local laws, investigating complaints, inspecting premises and properties for compliance, and carrying out responsible animal management and other compliance matters including bush fire management. The City Watch Service provided a discretionary service delivered 24 hours, seven days a week as the 'eyes and ears' of the City assisting other City officers, including Rangers to be kept informed of what needs to be done to ensure a high level of local amenity. It also provided a limited enforcement role in relation to suburban parking as directed.

Council reviewed the merits of the previous Ranger Service and the viability of the City Watch Community Patrol Service and considered options for changing the City Watch service at its meeting held on 25 June 2015 (CJ105-06/15 refers).

Four options were provided for consideration:

- Option 1 – Continue Existing Service (with or without changes).
- Option 2 – Discontinue Current Service.
- Option 3 – Night Shift Only City Watch Service.
- Option 4 – Replace City Watch with a 24 Hour a Day, Seven Day a Week Ranger Community Patrol Service. This option had two sub-options.
- Option 4a – 24 Hour a Day, Seven Day a Week Full Ranger Service.
- Option 4b – 24 Hour a Day, Seven Day a Week Combined Ranger and Community Patrol Service.

At its meeting held on 25 June 2015 (CJ105-06/15 refers) Council resolved as follows:

“That Council:

- 1 *ADOPTS Option 4b as presented in Attachment 3 to this Report, to provide a 24 hour a day, seven day a week Combined Ranger and Community Patrol Service as the model to replace the current City Watch service with an increased focus on enforcement and suburban parking and including separation and outsourcing of alarm responses, a revised risk based approach to facility checks and the discontinuation of the party and holiday alert services;*
- 2 *REQUESTS the Chief Executive Officer to implement the transition from the current City Watch model to the Option 4b model;*
- 3 *REQUESTS the Chief Executive Officer to report to Council reviewing the effectiveness of the new service after 12 months of operation.”*

The following is Option 4b as reported to Council to provide context in regard to the operational expectations of the City Rangers Service:

Option 4b: - 24 Hour a Day, Seven Day a Week Combined Ranger and Community Patrol Service

This option is to replace the City Watch service with a 24 hour a day, seven day a week Community Patrol service by engaging City direct employees on fixed term contracts (contract staff) for a period of approximately two years. This will allow time for the issue of Ranger hours to be considered during negotiations on the next agreement which will occur in 2016.

The contract staff would be titled Patrol Officers and have enforcement as a prominent aspect of their position description. The Patrol Officers would be authorised to carry out the full range of City enforcement activities but would not be required to carry out complex investigations such as dog attacks which would remain with fully qualified Rangers.

The Patrol Service will be more focussed on enforcement in preference to just patrolling and reporting. Patrols would be provided as needed in areas to be targeted for anti-social or nuisance behaviour and locations displaying consistent non-compliance with local laws (Parking and Local Government and Public Property offences) to complement the services to be provided by Rangers. Patrol Officers would proactively address any offences observed in the course of their patrols.

The Patrol Service would also include a focus on suburban parking with a component dedicated to parking issues surrounding schools, train stations and other suburban parking areas such as locations with timed parking limits.

There is also scope within the proposal to accommodate putting two officers in a single vehicle at those times such as weekends when anti-social behaviour issues are more prevalent and an added level of safety and security is required. This is currently under trial with the existing service.

A clear distinction between the proposed service involving contracted staff compared to the current service provided by a contractor is that they would be under direct City supervision. The benefits of direct engagement in terms of setting performance and customer service expectations is that the contract staff would receive levels of training commensurate with City expectations, with daily personal coaching and supervision like all other directly employed staff. This would increase commitment in maintaining good standards.

The proposed Patrol Service would operate 24 hours a day, seven days a week with day, afternoon and night shift components. Officers would rotate through shifts over a designated cycle with provision to provide relief for leave.

The service hours are proposed to be lower (320 hours of operation) than the current level of staffing provided by City Watch (531 hours of operation). This reflects the separation and outsourcing of alarm responses, a revised risk based approach to facility checks and the discontinuation of the party and holiday alert services.

Potential establishment and annual costs are as follows:

| <i>Item</i> | <i>Cost</i> |
|---|--------------------|
| <i>Establishment Costs (vehicles, equipment, etc)</i> | <i>\$228,664</i> |
| <i>Annual Operating Costs</i> | <i>\$1,158,084</i> |
| <i>Total First Year Cost</i> | <i>\$1,386,748</i> |
| <i>Total Ongoing Cost</i> | <i>\$1,158,084</i> |
| | |
| <i>Current City Watch Contract</i> | <i>\$1,592,012</i> |
| <i>Net Saving/(Cost) First Year</i> | <i>\$205,264</i> |
| <i>Net Saving/(Cost) Ongoing</i> | <i>\$433,928</i> |

DETAILS

To review the effectiveness of the service after 12 months of operation it is relevant to provide a comparison of the performance achieved by the City Watch Community Patrol service in the 12 months prior to the commencement of the City Rangers, that is 1 December 2014 to 30 November 2015 combined service and the performance of the City Rangers Patrol Service from 1 December 2015 to 30 November 2016.

City Watch had nine Key Performance Indicators (KPI's) that were reported to Council during the course of both the service review and the development of the current City Ranger Service. The KPI's were:

- KPI 1 – 98% Shift coverage.
- KPI 2 – Number of Kilometres travelled – average of 150kms per 12 hour shift.
- KPI 3 – Response time to requests – respond to 75% of requests within 15 minutes.
- KPI 4 – Reporting Requirements – Wilson to provide Daily reports the following day and monthly reports within three days of the end of month.

- KPI 5 – Maintenance Reports – five reports per shift per zone per day.
- KPI 6 – Target patrol requests – undertake 100% of all requests provided.
- KPI 7 – Monthly Customer Satisfaction Survey – achieve 75% satisfaction rating from survey of service recipients.
- KPI 8 – Facility checks – minimum one check per facility per day between 8.00pm and 6.00am.
- KPI 9 – Alarms Response to City buildings – respond to 75% of calls within 15 minutes.

With the advent of City Rangers KPI's 1, 4, 6, 8 and 9 were no longer considered to be relevant as the service had essentially moved from a discretionary eyes and ears service to a proactive enforcement and response service.

- KPI 1- originally was designed to ensure that contract commitments were met but is now covered by a standard roster that provides coverage consistent with that provided by City Watch while allowing for annual leave requirements.
- KPI 4 - was required to ensure adequate administrative performance by the contractor (Wilson's) and was not related to the performance of the City Watch patrol service.
- KPI 6 - targeted patrols continue but is part of the daily workload of Patrol Officers and performance is captured by response to Customer Requests. Targeted patrols are reported as a separate statistic later in this report.
- KPI 8 – facility checks are covered by a standard patrol regime. Attendance at facilities is not a daily requirement but is part of the patrol process looking for anti-social or criminal behaviour around the City's facilities.
- KPI 9 - is no longer relevant as attendance to alarms is provided as a separate contract service no longer administered by City Rangers.

The remaining KPI's from the City Watch Service were incorporated into a new set and these KPI's have been adopted for City Rangers Service as follows:

KPI - CUSTOMER CONTACTS

To engage proactively, face to face, with community members and other relevant organisations, in the course of 24 hour patrols. – Target of 5 contacts per 24-hour period. This is a new performance indicator designed to encourage officers to engage with residents in public spaces about any issues they may have with the City of Joondalup.

KPI - ATTENDANCE TO INCIDENT REQUESTS (Previous City Watch KPI 3)

Respond to 75% of incident calls within 15 minutes of receipt of the incident request

KPI - KILOMETRES TRAVELLED PER DAY (Previous City Watch KPI 2)

Number of kilometres travelled each day by patrol vehicles shall be a minimum of 100km within each designated zone per shift. The distance of 100km is intended to be sufficient to encourage continuous patrols across the City when there are no specific jobs to attend to while also allowing latitude to stop and attend to issues observed. This aligns with the current 8 hours per shift.

KPI - AMENITY REPORTS (Previous City Watch KPI 5)

Provide a minimum of three reports per day per zone per shift for amenity issues such as shopping trolleys, signs, maintenance, graffiti, lights and abandoned vehicles in the City.

KPI - CUSTOMER SATISFACTION SURVEY (Previous City Watch KPI 7)

Achieve a 75% satisfaction rating from service recipients who have responded to a follow up phone survey by City Rangers administration officer.

KPI - CUSTOMER REQUEST MANAGEMENT (CRM's)

Requests for action are completed within the target period provided for CRM's.

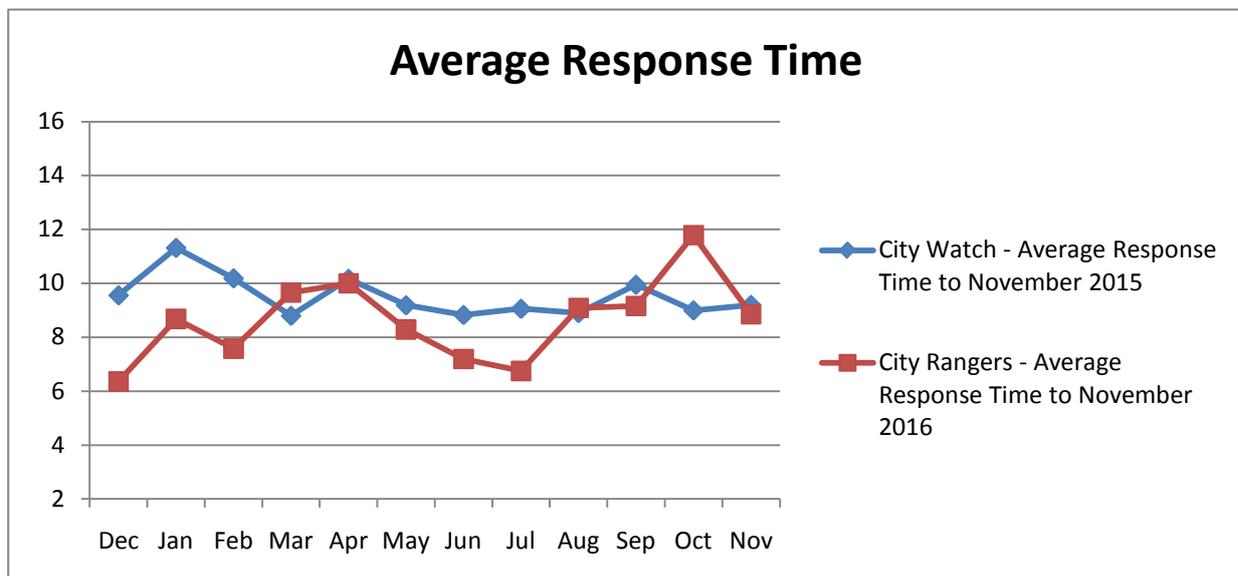
Comparative Key Performance Indicators (KPI's)

The following is a comparison of the relevant Key Performance areas provided by City Watch compared to that provided by City Rangers over the reporting period, 1 December 2014 to 30 November 2015 for City Watch and 1 December 2015 to 30 November 2016 for City Rangers to provide a valid statistical analysis. Charts are used to provide a visual representation.

KPI - ATTENDANCE TO INCIDENT REQUESTS

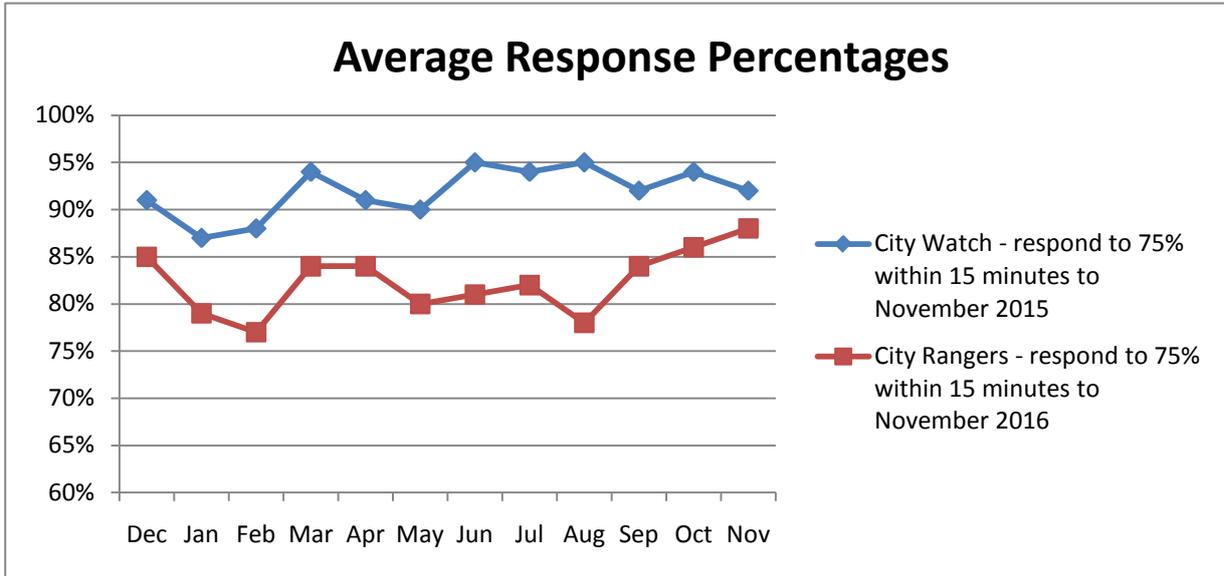
The following chart represents the response time (minutes) taken to attend requests on average per month. The response times for City Rangers are consistently well within the 15 minute performance target and average out to 8.9 minutes per request over 12 months (1 December 2015 to 30 November 2016) compared to 9.5 minutes for City Watch over a similar period (1 December 2014 to 30 November 2015).

The slightly slower response time in October was a result of slow attendance to some litter reports. This was a once off.



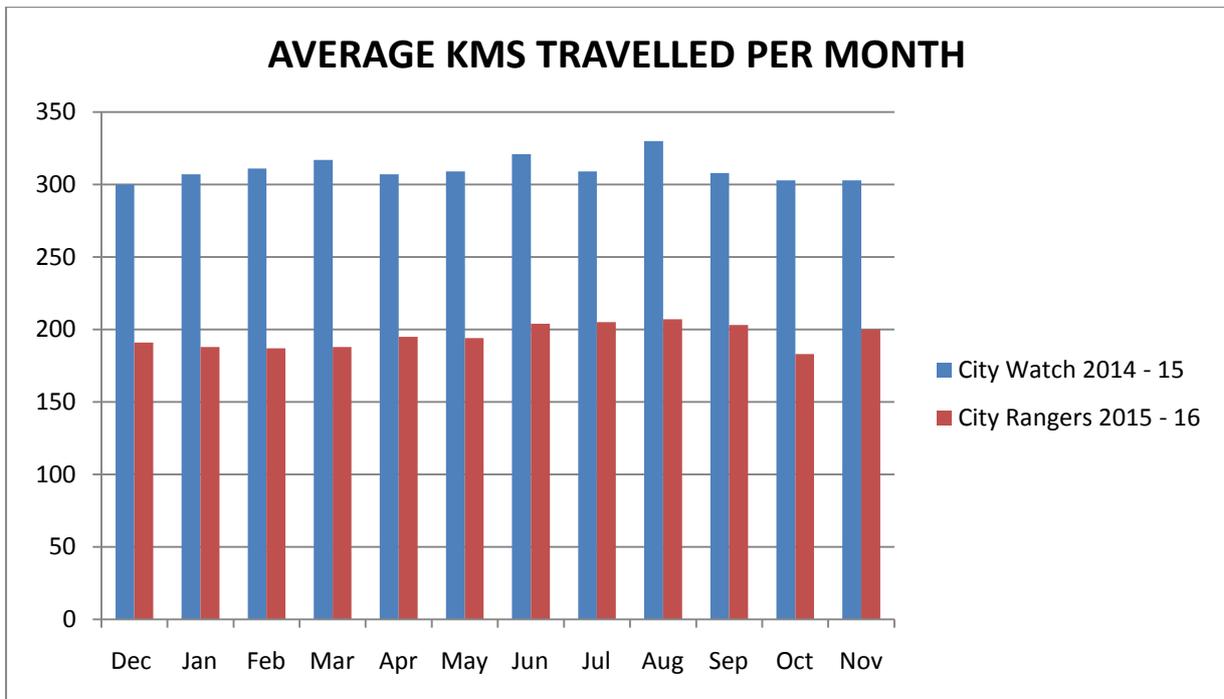
In terms of achieving response within 15 minutes at least 75% of the time, the new service has achieved that target as shown in the following graph indicating the performance of City Rangers against City Watch. City Watch achieved a higher level of consistency in responding to requests within 15 minutes than that achieved by City Rangers. However considering City Rangers is a new team that is growing in terms of experience and familiarity with the requirements of the service, the performance is acceptable and improving compared to City Watch that was the result of more than 15 years of operational development.

Performance is consistently increasing and is averaging 82% per month compared to City Watch at 92% per month. While the response time is still marginally less than City Watch, it must be remembered that City Watch only did observe and report functions. City Ranger Patrol Officers are proactively dealing with issues they come across rather than simply reporting them for a City Ranger to deal with later. This will impact on the availability of a City Patrol Officer from time to time, however response times will continue to improve as officers balance their target patrols and enforcement activities with response to requests for attendance.



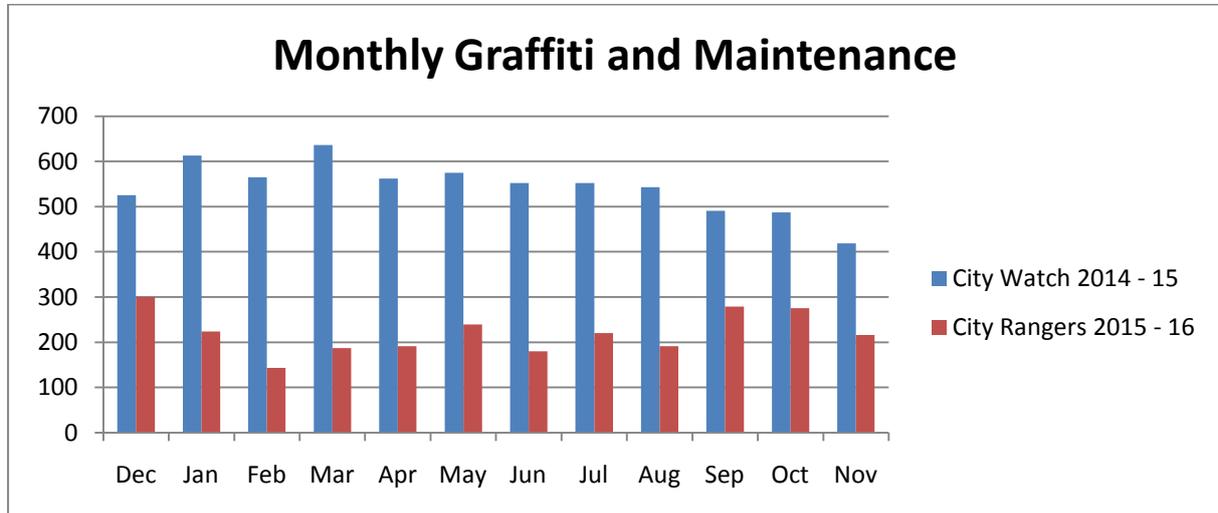
KPI KILOMETRES TRAVELLED

This chart represents the total average kilometres travelled by the services per month over the reporting periods.



The number of kilometres travelled by City Rangers Officers is lower than that provided by City Watch. In the context of the change in focus of the patrol service, away from asset protection to proactive enforcement, this is to be expected as officers will frequently stop and deal with an issue as they observe it rather than providing continuous patrol activity.

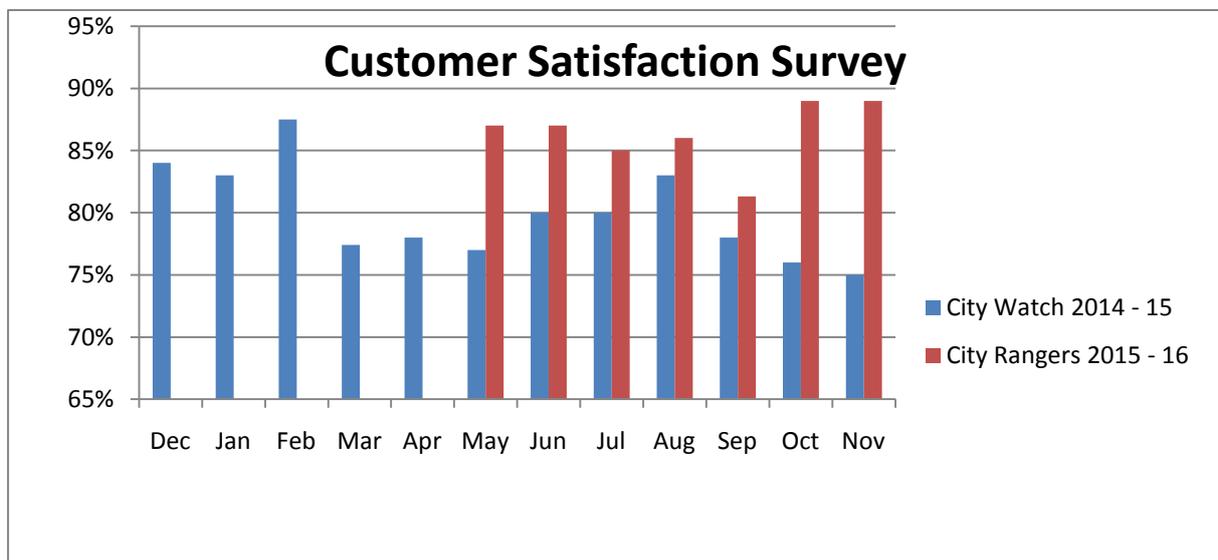
KPI - AMENITY REPORTS



The previous City Watch KPI for Graffiti and Maintenance was for reporting only. Maintenance issues included such things as abandoned shopping trolleys and signs. This KPI has changed for the new City Rangers Service who, while still having a regime of reporting maintenance and graffiti matters which others are required to resolve, they are also dealing directly to resolve matters such as impounding signs and shopping trolleys as well as issuing infringements. As a result the level of reporting will appear lower than that provided by City Watch, but the service outcomes overall are providing a much quicker resolution.

KPI - CUSTOMER SATISFACTION SURVEY

Between December 2015 and April 2016, while the new City Ranger service was being established Customer Surveys were not conducted. Surveys commenced again in May 2016.



These surveys are conducted with residents who have contacted City Rangers to seek assistance. Eight residents are selected each month. The resident must have asked for personal contact back to them by the officer either in person or on the telephone, in relation to their complaint or concern. The questions enquire about the presentation and professionalism of the officer, the quality of the service provided and whether the outcome achieved was to their satisfaction. The questions are the same as those used in surveys of City Watch Officers. The level of satisfaction is consistently in excess of that achieved by City Watch and can be partially attributed to the customer service focus provided by City Rangers.

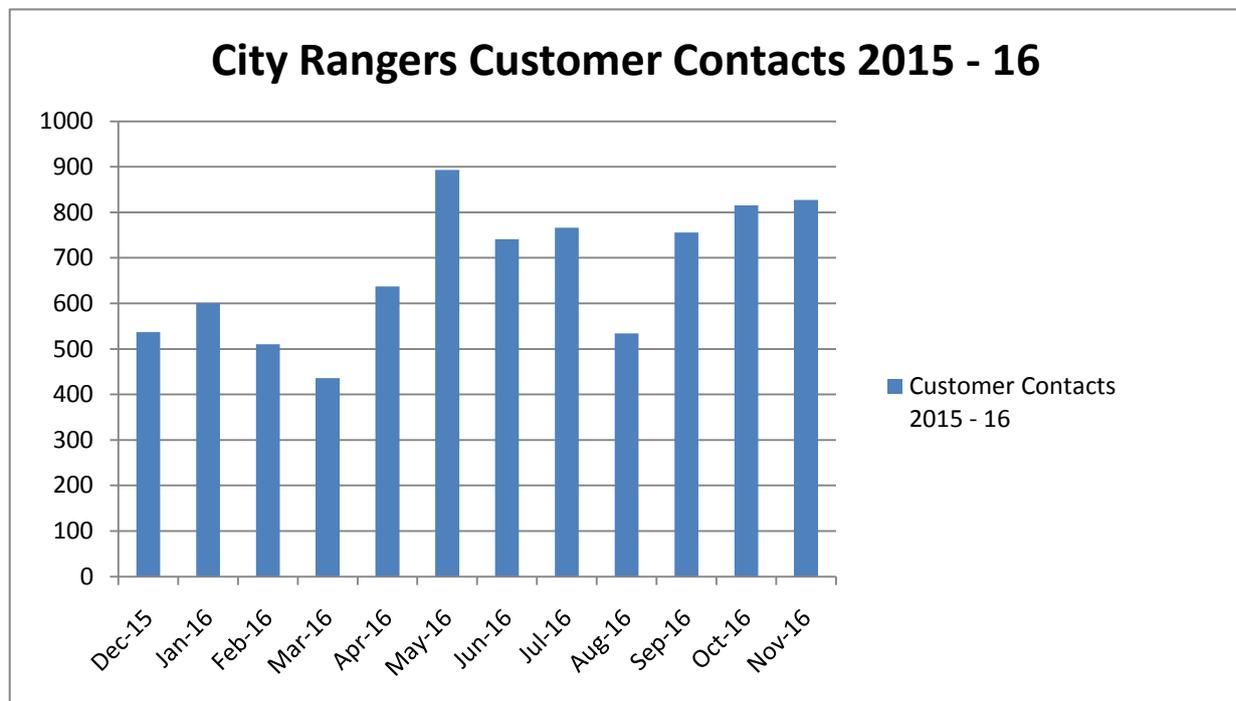
In terms of unsolicited feedback from residents, the new service has been well received by the community with a significant increase in compliments, in response to actions by City Rangers increasing from 14 (December 2014 – November 2015) to 35 (December 2015 – November 2016).

City Rangers New Key Performance Indicators

The performance by City Rangers patrol officers against KPI 1 is a new performance area that was not previously part of the previous City Watch Community Patrol Service and should be considered on its own merits.

City Rangers take the opportunity while on patrol to stop and have a conversation with residents. This provides an opportunity for residents, who may not contact the City, to advise about something they saw that requires investigation or issues that they consider important that the City needs to be aware of to either action or investigate and provide feedback to the resident as required.

KPI - CUSTOMER CONTACTS

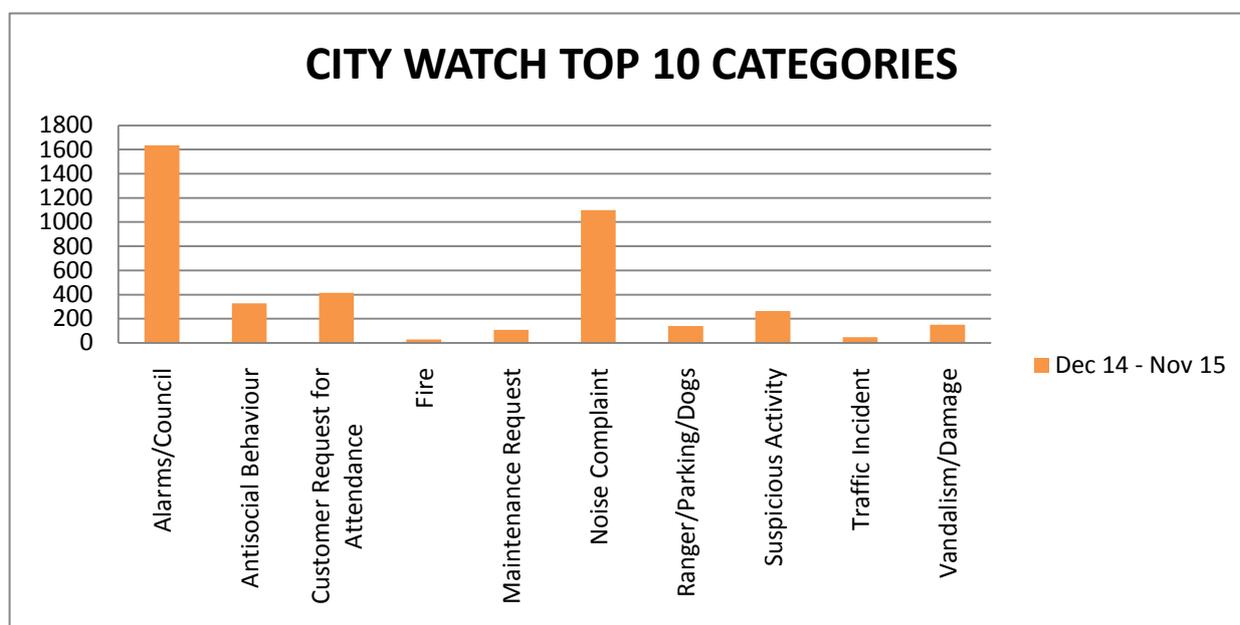


KPI - CUSTOMER REQUEST MANAGEMENT (CRM's)

Customer Requests were reported in the City Watch Community Patrol Service in terms of attendance to the requests within 15 minutes. This is covered by KPI 2. KPI 6 provides information about the volume and type of requests the City Rangers service responded to. The types of activity are markedly different in some areas compared to that of the service provided by City Watch.

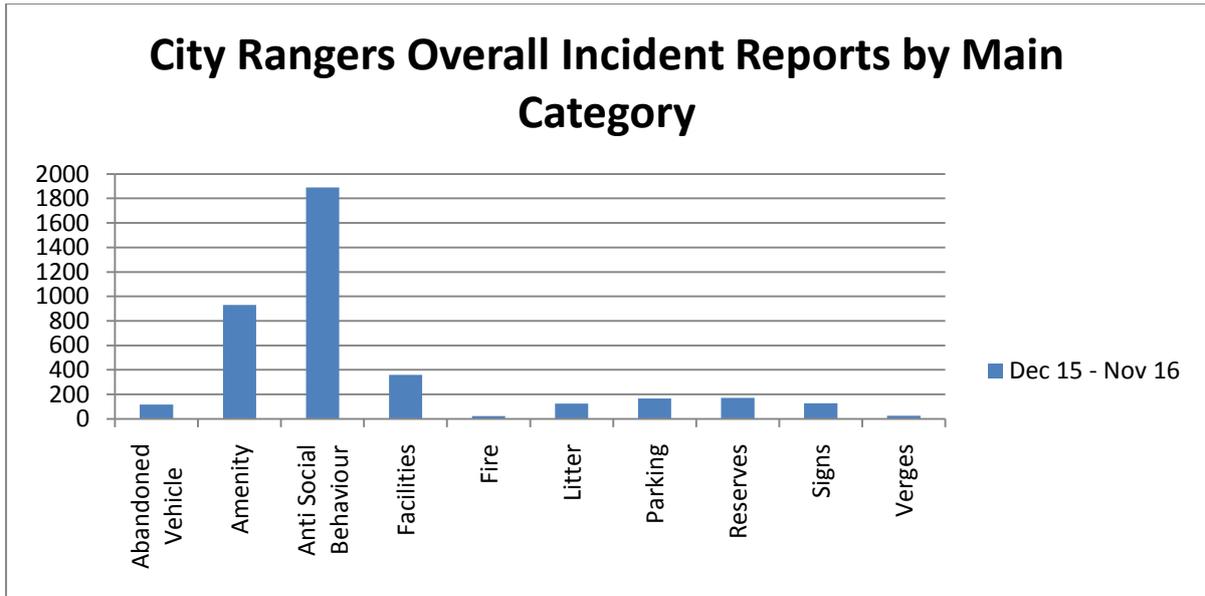
Alarms and attendance to Council buildings is no longer part of the City Rangers service and has been replaced by a higher level of activity based around the amenity of the community dealing with abandoned vehicles, signs, shopping trolleys, parking and public property maintenance issues.

The chart below represents the performance of City Watch in responding to the 10 most frequent request types over a 12 month period 1 December 2014 to 30 November 2015. All request types were reviewed prior to the commencement of City Rangers to remove category types such as alarms, party and holiday alerts that were services that were no longer to be provided.



The following chart represents the requests that City Rangers Patrol Officers have responded to over the past 12 months, from 1 December 2015 to 30 November 2016. The statistics provided are, similar to City Watch, based on the 10 most prominent request types.

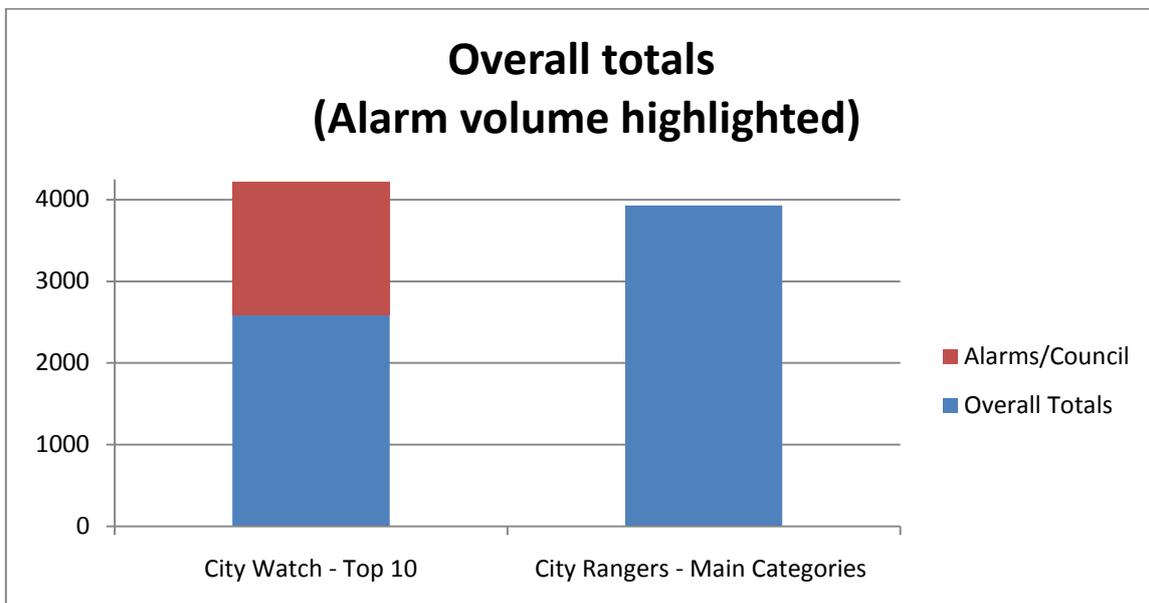
It should be noted that anti-social behaviour and noise requests which were recorded separately for City Watch are now combined as anti-social behaviour.



There is a clear change in activity away from security related activity to community amenity with a distinctive enforcement flavour inclusive of abandoned vehicles, litter, parking, signs and public property offences. Anti-social behaviour remains a high activity area and includes requests for attendance to noise, suspicious activity and vandalism/damage incidents. In terms of totals for the 12 months to November 2015, City Watch attended to 1,842 requests compared to 1,890 requests for attendance by City Rangers for the 12 months to November 2016.

In comparing customer requests in their entirety received over corresponding 12 month periods, City Rangers has exceeded the number responded to by City Watch after removing alarm responses from the analysis. (See graphs below). In terms of value for money, residents are receiving a more interactive and customer focussed service compared to that provided by City Watch.

To further illustrate the difference in the services it is worthwhile including alarm calls and providing a comparison that indicates how much time has been gained to enable City Rangers Officers to provide proactive action to issues such as sign, shopping trolleys and parking issues.



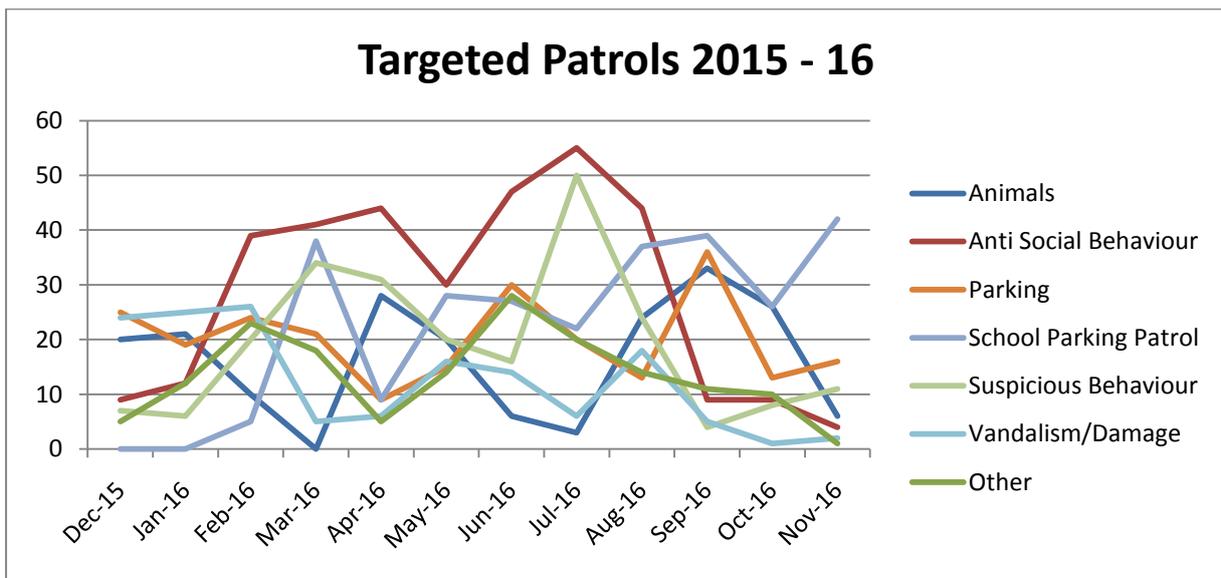
The following activities are non KPI related performance areas that are provided by City Rangers as part of day to day operational activity.

Targeted Patrols

Targeted patrol requests for City Watch consisted of Additional patrols, Customer requested patrols, holiday, party and security alerts. The alert aspect has been ceased but as can be seen by the increase in the number of targeted patrols, Patrol Officers are addressing amenity, enforcement and anti-social issues via a targeted patrol schedule. This provides a more effective use of patrol time responding to locations identified by residents and staff that are experiencing levels of anti-social or non-compliance activity.

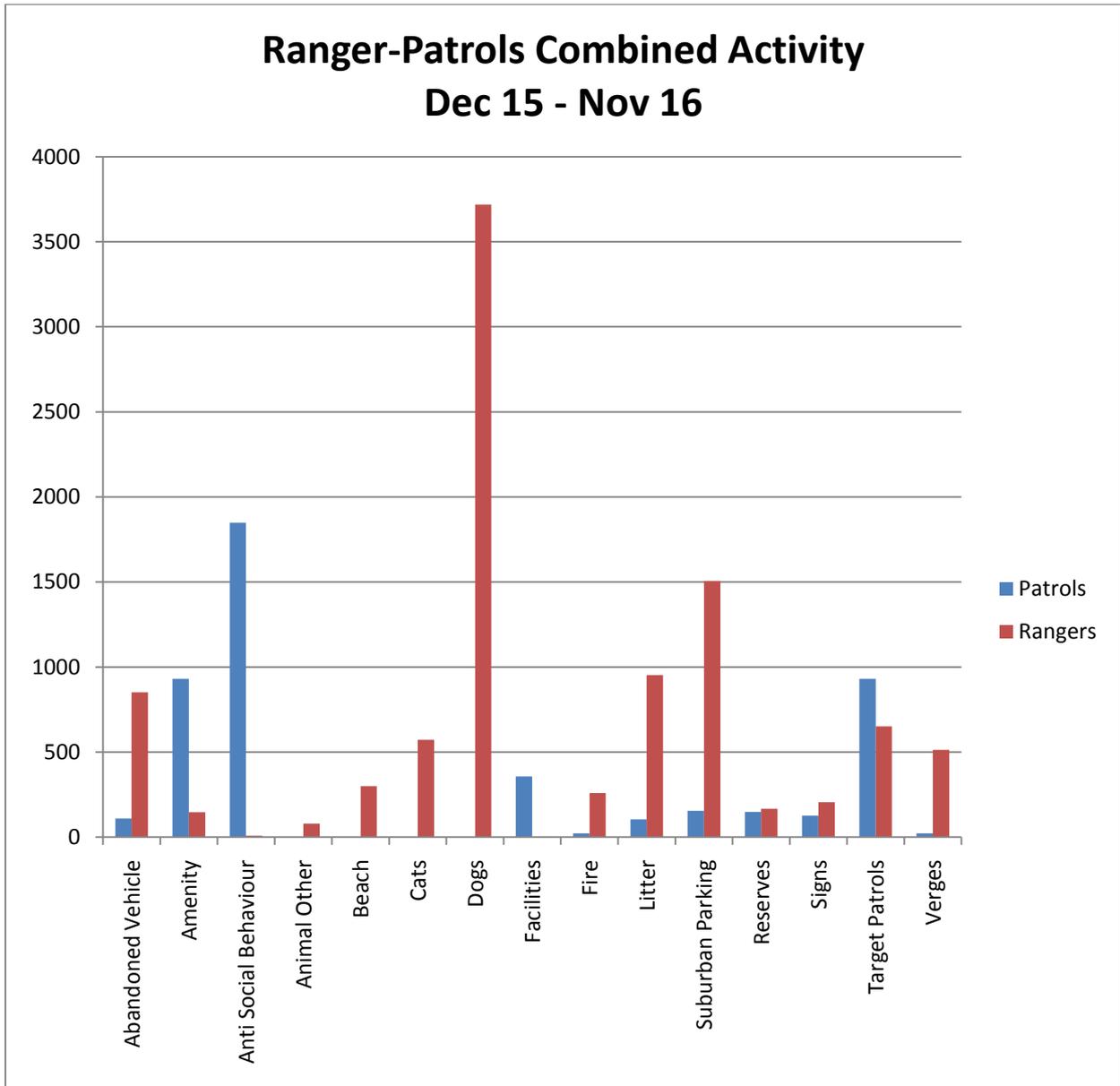


The following chart shows a breakdown of the types of targeted patrols provided by City Rangers. As indicated, the activity is quite broad compared to City Watch patrols that focused primarily on anti-social behaviour.



Combined City Ranger CRM Performance

City Rangers has created an environment where Ranger and Patrol activities are all inclusive, meaning that they are being responded to within the one team. While there are some issues such as dog attacks that are the sole domain of authorised Rangers, many of the requests for attention received can be attended by either a Ranger or a Patrol officer. This provides for a more effective service with an increase in communication and knowledge between officers in the service. Where a Ranger is not available, a Patrol Officer may attend and vice versa. This was not available in the previous service program due to City Watch Officers being focused on asset protection (alarms) and primarily reporting only. The following graph shows the level of combined activity over the reporting period.

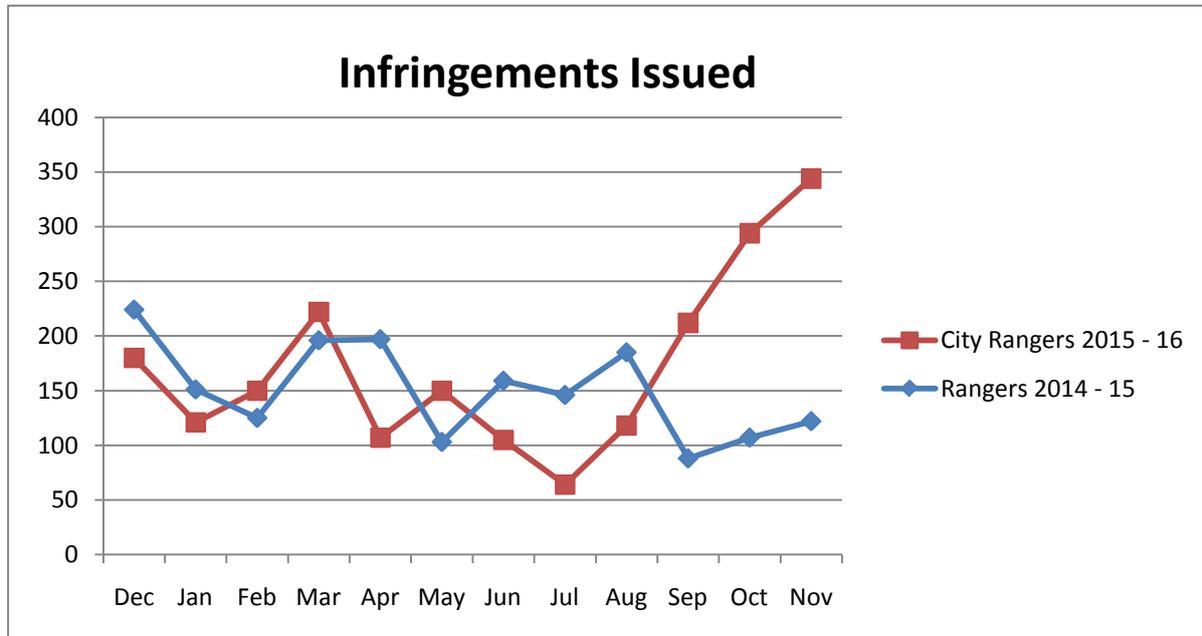


Clearly there are overlaps between Rangers and Patrol Officers in all reported activity areas. The level will vary due to the differences between the two roles, Patrol Officers being orientated around immediate action to issues observed compared to Rangers who will provide a higher level of attention involving investigations, followup inquiries and resolving more complex and long term issues.

Enforcement action – Infringements

This area represents the most significant change in activity from City Watch to City Rangers. As officers get more familiar with local laws the number of offences being observed and dealt with on the spot are increasing.

The following chart provides the level of infringement activity delivered by City Rangers compared to the previous Ranger service.



There is a proportionate relationship between targeted patrols and proactive enforcement activity. When staff are engaged with a high number of targeted patrols the number of infringements issued is lower. Conversely as is evident from the August to November 2016 period where there has been a decrease in requests for targeted patrols, the enforcement action in terms of the number of infringements increases.

The increase in infringements issued leading up to November 2016 is reflective of the developing knowledge and skill of the new Officers and the corresponding higher levels of discretion afforded them to deal with breaches of the Local Laws, particularly the City's *Parking Local Law 2013*. 98% of the infringements are for parking.

Support Services

In addition to providing patrol services part of Option 4B introduced the use of Licence Plate Recognition (LPR) technology into the suburban parking program. Two vehicles have LPR technology installed and have commenced patrols of areas where parking restrictions are in place such as areas surrounding train stations, schools, City facilities, parks, reserves and other high use areas such beach car parks.

This is a developing service with school parking patrols to commence in earnest this year after significant preparation was required to set up the system and patrol routines.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

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 City has made a strong commitment to community safety and crime prevention in the *Community Safety and Crime Prevention Plan 2014 – 2018* and the City Rangers Service is addressing the objectives of that plan and as such a Community Patrol Service is required to enable objectives to be met.

Financial / budget implications

The initial setup capital costs were slightly higher due to additional costs in upgrading the infringement system to accommodate new devices. First year operating costs were also higher than initially assessed due to an ongoing need to provide support and training to the new officers and casual staff to ensure a high level of understanding of the requirements.

The first year proposed and actual setup and operational costs for City Rangers are as follows:

| Item | <i>Proposed Costs</i> | Actual Cost first year |
|--|-----------------------|------------------------|
| Establishment Costs (vehicles, equipment, etc) | \$228,664 | \$246,873 |
| Annual Operating Costs | \$1,158,084 | \$1,246,985 |
| Total First Year Cost | \$1,386,748 | \$1,493,858 |
| Total Ongoing Cost | \$1,158,084 | \$1,246,985 |
| | | |
| Last 12 months of City Watch Contract | \$1,592,012 | \$1,592,012 |
| Net Saving/(Cost) First Year | \$205,264 | \$98,154 |
| Net Saving/(Cost) Ongoing | \$433,928 | \$345,027 |

In the current 2016-17 financial year the new service is on track to deliver the full year ongoing savings of \$345,027.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The City Rangers program was delivered with a soft launch without any significant media coverage. This approach has allowed the new service to seamlessly transition from the old City Watch service. The new City Ranger service has generated a significant level of positive feedback from the community as well as providing a high level of proactive response to community amenity and enforcement issues. The service has achieved the desired outcomes originally proposed for the establishment of the service.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Hollywood that Council NOTES the review of the effectiveness of the new combined Ranger/Patrol service over the first twelve months from 1 December 2015 to 30 November 2016.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ034-03/17, page 142 refers.

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Cr Taylor left the Chamber at 8.35pm.

CJ032-03/17 TENDER 043/16 PENISTONE PARK COMMUNITY SPORTING FACILITY

| | |
|------------------------------|---|
| WARD | South-East |
| RESPONSIBLE | Mr Mike Tidy |
| DIRECTOR | Corporate Services |
| FILE NUMBER | 106215,101515 |
| ATTACHMENT | Attachment 1 Summary of Tender Submissions |
| AUTHORITY/ DISCRETION | Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |

PURPOSE

For Council to accept the tender submitted by McCorkell Constructions (W.A.) Pty Ltd for construction of Penistone Park Community Sporting Facility.

EXECUTIVE SUMMARY

Tenders were advertised on 19 November 2016 through statewide public notice for Penistone Park Community Sporting Facility. Tenders closed on 13 December 2016. A submission was received from each of the following:

- The Trustee for the Arkline Hybrid Trust t/as Alita Enterprises Pty Ltd.
- Bistel Construction Pty Ltd.
- Topend Living Pty Ltd t/as Buildon Construction.
- Macfield Construction Pty Ltd.
- McCorkell Constructions (W.A.) Pty Ltd.
- Pindan Constructions Pty Ltd t/as Pindan Constructions.

The submission from McCorkell Constructions (W.A.) Pty Ltd represents best value to the City. McCorkell Constructions (W.A.) Pty Ltd demonstrated substantial experience completing projects of similar scope and size for the Town of Victoria Park and Cities of Armadale, Nedlands, Joondalup, Kwinana, and Wanneroo. The company is the current contractor for the extension of the Wanneroo/Joondalup SES Facility and Warwick Hockey Centre project for the City. McCorkell Constructions (W.A.) Pty Ltd demonstrated a thorough understanding of the requirements and has the capacity in terms of personnel and equipment to complete the project in the required timeframe.

It is therefore recommended that Council:

- 1 *ACCEPTS the tender submitted by McCorkell Constructions (W.A.) Pty Ltd for the construction of Penistone Park Community Sporting Facility as specified in Tender 043/16 for the fixed lump sum of \$2,663,100 (GST exclusive) for Price Option 2 and completion of the works by 28 February 2018;*

- 2 *NOTES that the City of Joondalup will take out its own Contract Works and Third Party Legal Liability Insurance cover for this project.*

BACKGROUND

The City has a requirement to engage an appropriately qualified and experienced contractor to construct a community sporting facility at Penistone Park, Greenwood.

The construction of the community sporting facility shall comprise the following key elements:

- A single storey club house building.
- Two softball pitches.
- Two tennis courts and tennis hit up wall.
- Softball and cricket nets.
- Playground and equipment with soft fall surface.
- A three on three basketball/netball court.
- Floodlighting in selected areas.

The tender includes two price options (fixed lump sum):

- Option 1 – The Contractor will effect a Contract Works insurance policy for the term of the Contract.
- Option 2 – The City will effect a Contract Works insurance policy for the term of the 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

Tenders were advertised on 19 November 2016 through statewide public notice for the Penistone Park Community Sporting Facility. The tender period was for three weeks and tenders closed on 13 December 2016.

Tender Submissions

A submission was received from each of the following:

- The Trustee for the Arkline Hybrid Trust t/as Alita Enterprises Pty Ltd.
- Bistel Construction Pty Ltd.
- Topend Living Pty Ltd t/as Buildon Construction.
- Macfield Construction Pty Ltd.
- McCorkell Constructions (W.A.) Pty Ltd.
- Pindan Constructions Pty Ltd t/as Pindan Constructions.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 1.

Evaluation Panel

The evaluation panel comprised four members:

- one with tender and contract preparation skills
- three with the appropriate technical 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. The minimum acceptable score was set at 55%.

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

| Qualitative Criteria | | Weighting |
|-----------------------------|--|------------------|
| 1 | Demonstrated experience in completing similar projects | 40% |
| 2 | Demonstrated understanding of the required tasks | 30% |
| 3 | Capacity | 25% |
| 4 | Social and economic effects on the local community | 5% |

Compliance Assessment

The following offers were assessed as compliant:

- The Trustee for the Arkline Hybrid Trust t/as Alita Enterprises Pty Ltd.
- Bistel Construction Pty Ltd.
- Macfield Construction Pty Ltd.
- McCorkell Constructions (W.A.) Pty Ltd.
- Pindan Constructions Pty Ltd t/as Pindan Constructions.

Topend Living Pty Ltd t/as Buildon Construction was assessed as non-compliant. It did not submit the necessary pricing schedules and could not be assessed.

Qualitative Assessment

Macfield Construction scored 31.3% and was ranked fifth in the qualitative assessment. The company did not demonstrate experience in completing projects of similar scope and size. None of the submitted three project examples (ground preparation for two rugby fields and supply of three netball courts at HBF Joondalup for Venues West and construction of an eight unit apartment complex) are similar in scope to the Penistone Park Community Sporting Facility. The company did not demonstrate sufficient understanding of the project requirements or capacity to undertake the work.

Bistel Construction scored 44.4% and was ranked fourth in the qualitative assessment. The company is resourced and has the capacity to complete the work. It demonstrated an understanding of the project requirements with a project specific methodology and a provisional project program but did not supply a schedule of estimated monthly progress claims. It did not demonstrate sufficient experience completing similar projects. Out of four submitted project examples, only one (construction of Secret Harbour Life Saving Club for the City of Rockingham) is a similar sized project to the Penistone Park Community Sporting Facility.

Alita Constructions scored 48.4% and was ranked third in the qualitative assessment. The company demonstrated some experience in completing similar construction projects for the Shire of Serpentine Jarrahdale, Carey Baptist College, The Samoan Independent 7th Day Adventist Church and John Calvin School. The company demonstrated an understanding of the project requirements with a project specific methodology and construction program but did not supply a schedule of estimated monthly progress claims. It has the capacity to undertake the work.

Pindan Constructions scored 60.4% and was ranked second in the qualitative assessment. It demonstrated considerable experience in completing projects of similar scope and size for the Shire of Bridgetown-Greenbushes and the Cities of Wanneroo, Cockburn, Stirling, Canning and Bayswater. The company is currently completing the extension works of the Wanneroo Civic Centre for the City of Wanneroo, Ellenbrook North Community Pavilion for the City of Swan and Eaton Sports Pavilions for the Shire of Dardanup. The company also constructed the Currambine Community Centre for the City of Joondalup. It demonstrated a sound understanding of the scope of works through a comprehensive construction management plan and a well documented preliminary construction program but did not provide the schedule of estimated progress claims. The company is resourced to complete the works for the City.

McCorkell Constructions scored 64.4% and was ranked first in the qualitative assessment. It demonstrated a thorough understanding of the project requirements with a detailed project specific methodology, a well documented preliminary construction program, a detailed list of subcontractors including contingency/alternatives and schedule of progress claims. The company demonstrated substantial experience completing projects of similar scope and size for the Town of Victoria Park and the Cities of Armadale, Nedlands, Kwinana and Wanneroo. The company also constructed Bramston Park Community Centre for the City and currently constructing Harrisdale Sports Pavilion for the City of Armadale and extension of the Wanneroo/Joondalup SES Facility and Warwick Hockey Facility for the City of Joondalup. The company is resourced and has the capacity to complete the work.

Based on the minimum acceptable score (55%), Pindan Constructions Pty Ltd and McCorkell Constructions (W.A.) Pty Ltd qualified for stage 2 (price) assessment.

Price Assessment

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

| Tenderer | Lump Sum Price | |
|--|----------------|-------------|
| | Option 1 | Option 2 |
| McCorkell Constructions (W.A.) Pty Ltd | \$2,675,850 | \$2,663,100 |
| Pindan Constructions Pty Ltd | \$3,226,677 | \$3,217,517 |

Evaluation Summary

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

| Tenderer | Price Ranking | Lump Sum Price | | Qualitative Ranking | Evaluation Score |
|-------------------------|--|----------------|-------------|---------------------|------------------|
| | | Option 1 | Option 2 | | |
| McCorkell Constructions | 1 | \$2,675,850 | \$2,663,100 | 1 | 64.4% |
| Pindan Constructions | 2 | \$3,226,677 | \$3,217,517 | 2 | 60.4% |
| Alita Constructions | Failed to qualify for stage 2 (price) assessment | \$2,866,500 | \$2,858,100 | 3 | 48.4% |
| Bistel Construction | | \$2,831,245 | \$2,824,377 | 4 | 44.4% |
| Macfield Construction | | \$2,610,886 | \$2,609,386 | 5 | 31.3% |

Based on the evaluation result the panel concluded that the tender that provides best value to the City is that of McCorkell Constructions (W.A.) Pty Ltd for Price Option 2 and is therefore recommended.

Price Option 2 entails the City to take out its own policy of insurance in relation to the work under the Contract to mitigate the project failure risks rather than the Contractor.

Issues and options considered

The City has a requirement for the construction of Penistone Park Community Sporting Facility at Greenwood. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

Legislation / Strategic Community Plan / policy implications

Legislation

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

Strategic Community Plan

Key theme

Community Wellbeing.

Objective

Quality facilities.

Strategic initiative

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

Policy

Not applicable.

Risk management considerations

Should the contract not proceed, the risk to the City will be medium because the City would not be able to meet the project program agreed by Council and the Department of Sport and Recreation.

It is considered that the contract will represent a low risk to the City as the recommended Tenderer is a well-established company with considerable industry experience and has the capacity to complete the works for the City.

Financial/budget implications

| | |
|-----------------------------|--|
| Project number | MPP2047. |
| Cost code | W2672. |
| Budget Item | Penistone Park – Facility Redevelopment. |
| Budget amount | \$ 3,704,000 |
| Committed | \$ 80,284 |
| Amount spent to date | \$ 132,951 |
| Proposed cost | \$ 2,663,100 |
| Insurance | \$ 12,540 |
| Professional fees | \$ 362,400 |
| Other Project Costs | \$ 197,265 |
| Contingency | \$ 250,000 |
| Potential Savings | \$ 5,460 |

The budget of \$3,704,000 is funded by a CSRFF Grant of \$550,000 and a City Contribution of \$3,154,000. The other project costs outlined above include temporary facilities, approval and surveys, landscaping, furniture, utility services, artwork and other related site items.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

One of the main principles of the City's Masterplan framework is the development of 'shared' and 'multipurpose' facilities to avoid duplication of facilities and reduce the ongoing maintenance and future capital expenditure requirements.

Consultation

In July - August 2013, the City undertook community consultation on the proposed redevelopment of the Penistone Park clubrooms and other site infrastructure. Given the support from the community on proposed redevelopment, at its meeting held on 24 September 2013 (CJ179-09/13 refers), Council requested the development of concept plans for the Penistone Park redevelopment project.

Following the development of concept plans, at its meeting held on 17 February 2014 (CJ026-02/14 refers), Council requested that the City arrange further community consultation on the proposed redevelopment. The City undertook community consultation from 31 March – 23 April 2014 and received a total of 163 valid responses. Given the support from the community on proposed redevelopment, at its meeting held on 19 August 2014 (CJ146-08/14 refers), Council approved the Penistone Park redevelopment project to proceed.

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 McCorkell Constructions (W.A.) Pty Ltd represents best value to the City.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Chester, SECONDED Cr Logan that Council:

- 1 ACCEPTS the tender submitted by McCorkell Constructions (W.A.) Pty Ltd for the construction of Penistone Park Community Sporting Facility as specified in Tender 043/16 for the fixed lump sum of \$2,663,100 (GST exclusive) for Price Option 2 and completion of the works by 28 February 2018;**
- 2 NOTES that the City of Joondalup will take out its own Contract Works and Third Party Legal Liability Insurance cover for this project.**

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman and Poliwka.

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf170314.pdf](#)

**CJ033-03/17 REQUEST FOR ADDITIONAL SUBSIDIES –
FACILITY HIRE SUBSIDY POLICY**

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

PURPOSE

For Council to give consideration to apply additional subsidies for the hire of City facilities by annual user groups in 2017.

EXECUTIVE SUMMARY

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

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

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

The City has recently completed the bookings for use of its facilities for the 2017 annual booking period. Consequently, the following groups have sought further subsidisation in accordance with the policy:

- Lions Club of Whitford Inc
- Grace Church Padbury
- Burns Beach Coffee Club
- Burns Beach Ladies Walking Group
- Greenwood Weight watchers Club Inc
- Hillarys Weight Watchers Club Inc
- Mahjong Club

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

BACKGROUND

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

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

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

DETAILS

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

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

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

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

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

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

- annual users
- seasonal users.

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

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

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

Additional subsidies will be provided for the following:

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

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

The City has completed the bookings for use of its facilities in the 2017 annual booking period. Consequently, some groups have sought further subsidisation in accordance with the policy. While some requests are for amounts less than \$5,000, all requests are being presented to Council to enable a consistent decision process for all groups.

Lions Club of Whitford Inc

| Facility Hired | Classification within Policy | Extent of subsidy | Average Number of hours booked per week | Number of hours exceeding subsidy per week | Potential additional cost |
|--------------------------------|---|--|--|---|----------------------------------|
| Gibson Park Community Facility | Community Service and Charitable Groups | 100% up to a maximum of 10 hours per week. | 21.25 | 11.25 | \$17,403 |

The Lions Club of Whitford Inc is one of four Lions Clubs that hire the Gibson Park Community Facility. The Gibson Park Community Facility was built with the main purpose to house the Lions Clubs that operate within the City of Joondalup, while also providing an additional facility that would be accessible to the community. The other three Lions Clubs (Duncraig, Kingsley and Ocean Reef) operate within the allocated subsidised hours as per the policy for this facility.

The group has booked 1,105 hours for 2017, averaging 21.25 hours per week, to enable it to conduct regular meetings and undertake the necessary work in preparing for many of its charitable fundraising events.

It is understood that one of the challenges faced by the group when wanting to access their storage facilities to allow members to undertake their work is that they cannot access the toilets. This therefore requires them to book the function area, so they can undertake their work within their storage areas and gaining access to the toilet facilities without disturbing another user group.

The group has requested the City provide an extension of their subsidy from 10 hours per week to include all existing bookings plus bookings for new projects that will likely eventuate throughout the year.

The group, along with other Lions Clubs provide valuable services to the community in assisting many charities, community groups and other people in need. Limiting access to the Gibson Park Community Facility may restrict the club's ability to provide these services. Consequently, it is suggested that Council give consideration to extending the club's 100% subsidy from 10 hours to 25 hours per week for 2017 only, to cover their existing bookings as well as any additional bookings that arise from special requests, as mentioned above.

In 2016, Council approved to extend their 100% subsidy from 10 hours per week to 30 hours per week.

Grace Church Padbury

| Facility Hired | Classification within Policy | Extent of subsidy | Average Number of hours booked per week | Number of hours exceeding subsidy per week | Potential additional cost |
|------------------------|--------------------------------------|--------------------------|--|---|----------------------------------|
| Padbury Community Hall | Other not For Profit Community Group | 50% continuous | 6 | NA | \$5,557 |

Grace Church Padbury has been based in the City of Joondalup since 2007 and has operated from Padbury Hall since 2014. They hire the venue for six hours per week.

The group is not eligible for a subsidy as they do not meet the criteria of having at least 50% of their participants as residents of the City of Joondalup. They have approximately 132 active participants, of whom 40 (30%) reside within the City of Joondalup.

The group has requested special consideration for a subsidy or waiver of their annual hire fees (\$5,557) as they are experiencing significant financial difficulty.

It is suggested that rather than classify the group as eligible for a subsidy, Council may consider waiving 50% of their hire fees equivalent to the level of subsidy they would receive if they were eligible, up to a maximum of \$5,557 for their 2017 hire fees only.

Burns Beach Coffee Club

| Facility Hired | Classification within Policy | Extent of subsidy | Average Number of hours booked per week | Number of hours exceeding subsidy per week | Potential additional cost |
|-----------------------------|-------------------------------------|--------------------------|--|---|----------------------------------|
| Jack Kikeros Community Hall | Other Not for Profit | 50% | 2 | NA | \$1,363 |

The Burns Beach Coffee Club hires the Jack Kikeros Community Hall in Burns Beach for two hours per week. The group has advised that they are a not-for-profit group comprising ladies that gather socially on a regular basis with more than 50% of members residing within the City of Joondalup, although they are not an incorporated body or a formal entity.

Previously they have been provided a 50% subsidy under the policy and the remaining fees have been waived by Council on request of the group due to the group comprising all senior age participants.

In 2016, the group was assessed as not being eligible for a subsidy as it is not a formal not for profit group. The group does not meet many of the characteristics of a formal not for profit group such as incorporation certificate, constitution, bank account, insurance, annual general meeting and formal office bearers. However Council agreed to waive 100% of the fees associated with their booking.

The group has requested it again receive the waiver for their bookings in 2017.

It is suggested that Council does not approve a 100% waiver, however does approve a 75% waiver of the fees that would apply, up to a maximum of \$1,022, with the group to be advised that the waiver will reduce by 25% each year - 2018 (50% waiver), 2019 (25% waiver) and 2020 (0% waiver) - unless the group's status changes and they become eligible for a subsidy.

Burns Beach Ladies Walking Group

| Facility Hired | Classification within Policy | Extent of subsidy | Average Number of hours booked per week | Number of hours exceeding subsidy per week | Potential additional cost |
|-----------------------------|-------------------------------------|--------------------------|--|---|----------------------------------|
| Jack Kikeros Community Hall | Other Not for Profit | 50% | 2 | NA | \$1,423 |

The Burns Beach Ladies Walking Group hires the Jack Kikeros Community Hall in Burns Beach for two hours per week. The group has advised that they are a not-for-profit group comprising ladies that walk together and socialise in the facility on a regular basis with more than 50% of members residing within the City of Joondalup. However they are not an incorporated body or a formal entity.

Previously they have been provided a 50% subsidy under the policy and the remaining fees have been waived by Council on request of the group due to the history of the group being established with assistance and funding arranged by the City.

In 2016, the group was assessed as not being eligible for a subsidy as it is not a formal not for profit group. The group does not meet many of the characteristics of a formal not for profit group such as incorporation certificate, constitution, bank account, insurance, annual general meeting and formal office bearers. However Council agreed to waive 75% of the fees associated with their booking, with the waiver to reduce by 25% each year.

The group has requested it again receive the same 75% waiver for their bookings in 2017 saying it would help them greatly if the charges could remain as they were in 2016.

The decision in 2016 to phase out the waiver provided four years for the group to adjust to the change in hire fee charges. Therefore it is suggested that Council does not agree to the group's request and that Council's decision from 2016 to apply a 50% waiver in 2017, 25% waiver in 2018 and 0% waiver in 2019 still applies.

Greenwood Weight Watchers Inc

| Facility Hired | Classification within Policy | Extent of subsidy | Average Number of hours booked per week | Number of hours exceeding subsidy per week | Potential additional cost |
|---|-------------------------------------|--------------------------|--|---|----------------------------------|
| Greenwood / Warwick Community Care Centre | Other Not for Profit | 50% | 2 | NA | \$771 |

The Greenwood Weight Watchers Inc is an independent incorporated group, affiliated with the WA Weight Watchers Federation, which is also a not for profit incorporated group. The group has more than 50% of its members as City of Joondalup residents and 95% of them seniors. The group hires the Greenwood / Warwick Community Care Centre in Warwick for two hours per week and is eligible for a 50% subsidy which brings their annual hire fee cost down to \$771.

The group has requested that, due to their small group size and the high number of seniors, they are afforded an additional subsidy to 100%.

It is noted that while the group does have mostly senior members, they are not eligible for the 100% subsidy afforded to Senior Citizens Recreational or Sporting Groups under the policy as they do not provide their activities exclusively for seniors.

In 2016, Council agreed to waive the remaining 50% of hire fees that would apply so that the group did not have to pay any hire fees.

It is suggested that rather than classify the group as eligible for a 100% subsidy, the Council considers waiving 50% of the fees that would apply, up to a maximum of \$385, meaning the group is still required to pay \$385, and that no fee waiver would apply to the 50% subsidised fee in 2018.

Hillarys Weight Watchers Inc

| Facility Hired | Classification within Policy | Extent of subsidy | Average Number of hours booked per week | Number of hours exceeding subsidy per week | Potential additional cost |
|-----------------------|-------------------------------------|--------------------------|--|---|----------------------------------|
| Guy Daniels Clubroom | Other Not for Profit | 50% | 3 | NA | \$2,097 |

The Hillarys Weight Watchers Inc is an independent incorporated group, affiliated with the WA Weight Watchers Federation, which is also a not for profit incorporated group. The group has more than 50% of its members as City of Joondalup residents and 94% of them seniors. The group hires the Guy Daniels Clubroom in Heathridge for three hours per week and is eligible for a 50% subsidy which brings their annual hire fee cost down to \$2097.

The group has requested that, due to their high number of seniors, they are afforded an additional subsidy to 100%.

It is noted that while the group does have mostly senior members, they are not eligible for the 100% subsidy afforded to Senior Citizens Recreational or Sporting Groups under the policy as they do not provide their activities exclusively for seniors.

In 2016, the City agreed to waive the remaining 50% of hire fees that would apply so that the group did not have to pay any hire fees.

It is suggested that rather than classify the group as eligible for a 100% subsidy, that the City considers waiving 50% of the remaining fees that would apply, up to a maximum of \$1048, meaning the group is still required to pay \$1048, and that no fee waiver would apply to the 50% subsidised fee in 2018.

Mahjong Group

| Facility Hired | Classification within Policy | Extent of subsidy | Average Number of hours booked per week | Number of hours exceeding subsidy per week | Potential additional cost |
|-----------------------|-------------------------------------|--------------------------|--|---|----------------------------------|
| Ellersdale Clubroom | Other Not for Profit | 50% | 5 | NA | \$4,750 |

The Mahjong Group hires the Ellersdale Clubroom in Warwick for five hours per week. The group has advised that they are a not-for-profit group comprising senior adults who gather socially on a regular basis with more than 50% of members residing within the City of Joondalup, although they are not an incorporated body or a formal entity.

Previously they have been provided a 50% subsidy under the policy and the remaining fees have been waived by the City on request of the group due to the group comprising all senior age participants.

In 2015, the group was assessed as not being eligible for a subsidy as it is not a formal not for profit group. The group does not meet many of the characteristics of a formal not for profit group such as incorporation certificate, constitution, bank account, insurance, annual general meeting and formal office bearers. However the City agreed to waive 100% of the fees associated with their booking given their small size and limited capacity to pay.

The group has requested it again receive the waiver for their bookings in 2017.

It is suggested that Council does not approve a 100% waiver, however does approve a 75% waiver of the fees that would apply up to a maximum of \$1,187, with the group to be advised that the waiver will reduce by 25% each year - 2018 (50% waiver), 2019 (25% waiver) and 2020 (0% waiver) - unless the group's status changes and they become eligible for a subsidy.

Issues and options considered

The Council may:

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

Legislation / Strategic Community Plan / policy implications

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

Strategic Community Plan

Key theme Financial Sustainability.

Objective Financial diversity.

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

Policy *Facility Hire Subsidy Policy*.

Risk management considerations

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

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

Financial / budget implications

The cost to the City across all levels of subsidised use of City facilities is approximately \$1.24 million dollars. If the City was to extend the subsidies and waive the fees proposed for additional usage of City facilities for these groups, the City will lose approximately \$27,669 in income for 2016-17.

Regional significance

Requests for subsidised use only apply to users of City facilities that have are not for profit community groups, have a minimum of 50% members being resident to the City of Joondalup, and have their primary base of operation within the City of Joondalup.

Sustainability implications

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

Consultation

Not applicable.

COMMENT

The intent of the adopted *Facility Hire Subsidy Policy* was not about generating additional income but to achieve more equitable and greater use of City facilities.

This is the third year the amended policy has been in place, previous decisions to phase in fees was to assist groups with the transition and allow them to adjust their fee structure for future years. However, once the assistance is provided to the groups to position themselves financially going forward, the general principle is that the full community rate is met by the groups unless they become eligible for the subsidy. It is important that the classification of groups within the policy for levels of subsidisation remains consistent, however, if a group requires further consideration relating to fees, it is open to Council to waive these fees.

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

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 AGREES to extend the 100% subsidy to the Lions Club of Whitford for the use of the Gibson Park Community Facility and other associated City facilities in 2016 to a maximum 30 hours per week;
- 2 DOES NOT AGREE to the request for subsidy from the Grace Church Padbury for bookings in 2017;
- 3 AGREES to waive 50% of the fees that would apply to the Grace Church Padbury up to a maximum of \$5,557 for bookings in 2017;
- 4 DOES NOT AGREE to the request from the Burns Beach Coffee Club for a 100% subsidy;
- 5 AGREES to waive 75% of the fees that would apply to the Burns Beach Coffee Club up to \$1,022 for their 2017 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2018 (50% waiver), 2019 (25% waiver) and 2020 (0% waiver) - unless the group's status changes and they become eligible for a subsidy;
- 6 DOES NOT AGREE to the request from the Burns Beach Ladies Walking Group for a 75% subsidy;
- 7 AGREES to waive 50% of the fees that would apply to the Burns Beach Ladies Walking Group up to \$712 for their 2017 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2018 (25% waiver), 2019 (0% waiver) - unless the group's status changes and they become eligible for a subsidy;
- 8 NOTES that the Greenwood Weight Watchers Inc is eligible for a 50% subsidy;

- 9 DOES NOT AGREE to the request from the Greenwood Weight Watchers Inc for an extension of their 50% subsidy to a 100% subsidy;
- 10 AGREES to waive 50% of the remaining fees that apply to the Greenwood Weight Watchers Inc for their use of City facilities in 2017, up to a maximum of \$385, and that the group is advised that no fee waiver will be applied in 2018;
- 11 NOTES that the Hillarys Weight Watchers Inc is eligible for a 50% subsidy;
- 12 DOES NOT AGREE to the request from the Hillarys Weight Watchers Inc for an extension of their 50% subsidy to a 100% subsidy;
- 13 AGREES to waive 50% of the remaining fees that apply to the Hillarys Weight Watchers Inc for their use of City facilities in 2017, up to a maximum of \$1,048, and that the group is advised that no fee waiver will be applied in 2018;
- 14 DOES NOT AGREE to the request from the Mahjong Group for a 100% subsidy;
- 15 AGREES to waive 75% of the fees that would apply to the Mahjong Group up to \$1,187 for their 2017 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2018 (50% waiver), 2019 (25% waiver) and 2020 (0% waiver) - unless the group's status changes and they become eligible for a subsidy;
- 16 NOTES that the Facility Hire Subsidy Policy states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.

MOVED Cr Hollywood, SECONDED Cr McLean that Council:

- 1 **AGREES to extend the 100% subsidy to the Lions Club of Whitford for the use of the Gibson Park Community Facility and other associated City facilities in 2016 to a maximum 30 hours per week;**
- 2 **DOES NOT AGREE to the request for subsidy from the Grace Church Padbury for bookings in 2017;**
- 3 **AGREES to waive 50% of the fees that would apply to the Grace Church Padbury up to a maximum of \$5,557 for bookings in 2017;**
- 4 **AGREES to waive 100% of the fees that would apply to the Burns Beach Coffee Club for their 2017 bookings to a maximum of \$1,363 and that the group is advised that no fee waiver will be applied in 2018;**
- 5 **AGREES to waive 75% of the fees that would apply to the Burns Beach Ladies Walking Group for their 2017 bookings to a maximum of \$1,067 and that the group is advised that no fee waiver will be applied in 2018;**
- 6 **NOTES that the Greenwood Weight Watchers Inc is eligible for a 50% subsidy;**
- 7 **DOES NOT AGREE to the request from the Greenwood Weight Watchers Inc for an extension of their 50% subsidy to a 100% subsidy;**
- 8 **AGREES to waive 50% of the remaining fees that apply to the Greenwood Weight Watchers Inc for their use of City facilities in 2017, up to a maximum of \$385, and that the group is advised that no fee waiver will be applied in 2018;**

- 9 **NOTES that the Hillarys Weight Watchers Inc is eligible for a 50% subsidy;**
- 10 **DOES NOT AGREE to the request from the Hillarys Weight Watchers Inc for an extension of their 50% subsidy to a 100% subsidy;**
- 11 **AGREES to waive 50% of the remaining fees that apply to the Hillarys Weight Watchers Inc for their use of City facilities in 2017, up to a maximum of \$1,048, and that the group is advised that no fee waiver will be applied in 2018;**
- 12 **DOES NOT AGREE to the request from the Mahjong Group for a 100% subsidy;**
- 13 **AGREES to waive 75% of the fees that would apply to the Mahjong Group up to \$1,187 for their 2017 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2018 (50% waiver), 2019 (25% waiver) and 2020 (0% waiver) - unless the group's status changes and they become eligible for a subsidy;**
- 14 **NOTES that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.**

Cr Taylor entered the Chamber at 8.37pm.

The Director Planning and Community Development left the Chamber at 8.37pm and entered the Chamber at 8.39pm.

AMENDMENT MOVED Cr Logan, SECONDED Cr Dwyer that Parts 8 and 11 of the Motion be AMENDED to read as follows:

- "8 AGREES to waive 100% of the remaining fees that apply to the Greenwood Weight Watchers Inc for their use of City facilities in 2017, up to a maximum of \$771, and that the group is advised that no fee waiver will be applied in 2018;***
- 11 AGREES to waive 100% of the remaining fees that apply to the Hillarys Weight Watchers Inc for their use of City facilities in 2017, up to a maximum of \$2,097, and that the group is advised that no fee waiver will be applied in 2018;"***

The Amendment was Put and

CARRIED (13/0)

In favour of the Amendment: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

The Original Motion as amended, being:

That Council:

- 1 **AGREES to extend the 100% subsidy to the Lions Club of Whitford for the use of the Gibson Park Community Facility and other associated City facilities in 2016 to a maximum 30 hours per week;**
- 2 **DOES NOT AGREE to the request for subsidy from the Grace Church Padbury for bookings in 2017;**
- 3 **AGREES to waive 50% of the fees that would apply to the Grace Church Padbury up to a maximum of \$5,557 for bookings in 2017;**
- 4 **AGREES to waive 100% of the fees that would apply to the Burns Beach Coffee Club for their 2017 bookings to a maximum of \$1,363 and that the group is advised that no fee waiver will be applied in 2018;**
- 5 **AGREES to waive 75% of the fees that would apply to the Burns Beach Ladies Walking Group for their 2017 bookings to a maximum of \$1,067 and that the group is advised that no fee waiver will be applied in 2018;**
- 6 **NOTES that the Greenwood Weight Watchers Inc is eligible for a 50% subsidy;**
- 7 **DOES NOT AGREE to the request from the Greenwood Weight Watchers Inc for an extension of their 50% subsidy to a 100% subsidy;**
- 8 **AGREES to waive 100% of the remaining fees that apply to the Greenwood Weight Watchers Inc for their use of City facilities in 2017, up to a maximum of \$771, and that the group is advised that no fee waiver will be applied in 2018;**
- 9 **NOTES that the Hillarys Weight Watchers Inc is eligible for a 50% subsidy;**
- 10 **DOES NOT AGREE to the request from the Hillarys Weight Watchers Inc for an extension of their 50% subsidy to a 100% subsidy;**
- 11 **AGREES to waive 100% of the remaining fees that apply to the Hillarys Weight Watchers Inc for their use of City facilities in 2017, up to a maximum of \$2,097, and that the group is advised that no fee waiver will be applied in 2018;**
- 12 **DOES NOT AGREE to the request from the Mahjong Group for a 100% subsidy;**
- 13 **AGREES to waive 75% of the fees that would apply to the Mahjong Group up to \$1,187 for their 2017 bookings, with the group to be advised that the waiver will reduce by 25% each year - 2018 (50% waiver), 2019 (25% waiver) and 2020 (0% waiver) - unless the group's status changes and they become eligible for a subsidy;**
- 14 **NOTES that the *Facility Hire Subsidy Policy* states that requests for additional subsidies apply for one year/season and a new application must be made in each following year/season.**

Was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Disclosures of interest affecting impartiality

| | |
|---------------------------|--|
| Name/Position | Cr Liam Gobbert. |
| Item No./Subject | CJ034-03/17 - Proposed Upgrade of Football (Soccer) Facilities at Beldon Park, Beldon. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | A relative of Cr Gobbert is an employee within the adjacent shopping centre. |

CJ034-03/17 PROPOSED UPGRADE OF FOOTBALL (SOCCER) FACILITIES AT BELDON PARK, BELDON

| | |
|------------------------------|---|
| WARD | Central |
| RESPONSIBLE DIRECTOR | Mr Mike Tidy Corporate Services |
| FILE NUMBER | 05808,101515 |
| ATTACHMENT | Attachment 1 Beldon Park aerial map Attachment 2 Beldon Park toilets/changerooms floor plan Attachment 3 Proposed development site plan – Option 1 Attachment 4 Proposed extension/refurbishment of existing toilets/changerooms floor plan – Option 1 Attachment 5 Project capital cost estimate Attachment 6 Proposed development site plan – Option 2 Attachment 7 Proposed community sporting facility floor plan – Option 2 Attachment 8 Community consultation results analysis report |
| AUTHORITY/ DISCRETION | Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |

PURPOSE

For Council to consider the concept plans, estimated capital costs and results of the community consultation undertaken for the proposed upgrade of football (soccer) facilities at Beldon Park, Beldon.

EXECUTIVE SUMMARY

Beldon Park located on Gradient Way, Beldon is approximately 3.8 hectares in size and is classified as a 'Local Park' within the City's existing *Parks and Public Open Spaces Classification Framework*. Current infrastructure at the park includes a toilet/changeroom facility, one football (soccer) field, park infrastructure including a playground, sports floodlighting and infrastructure and approximately 96 car parking bays. The park is currently utilised by the Joondalup United Football (soccer) Club and the Beldon Primary School (on a shared use agreement).

At its meeting held on 13 December 2016 (CJ236-12/16 refers), Council requested a report detailing proposed upgrades of the football (soccer) facilities at Beldon Park, Beldon in order to support Joondalup United Football Club playing in Football West's National Premier League competition.

Following the December 2016 Council meeting, a site plan and two facility floor plans were developed. Based on the extent of works required to extend and refurbish the existing toilets/changerooms, a second option (demolish the existing facility and build a new facility) was also developed.

The site plan for both options proposes two soccer playing fields and associated fencing, new sports floodlights, a reconfigured car park including an additional 89 bays, a refurbished and extended clubroom facility or a new community sporting facility, tiered spectator seating, vehicle access points, service bays and a bin store area.

The facility has been designed to meet Joondalup United Football Club and Football West's National Premier League requirements and to support usage by community members and other user groups.

The construction cost for redeveloping Beldon Park has been based on site and facility concept plans and has been estimated to cost \$4,900,500 for the extension/refurbishment of the existing toilets/changeroom option and \$4,668,500 for the new community sporting facility option. The cost estimates were developed by an external quantity surveyor and are based on high level concept plans and tender prices may differ following the detailed design stage (if the project proceeds).

Currently there are no funds listed in the City's *Five Year Capital Works Program* or the *20 Year Strategic Financial Plan* for the upgrade of football (soccer) facilities at Beldon Park.

Community consultation was undertaken for a period of 21 days from Monday 23 January – Monday 13 February 2017 and was conducted in accordance with the City's approved *Community Consultation and Engagement Policy and Protocol*. A summary of the results of the community consultation (community members) is listed below:

- Addition of a second playing field - 36.3% supported, 59% opposed, 4.7% unsure/not applicable.
- Sports floodlighting (training standard) - 44.1% supported, 45.7% oppose, 10.2% unsure/not applicable.
- Sports floodlighting (competition standard) – 38% supported, 46.9% oppose, 5% unsure/not applicable;
- Installation of fence surrounding one of the playing fields – 33% supported, 63.7% oppose, 3.3% unsure/not applicable;
- Installation of fence surrounding one of the playing fields with one side of the fence removable – 31.3% supported, 62.5% oppose, 6.3% unsure/not applicable;
- Installation of fence surrounding one of the playing fields with all sides of the fence removable – 28% supported, 58.9% opposed, 13.2% unsure/not applicable;
- Construction of limestone retaining to provide terraced spectator seating – 40.3% supported, 53.3% opposed, 6.4% unsure/not applicable;
- Redevelopment of the existing change room and toilet building – 53.8% supported, 35.4% opposed, 10.8% unsure/not applicable.

At its meeting held on 21 February 2017, Council received a petition containing 742 signatures opposing the proposal to develop Beldon Park for National Premier League soccer competition.

A number of options are possible for the project. Development projects such as this would normally include two rounds of community consultation. If the project is to proceed through the redevelopment process, a second round of consultation would be suggested to seek comment on the specific project details.

However, based on the results of the community consultation undertaken and the significant capital cost of the project for which the City has no budget allocation in future years, it is recommended not to progress the redevelopment of Beldon Park, with the City to continue to work with the Joondalup United Football Club to find a solution that meets their community and NPL requirements.

It is therefore recommended that Council:

- 1 *NOTES the findings of the community consultation undertaken for the Beldon Park, Beldon redevelopment project as detailed in Report CJ034-03/17;*
- 2 *NOTES the final costings for the options to redevelop Beldon Park, Beldon; Option 1 at \$4,900,500 (two playing pitches and facility refurbishment/extension); and Option 2 at \$4,668,500 (two playing pitches and facility redevelopment);*
- 3 *DOES NOT AGREE to proceed with the Beldon Park, Beldon redevelopment project;*
- 4 *REQUESTS the Chief Executive Officer continues to liaise with the Joondalup United Football Club in finding a solution for it to be able to host both its National Premier League and community-based fixtures;*
- 5 *REQUESTS the Chief Executive Officer notifies the lead petitioner opposing the redevelopment of Beldon Park, Beldon of its decision.*

BACKGROUND

Beldon Park located on Gradient Way, Beldon (Attachment 1 refers) is approximately 3.8 hectares in size and is classified as a 'Local Park' within the City's existing *Parks and Public Open Spaces Classification Framework*. Current infrastructure at the park includes a toilet/changeroom facility, one football (soccer) field, park infrastructure including a playground, sports floodlighting and infrastructure and approximately 96 car parking bays.

In 2013-14 an umpire's changeroom was added to the toilet/changeroom facility (Attachment 2 refers), the irrigation infrastructure was upgraded for the park, and a new playground and connecting footpaths were installed. The facility had a minor refurbishment in 2014-15 including painting, new toilets and showers. New sports storerooms have also recently been constructed.

The park is currently utilised by the Joondalup United Football (soccer) Club (JUFC) and the Beldon Primary School (on a shared use agreement). JUFC was established in 2000, originally operating from HBF Arena. The club has 11 senior teams (220 members) and 19 junior teams (208 members). The club currently utilises Beldon Park, Beldon, Charonia Park, Mullaloo, Forrest Park, Padbury and Prince Regent Park, Heathridge. For a number of years the JUFC has been seeking a suitable venue to establish their primary base of operation.

At the conclusion of the 2016 playing season, JUFC was afforded Football West's National Premier League (NPL) competition status. As well as the State League set up, the club participates in the Sunday Amateur, Social and Masters divisions, and a recently established junior program.

In order for the JUFC senior teams to play at the NPL level, their venue must meet certain requirements. The current infrastructure at Beldon Park does not meet all of the requirements for the NPL.

Charonia Park, Mullaloo, Forrest Park, Padbury, and Prince Regent Park, Heathridge, (JUFC's secondary grounds) are not deemed suitable due to existing summer user groups (cricket clubs) utilising the facilities, the limited space available for two playing fields and number of car parking bays.

Until a more permanent location can be determined, JUFC has established an in-principle agreement from the City and the Sorrento Football Club to play NPL home games from Percy Doyle 1, and access associated clubrooms for the 2017 season.

At its meeting held on 13 December 2016 (CJ236-12/16 refers), Council indicated its preference to designate Beldon Park as the home ground of JUFC and requested a report detailing proposed upgrades of the football (soccer) facilities and infrastructure at Beldon Park. Council also requested that community consultation be undertaken on the proposed upgrades at Beldon Park and that an upgraded Percy Doyle Reserve be investigated as an NPL stadium site that could be used for NPL matches by a number of City of Joondalup soccer clubs including Sorrento Football Club and Joondalup United Football Club.

Currently there no funds listed in the City's *Five Year Capital Works Program* or the *20 Year Strategic Financial Plan* for the upgrade of football (soccer) facilities at Beldon Park.

Petitions

At its meeting held on 21 February 2017, Council received a petition containing 742 signatures opposing the proposal to develop Beldon Park for National Premier League soccer competition.

DETAILS

Site and facility concept plans

Following the December 2016 Council meeting, a site plan and two facility floor plans were developed. Based on the extent of works required to extend and refurbish the existing toilets/changerooms, a second option (demolish the existing facility and build a new facility) was also developed.

The site plan for Option 1 – extension/refurbishment of the existing toilets/changerooms, (Attachment 3 refers) indicates the layout of the proposed two soccer playing fields and associated fencing, new sports floodlights, reconfigured car park including 186 bays, extension/refurbishment of the existing toilets/changerooms, tiered spectator seating, vehicle access points, service bays and bin store area.

The site plan for Option 2 – new community sporting facility, (Attachment 6 refers) indicates the layout of the proposed two soccer playing fields and associated fencing, new sports floodlights, reconfigured car park including 186 bays, new community sporting facility, tiered spectator seating, vehicle access points, service bays and bin store area.

In both options pitch 1 meets the recommended NPL requirements and pitch 2 meets the minimum Department of Sport and Recreation requirements for pitch size (length and width). Pitch 1 includes one metre high fencing along the north, west and south sides of the playing field, while the east side of pitch 1 includes removable fencing that would be stored on-site and erected for NPL matches only. Access points for emergency, parks operations vehicles and park users are included in the fencing design.

The tiered seating on the west side of pitch 1 is proposed to be constructed of limestone blocks and serve the dual purpose of providing both seating for approximately 120 spectators and retaining. The limestone retaining on the north-west corner of the site would be approximately two metres high.

Approximately 14 trees are required to be removed to accommodate the proposed upgrades. To compensate for the loss of these trees, new trees are proposed to be planted on the site in various locations.

The proposed facility design is based on the City's standard small sporting facility specifications (for example Bramston Park Community Sporting Facility, Burns Beach). The facility floor plans for both options (Attachment 4 and 7 refers) include changerooms, umpire room, toilets, kitchen, a meeting room of approximately 133m² overlooking the oval, associated storage, CCTV room and covered spectator verandah area. They also include a unisex 'park toilet' designed to include the automatic timed door lock system and be accessible without compromising the security of the remainder of the facility.

There are currently no formal arrangements in place with the Beldon Shopping Centre regarding access to the City's car park (the City's car park is only accessible via the shopping centre car park). The proposed car park improves traffic flow through the existing car park and provides an entrance from Gradient Way, new ACROD parking bays close to the clubroom facility and approximately 186 parking bays (an increase of 89 bays from the existing car park). Consideration has been made in the design for the movement of delivery trucks around the shopping centre's loading zone at the west end of the car park.

The facility has been designed to meet JUFC and Football West's NPL requirements and would not only cater for the sporting groups using the oval but also be available to the wider local community for community based meetings and activities. Included in the design is a meeting room and storeroom for other community groups to use.

The following is a summary list of the 'minimum' requirements for venues hosting NPL fixtures, showing those that the existing and proposed Beldon Park facility meets/does not meet.

| Minimum facility requirements | Existing facility – meets requirements | Proposed facility – meets requirements | Proposed facility details |
|---|---|---|----------------------------------|
| Playing field at least 60 metres wide. | Yes | Yes | Pitch 1: 100 metres x 66 metres |
| Perimeter fence around the playing area with a recommended height of 80 centimetres to one metre (removable fencing is acceptable). | No | Yes | One metre high perimeter fence |
| Technical area and team benches within the perimeter fence. | No | Yes | - |
| Smooth and level playing surface. | No | Yes | - |

| Minimum facility requirements | Existing facility – meets requirements | Proposed facility – meets requirements | Proposed facility details |
|--|--|--|--|
| White line markings, with no other visible line markings on the playing surface. | Yes | Yes | - |
| White goal posts. | Yes | Yes | - |
| Access to stretcher and corner flags. | No | Yes | - |
| 24 metres of linear sponsorship signage. | No | Yes | - |
| Permanent seating structure to accommodate 120 people (limestone terracing is acceptable). | No | Yes | Tiered seating for approximately 120 people |
| Selling points for food and beverage (including alcohol). | Yes | Yes | - |
| Public toilets for spectators. | Yes | Yes | - |
| Sufficient parking for match officials. | Yes | Yes | Approximately 186 car parking bays |
| Home and away changerooms and toilets. | No | Yes | Approximately 34/46m ² per changeroom |
| Match official changeroom. | Yes | Yes | Approximately 11m ² |
| PA system (to announce first team players at the start of the game). | No | Yes | - |
| Scoreboard (can be temporary). | No | Yes | - |

Estimated capital costs

The cost estimates were developed by an external quantity surveyor and are based on high level concept plans and tender prices may differ following the detailed design stage (if the project proceeds).

Option 1 – refurbishment and extension of existing toilets/changerooms

The construction cost for the project including refurbishing and extending the existing toilets/changerooms has been based on site and facility concept plan (Attachments 5 refers). A summary of the total project estimate has been broken down into the following components:

| Item | Cost (\$) |
|--|-----------|
| Refurbishment and extension of existing toilets/changerooms (including bin wash down area) | 1,400,000 |
| Sports floodlighting for pitch 1 and 2 | 450,000 |
| Tiered seating | 60,000 |
| Pitch 1 and 2 works (including site works, fencing, technical area and team benches) | 720,000 |

| Item | Cost (\$) |
|---|------------------|
| External works (including earth works for facility, retaining walls, landscaping, new trees, service road, infill to sump and new car park) | 1,147,500 |
| Power upgrade | 180,000 |
| Sewer connection | 72,500 |
| Photovoltaic (PV) panels | 20,000 |
| Artwork | 40,500 |
| Professional fees | 405,000 |
| Design and construction contingencies | 405,000 |
| TOTAL PROJECT | 4,900,500 |

The cost estimate summary table includes preliminaries and small works margin (approximately 15%) and does not include escalation.

Option 2 – new community sporting facility

Based on the extent of works required to extend and refurbish the existing toilets/changerooms, and the improvement in functionality that could be achieved, the second option for the clubroom facility (new community sporting facility) was developed. The construction cost for the project including a new community sporting facility has been based on site and facility concept plan (Attachments 5 refers).

Option 1 is estimated to be more expensive than Option 2 due to the additional site works required for pitch 1 and 2 and the refurbished and extended toilets/changerooms.

A summary of the total project estimate has been broken down into the following components:

| Item | Cost (\$) |
|---|------------------|
| New community sporting facility (including bin wash down area) | 1,400,000 |
| Sports floodlighting for pitch 1 and 2 | 450,000 |
| Tiered seating | 60,000 |
| Pitch 1 and 2 works (including site works, fencing, technical area and team benches) | 550,000 |
| External works (including earth works for facility, retaining walls, landscaping, new trees, service road, infill to sump and new car park) | 1,127,500 |
| Power upgrade | 180,000 |
| Sewer connection | 72,500 |
| Photovoltaic (PV) panels | 20,000 |
| Artwork | 38,500 |
| Professional fees | 385,000 |
| Design and construction contingencies | 385,000 |
| TOTAL PROJECT | 4,668,500 |

The cost estimate summary table includes preliminaries and small works margin (approximately 15%) and does not include escalation.

All amounts quoted in this report are exclusive of GST.

Community consultation

At its meeting held on 13 December 2016 (CJ236-12/16 refers), Council requested the City to arrange community consultation on the proposed upgrades at Beldon Park. Community consultation was undertaken for a period of 21 days from Monday 23 January – Monday 13 February 2017 and was conducted in accordance with the City's approved *Community Consultation and Engagement Policy and Protocol*. The results of the community consultation have been provided in the consultation section of this report.

Previous development projects of this nature have undertaken two rounds of community consultation. The first, which was undertaken in January/February 2017, provided the local community with an opportunity to provide feedback on the proposed project. A second round of consultation would seek comment on the specific project details such as the site plan and any changes to the project as an outcome to the first round of consultation.

Shared use agreement with Department of Education

Beldon Park is subject to a shared use agreement between the Department of Education (DoE) and the City. The current agreement expires on 30 June 2017 and includes one option to renew for a further five years. The City has received in-principle support for the proposed upgrades of Beldon Park from the DoE. Should the project proceed the City will develop a new shared-use agreement with the DoE to include any new provisions for the redeveloped facility (for example sports floodlighting).

External grant funding

It has been identified that this project would be suitable for consideration as part of the Department of Sport and Recreation's (DSR) Community Sporting and Recreation Facilities Fund (CSRFF) program. The CSRFF program considers a contribution of up to one third (for applicable components) for projects that demonstrate an increase in sport participation as a result of the development. To meet CSRFF application deadlines, an application would need to be made to the next Forward Planning Grant funding round which closes on 16 September 2017. If the City was successful in receiving grant funding, notification would be provided by the DSR around March 2018.

Issues and options considered

Options

A number of options are possible for the project. These include the following:

- 1 Do not proceed with the project.
- 2 Undertake a second round of community consultation with more information such as a detailed site layout and information on the concerns raised through the first round of community consultation.
- 3 Proceed with either facility redevelopment option without further community consultation.
- 4 Do not proceed with the redevelopment of Beldon Park, but continue to work with JUFC to find a suitable solution to meeting their community and NPL requirements.

There is also an option to scale-down the proposed upgrades to Beldon Park to meet JUFC's requirements for their community competitions/programs and not meet Football West's NPL requirements. This option would remove the need for terraced seating, fencing around pitch 1 and site works and floodlighting to accommodate pitch 2.

Other sites could also be further investigated to accommodate JUFC.

Legislation / Strategic Community Plan / policy implications

| | |
|---------------------------------|---|
| Legislation | Not applicable. |
| Strategic Community Plan | |
| Key theme | Community Wellbeing. |
| Objective | Quality facilities. |
| Strategic initiative | <ul style="list-style-type: none"> • Support a long-term approach to significant facility upgrades and improvements; • Understand the demographic context of local communities to support effective facility planning; • Employ facility design principles that will provide for longevity, diversity and inclusiveness and where appropriate, support decentralising the delivery of City services. |
| Policy | <i>Requests for New or Capital Upgrades to Existing Community Buildings Policy.</i> |

Risk management considerations

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

There is also a risk associated with not undertaking further consultation on the project. Given the results of the initial consultation, it is recommended that the second round of consultation be undertaken.

Financial / budget implications

Currently there no funds listed in the City's *Five Year Capital Works Program* or the *20 Year Strategic Financial Plan* for the upgrade of football (soccer) facilities at Beldon Park.

Future financial year impact

| | |
|--------------------------------|---|
| Annual operating cost | Ongoing annual operating expenditure based on a similar City facility would be approximately \$50,039. This is the incremental impact of the estimated new operating expenses of \$116,757 less the existing operating expenses at Beldon Park of \$66,718. |
| Estimated annual income | Ongoing annual income based on a similar City facility would be approximately \$9,159. This is the incremental impact of the estimated new operating income \$12,381 less the existing operating income at Beldon Park of \$3,222. |

Capital replacement Services (short life) are estimated to be replaced after 16 years (cost of \$188,000). Fixtures and fittings estimated for replacement after 24 years (\$423,000). Building structure, roof and services (long life) are estimated to be replaced after 100 years.

20 Year Strategic Financial Plan impact An overall cost of \$11.5 million is estimated as the impact on the *20 Year Strategic Financial Plan*. The total impact of \$11.5 million represents the overall impact to the City of the initial capital cost, capital replacement, additional operating subsidy, costs of borrowing and the lost interest in cash. The proposal is not currently included in the 20 Year SFP, and it is assumed that additional borrowings would be required which results in total repayments of \$6.1 million (\$4.7 million principal and \$1.4 million interest costs).

Impact year For the purposes of calculating the impact on the 20 year plan, an assumption has been made that the construction costs would be incurred in 2017-18, and the increase in operating expenses from 2018-19. This is a modelling assumption only and the detailed project timeline, and consideration of other project timelines, will be subject to further review.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Environmental

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

Social

The project has included consultation with the existing user group and community/stakeholders to ensure that feedback received represents their needs. Furthermore, refurbishment and redevelopment works consider access and inclusion principles with the aim to enhance the amenity of the public space.

Economic

Not applicable.

Consultation

Consultation for this project was conducted in accordance with the City's approved *Community Consultation and Engagement Policy and Protocol* and was undertaken for a period of 21 days from Monday 23 January – Monday 13 February 2017. The consultation was advertised through the following methods:

- Direct mail out - a cover letter and frequently asked questions sheet was sent to all stakeholders (Residents living within a 200 metre radius of the site; current park user groups; Beldon Shopping Centre; Beldon Primary School, and; Department of Education).
- Site signage – three signs were placed at Beldon Park during the consultation period.
- City's website – frequently asked questions sheet and comment form was added to the 'Community Consultation' section during the consultation period.
- Newspaper – advertisement published in *Joondalup Weekender* during the consultation period.

The aim of the community consultation was to determine the level of support for the following various features of the proposed development:

- Construction of additional football (soccer) field.
- Sports floodlighting (training standard).
- Sports floodlighting (competition standard).
- Installation of fence surrounding one of the playing fields.
- Installation of fence surrounding one of the playing fields with one side of the fence removable and only used on game days.
- Installation of fence surrounding one of the playing fields with all sides of the fence removable and only used on game days.
- Construction of limestone retaining to provide terraced seating.
- Redevelopment of the existing change room and toilet building.

Consultation results

The City received 576 valid responses from community members, and two completed comment forms from stakeholders (Joondalup United Football Club and Beldon Primary School). Two additional letters were received from the Department of Education and the Beldon Shopping Centre property owners, noting their comments on the proposed works.

Approximately 41% of the submissions were made from people living within the suburb of Beldon and approximately 37% of the submissions were from respondents who reside within the City of Joondalup (excluding Beldon).

The full results of the community consultation are included as Attachment 8.

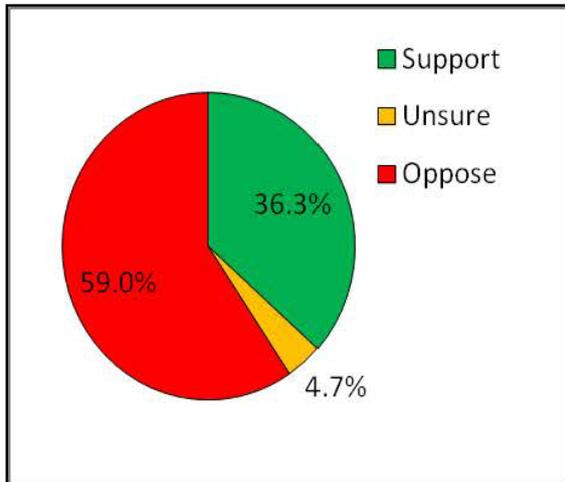
Use of Beldon Park

147 submissions (approximately 26%) were from respondents affiliated with the Joondalup United Football Club, while 91 submissions (approximately 16%) were from respondents affiliated with Beldon Primary School and 243 submissions (approximately 42%) were from respondents who used Beldon Park for informal sport and recreation (for example dog walking, picnicking).

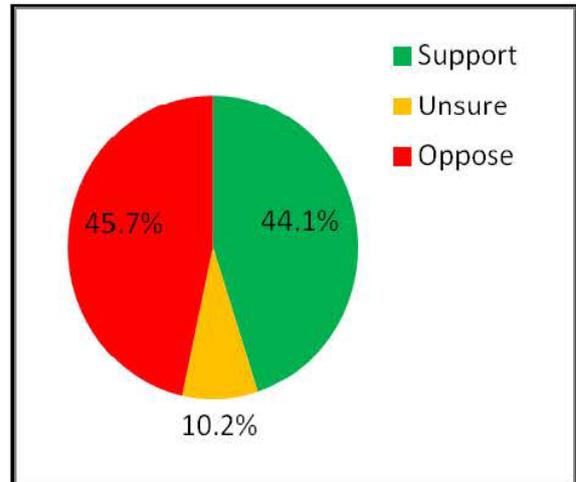
Proposed infrastructure – Community members

As outlined previously, respondents were asked to indicate their level of support for the proposed infrastructure to be developed. The following charts summarise the level of support from community members from the community consultation undertaken:

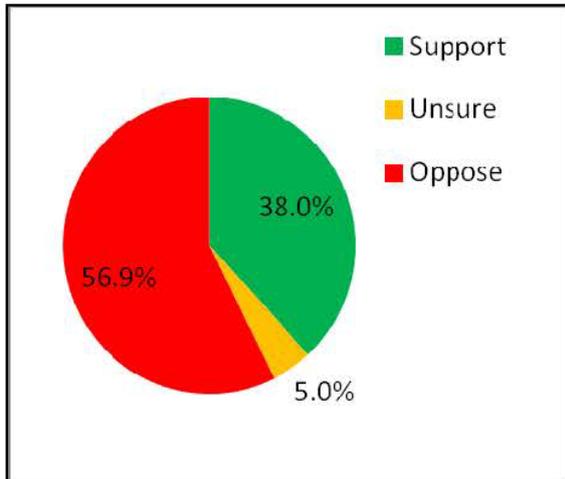
Additional football (soccer) field:



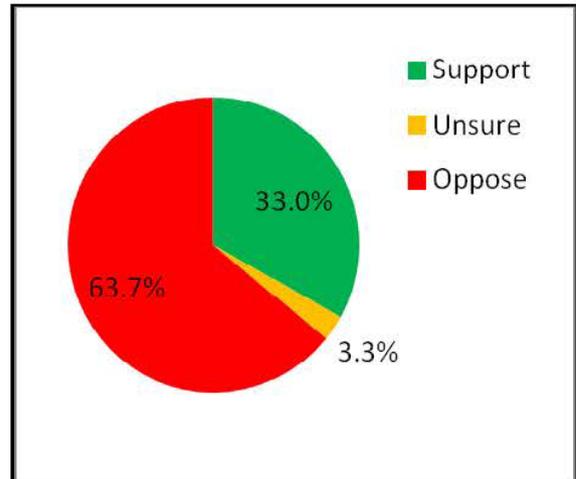
Floodlighting (training standard):



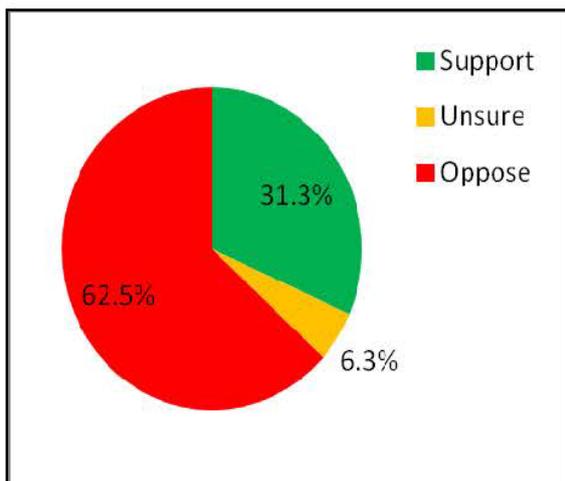
Floodlighting (competition standard):



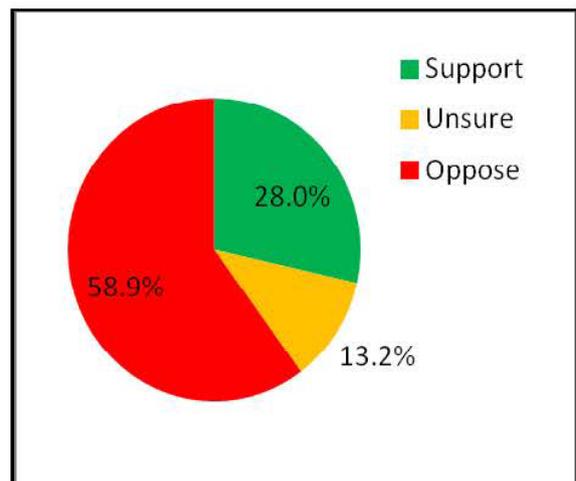
Fencing (full pitch):



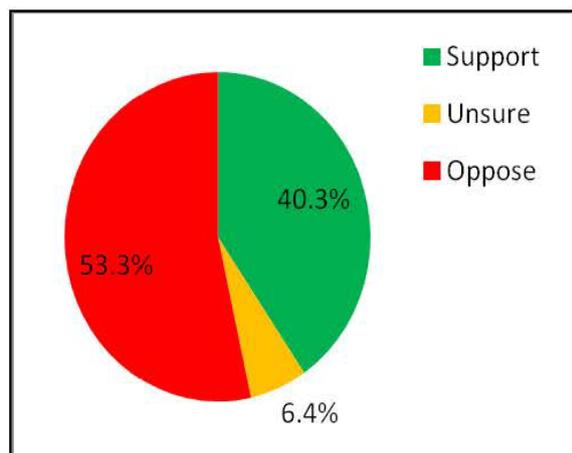
Fencing (one side removable):



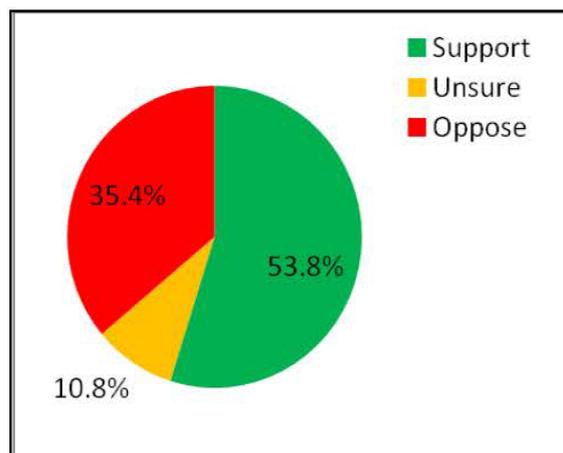
Fencing (all sides removable):



Limestone retaining/seating:



Redevelopment of toilets/changerooms:



Proposed infrastructure – Stakeholders

As outlined previously, stakeholders were asked to indicate their level of support for the proposed infrastructure to be developed. The following table summarises the level of support from the Joondalup United Football Club and Beldon Primary School from the community consultation undertaken:

| Item | Beldon Primary School | Joondalup United Football Club |
|--|-----------------------|--------------------------------|
| Construction of additional football (soccer) field. | Oppose | Strongly Support |
| Sports floodlighting (training standard). | Unsure | Strongly Support |
| Sports floodlighting (competition standard). | Oppose | Strongly Support |
| Installation of fence surrounding one of the playing fields. | Strongly Oppose | Oppose |
| Installation of fence surrounding one of the playing fields with one side of the fence removable. | Oppose | Strongly Support |
| Installation of fence surrounding one of the playing fields with all sides of the fence removable. | Strongly Support | Strongly Oppose |
| Construction of limestone retaining to provide terraced seating. | Unsure | Strongly Support |
| Redevelopment of the existing change room and toilet building. | Unsure | Strongly Support |

Department of Education

The following comments were provided by the Department of Education (the land owner of the school lot) by way of a letter:

“It is the Department’s preference:

- *That all of the fencing on the playing fields are removable; and*
- *The location of the proposed floodlighting on the eastern side of the playing fields to be relocated to another location that will not interfere with the effective use of the play space for students.*

The DoE also strongly supports the continuation of the current arrangements within the shared use agreement in place for Beldon Park, between the City and the DoE.”

Beldon Shopping Centre

The following comments were provided by Mair Property Funds (representing the owners and managers of the Beldon Shopping Centre) by way of a letter:

“We have no objection in principle to the enhancement of the existing sports facilities at Beldon Park”. However the response does reference strong concern in regards to the “intensified use” of the site and concerns regarding dedicated on-site parking, especially on weekends. As a result of this concern the response continues “we have no option other than to object to the proposal in the strongest possible terms. This is due to the potential significant adverse impact it is likely to have on trade at the shopping centre during the peak week night and critical Saturday trading period”.

The response has also stated that *“car parking on the Beldon Shopping Centre site will not be made available for park users during peak trading periods such as Saturdays, Sundays or weekday evenings”.*

Respondents living in Beldon

Respondents living within Beldon represented approximately 41% of all submissions received. The majority of these respondents (approximately 82%) did not support the construction of an additional field. Similarly, approximately 77% did not support the installation of sports floodlights – competition standard, and 62% did not support the installation of sports floodlighting – training standard.

The installation of fencing around all sides of one of the playing fields was not supported by approximately 88% of respondents, with 86% of respondents not supporting fencing with one side removable and 79% not supporting fencing with all sides removable. Approximately 75% did not support the construction of limestone retaining to provide seating.

The redevelopment of the existing toilets/changerooms was supported by approximately 40% of respondents and not supported by approximately 47% of respondents. The remaining 13% of respondents were unsure about this item or indicated it was not applicable.

Respondents living within the City of Joondalup (excluding Beldon)

Respondents living within the City of Joondalup (excluding Beldon) represented approximately 37% of all those received. Support for the construction of an additional field was relatively even with approximately 48% of respondents supporting this item and approximately 46% of respondents not supporting (the remaining 6% were unsure about this item or indicated it was not applicable). Similarly, approximately 50% supported the installation of sports floodlights – competition standard, and 54% supported the installation of sports floodlighting – training standard.

Support for all forms of the proposed fencing was relatively even. The installation of fencing around all sides of one of the playing fields was not supported by approximately 51% of respondents. Approximately 50% of respondents did not support fencing with one side removable and approximately 50% did not support fencing with all sides removable. Approximately 50% supported the construction of limestone retaining to provide seating.

The redevelopment of the existing toilets/changerooms was supported by approximately 59% of respondents.

Additional Comments

Respondents were able to make additional comments on the comment form. A summary of all concerns and the percentage of total respondents who commented on each subject/issue have been included in the following table with a comment response.

| Comment | Percentage of respondents | Response |
|--|---------------------------|--|
| Concerned in regards to impact on access to the park by the local community and other park users. | 26% | As a public open space, the area will continue to be accessible by the local community and the primary school for their activities. The location of proposed infrastructure is within the oval that is zoned 'Parks and Recreation'. Therefore the proposed infrastructure is consistent with the overall purpose of the reserve. |
| Concerned in regards to impact on access to the park by the Beldon Primary School/Beldon Education Support Centre. | 13% | The location of proposed infrastructure has been designed to minimise impact on Beldon Primary School/Beldon Education Support Centre's use of the reserve. It is not proposed to amend the current level of access to the reserve for Beldon Primary School/ Beldon Education Support Centre. |
| Concerned about increase in parking difficulties in shopping centre/primary school carpark and/or on residential verges. | 9% | Additional car parking and a new access off Gradient Way has been proposed as part of the project. The City monitors parking in accordance with the <i>City of Joondalup Parking Local Law 2013</i> . Illegal parking would result in infringements being issued. If the development proceeds, the maximum capacity of the facility will be approximately 130 patrons. As guided by the <i>City's District Planning Scheme No. 2 (DPS2)</i> , the ratio for this type of development is one car park to 2.5 patrons. Therefore the 186 parking bays indicated on the site concept plan is in-line with the DPS2. |
| Concerned about cost to the rate payer of the development. | 5% | Operating and maintenance costs will be funded through the City's operating budget. No special area rates are proposed for this development to proceed and operate. |
| Concerned about increase in noise (especially from PA system). | 5% | Given proximity of residents to the site, impact of the development will be minimal. Noise reduction strategies will be included within the detailed design stage of the project (if the project proceeds). |
| Concerned about increase in traffic. | 5% | Additional car parking and a new access off Gradient Way has been proposed as part of the project. The existing traffic system can be reviewed as part of the detailed design stage of the project (if the project proceeds). |
| Concerned about fencing/retaining (aesthetics and functionality). | 4% | The proposed fencing design has included a number of gates, openings and removable panels to ensure the reserve remains accessible for the local community and the school. |

| Comment | Percentage of respondents | Response |
|--|---------------------------|--|
| Concerned about increased sale and consumption of alcohol. | 4% | The JUFC currently holds a liquor licence over the existing facility at Beldon Park. All park facility users are bound by the City's Terms and Conditions of Hire and any group seeking to consume alcohol on the premises would be required to obtain a Liquor Licence in accordance with the <i>Liquor Control Act 1988</i> . |
| Concerned about increase in anti-social behaviour / rubbish. | 4% | The facility has been designed in accordance with 'Design Out Crime' principles by keeping clear sightlines and passive surveillance opportunities. Higher activation of the area creates additional passive surveillance by players and spectators. CCTV will also be considered as part of the project. |
| Concerned about impact on trees, plants and/or bird life. | 4% | Vegetation that is proposed to be cleared as part of the development will be replaced with additional trees. |
| Concerned about the community consultation process. | 3% | Consultation for this project was conducted in accordance with the City's approved <i>Community Consultation and Engagement Policy and Protocol</i> . |
| Concerned about impact on nearby residences from new sports floodlighting. | 1% | <p>The existing facility has sports floodlighting and any new floodlighting will be controlled by the City in line with park bookings. The proposed locations of the floodlighting poles have been determined based on adequately lighting the park while minimising the obtrusive light to surrounding residents by taking into account the natural topography of the area. The exact location of the floodlight poles will be finalised should the project proceed.</p> <p>The City does not permit sports floodlighting to be on later than 9.30pm. Requests for night matches would be managed by the City in accordance with the regular booking processes.</p> |
| Concerned about negative impact on property values. | 1% | Nearby available community facilities are known to increase property prices as those looking to purchase generally seek access to local facilities. |

COMMENT

Beldon Park is currently utilised by the Joondalup United Football (soccer) Club, has space for two playing fields, a small number of residents within close proximity, sufficient car parking and is deemed to be the most suitable facility to upgrade to accommodate NPL games. Charonia Park, Mullaloo, Forrest Park, Padbury, and Prince Regent Park, Heathridge, (JUFC's secondary grounds) are not deemed suitable due to the existing summer user groups (cricket clubs) utilising the facilities, the limited space available for two playing fields and low number of car parking bays.

Based on the extent of works required to extend and refurbish the existing toilets/changerooms, the additional cost, and the improvement in functionality that could be achieved, the second option for the clubroom facility (new community sporting facility) is the preferred design.

The City received a good response from the community consultation undertaken for the proposed Beldon Park project. The high level of responses from people living within the suburb of Beldon indicates the importance of the site to the local and nearby residents and a strong level of interest in the outcome of the development of the area.

It is evident from the community reaction, particularly from those living within the suburb of Beldon, that the community believes the proposal to redevelop Beldon Park to accommodate JUFC and meet NPL requirements would lead to a significant change in amenity. In addition to the community consultation results, the indicative costings for both options are not accounted for within the City's immediate *Five Year Capital Works Program*, or within its *20 Year Strategic Financial Plan*.

It is therefore recommended not to progress the redevelopment of Beldon Park, with the City to continue to work with the JUFC to find a solution that meets their community and NPL requirements.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Gobbert, SECONDED Mayor Pickard that Council:

- 1 **NOTES** the findings of the community consultation undertaken for the Beldon Park, Beldon redevelopment project as detailed in Report CJ034-03/17;
- 2 **NOTES** the indicative costings for the options to redevelop Beldon Park, Beldon; Option 1 at \$4,900,500 (two playing pitches and facility refurbishment/extension); and Option 2 at \$4,668,500 (two playing pitches and facility redevelopment);
- 3 **DOES NOT AGREE** to proceed with the Beldon Park, Beldon redevelopment project;
- 4 **REQUESTS** the Chief Executive Officer continues to liaise with the Joondalup United Football Club in finding a solution for it to be able to host both its National Premier League and community-based fixtures;
- 5 **REQUESTS** the Chief Executive Officer notifies the lead petitioner opposing the redevelopment of Beldon Park, Beldon of its decision.

The Motion was Put and

CARRIED (12/1)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Logan, McLean, Norman, Poliwka and Taylor.

Against the Motion: Cr Jones.

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf170314.pdf](#)

C16-03/17

COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION

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

CJ020-03/17, CJ021-03/17, CJ024-03/17, CJ025-03/17, CJ026-03/17, CJ027-03/17, CJ028-03/17, CJ029-03/17, CJ030-03/17 and CJ031-03/17.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

Cr Poliwka left the Chamber at 9.04pm.

REPORT – AUDIT COMMITTEE – 7 MARCH 2017

CJ035-03/17 2016 COMPLIANCE AUDIT RETURN

| | |
|------------------------------|---|
| WARD | All |
| RESPONSIBLE | Mr Garry Hunt |
| DIRECTOR | Office of the CEO |
| FILE NUMBER | 09492, 32481, 101515 |
| ATTACHMENT | Attachment 1 2016 Compliance Audit Return |
| AUTHORITY/ DISCRETION | Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |

PURPOSE

For Council to adopt the City's 2016 Compliance Audit Return (the Return) prior to it being submitted to the Department of Local Government and Communities (DLGC).

EXECUTIVE SUMMARY

The DLGC Compliance Audit Return for the period 1 January to 31 December 2016 has been completed and is required to be adopted by Council before being submitted to the DLGC by 31 March 2017.

It is therefore recommended that Council:

- 1 ADOPTS the completed 2016 Local Government Compliance Audit Return for the period 1 January to 31 December 2016 forming Attachment 1 to Report CJ035-03/17;*
- 2 in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed Compliance Audit Return as detailed in Part 1 above, to the Department of Local Government and Communities.*

BACKGROUND

The 2016 return was made available to local government authorities by the DLGC via its centralised portal called Smart Hub.

The structure of the return is similar to previous years and focuses on areas of compliance considered high risk. However questions relating to elections have been omitted from the return given there were no elections held during 2016.

DETAILS

The return contains the following compliance categories:

- Commercial Enterprises by Local Governments.
- Delegation of Power / Duty.
- Disclosure of Interest.
- Disposal of Property.
- Finance.
- Local Government Employees.
- Official Conduct.
- Tenders for Providing Goods and Services.

The relevant Managers were required to complete the responses to the questions which were approved by their Director before being forwarded to the Internal Auditor for review and input on the return. The return has been completed and is now required to be adopted by Council before being submitted to the DLGC by 31 March 2017.

Legislation / Strategic Community Plan / policy implications

Legislation Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996*.

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.

Risk management considerations

The risk associated with Council failing to adopt the return would result in non-compliance with the legislative requirements of the *Local Government (Audit) Regulations 1996*.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The responses in the return reveal a high level of compliance with legislation by the City.

VOTING REQUIREMENTS

Simple 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 7 March 2017.

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

MOVED Cr Hamilton-Prime, SECONDED Cr Norman that Council:

- 1 ADOPTS the 2016 Local Government Compliance Audit Return for the period 1 January to 31 December 2016 forming Attachment 1 to Report CJ035-03/17;**
- 2 in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*, SUBMITS the completed Compliance Audit Return as detailed in Part 1 above to the Department of Local Government and Communities.**

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman and Taylor.

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf170314.pdf](#)

REPORT – MAJOR PROJECTS COMMITTEE – 13 MARCH 2017

Disclosure of Proximity Interest

| | |
|---------------------------|--|
| Name/Position | Cr Russell Poliwka. |
| Item No./Subject | CJ036-03/17- Joondalup City Centre Development – Project Status. |
| Nature of interest | Proximity Interest. |
| Extent of Interest | Cr Poliwka owns property in the precinct (CBD). |

CJ036-03/17 JOONDALUP CITY CENTRE DEVELOPMENT – PROJECT STATUS

| | |
|------------------------------|---|
| WARD | North |
| RESPONSIBLE | Mr Garry Hunt |
| DIRECTOR | Office of the CEO |
| FILE NUMBER | 103036, 101515 |
| ATTACHMENT | Attachment 1 Presentation – Joondalup City Centre Development: Building G study Attachment 2 Boas Place Concept Plan – Option 4B |
| AUTHORITY/ DISCRETION | Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |

PURPOSE

For Council to note the progress on the Joondalup City Centre Development and to endorse the amended concept plan for the development (Boas Place Concept Plan – Option 4B).

EXECUTIVE SUMMARY

At its meeting held on 28 November 2016 the Major Projects Committee noted the progress made on the Joondalup City Centre Development (JCCD) project and requested a further review of the Boas Place Concept Plan, particularly in regard to the access way between Building A and Building G and the impact of Building G on the western façade of the City's Library building. The Major Projects Committee also requested a revision of the southern access way.

The City's consultant architects, Woods Bagot, reviewed the concept plan and have amended the position of Building G to address the issues raised by the Major Projects Committee and have reviewed the southern access way and its synergy with the natural area of Central Park.

Comment and opinion was sought from consultants Arup on restricting the southern access way to emergency and service vehicles only.

Woods Bagot will present detailed information on the above to the Major Projects Committee in PowerPoint presentation form (Attachment 1 refers).

In addition to the above, Woods Bagot has continued the preparation of Design Guidelines for the development. Landscape architects Seedesign, in collaboration with Woods Bagot, has further refined the draft landscape plan and landscape design guidelines.

A *Local Planning Policy* will be prepared to support the development provisions of the *Joondalup Activity Centre Structure Plan* and to embed and commit to the City's vision for Boas Place.

Devwest Group Pty Ltd (Devwest) advised the City that negotiations with potential hotel operators were continuing. Devwest also advised that Edith Cowan University indicated they have no requirements for additional student accommodation at this time.

A high level financial analysis of the anticipated expenditure and income streams for the *Boas Place Concept Plan* has been undertaken. Further due diligence on the analysis is required following endorsement of the *Boas Place Concept Plan* prior to consideration of the financial implications to the City.

Memorandum of Understanding

At its meeting held on 13 December 2016 (CJ226-12/16 refers), Council authorised the Chief Executive Officer to extend the exclusivity period of the current Memorandum of Understanding (MOU) between the City and Devwest for a period of nine months.

The necessary paperwork facilitating the above was signed by Devwest on 15 December 2016 and the City on 21 December 2016.

Expression of Interest – Office accommodation in the Joondalup City Centre

On 30 January 2017 Australian Corporate Property and Projects (ACORPP), on behalf of an undisclosed client, advertised for Expressions of Interest (EOI) for 4,000sqm of accommodation in Joondalup.

In collaboration with Devwest, the City submitted a proposal based on the concept plan for Boas Place. The submission incorporated many of the elements from the City's detailed proposal for State Government office accommodation in Joondalup.

Following consideration of the proposal received, ACORPP will invite detailed proposals from the successful respondents. No details on timeframes for the EOI process are available at this point in time.

It is therefore recommended that Council:

- 1 *NOTES the Joondalup City Centre Development Project Status Report;*
- 2 *ENDORSES the Boas Place Concept Plan – Option 4B as detailed in Attachment 2 to Report CJ036-03/17;*
- 3 *NOTES the new access way on the southern boundary of the site is to be part of the Boas Place Concept Plan – Option 4B, with construction and utilisation of the access way to connect Lakeside Drive and Grand Boulevard, paying due regard to the environmental area of Central Park.*

BACKGROUND

Following the State Government's decision that the City was not the preferred respondent for the provision of office accommodation in the Joondalup City Centre, the components of the *Boas Place Concept Plan* were reviewed and the construction priorities for Boas Place were updated.

In broad terms, Devwest proposed the following components:

- 1 Hotel.
- 2 Student accommodation.
- 3 Commercial office building – lead by market demand.
- 4 Aged care / independent living units – co-located with child care and medical facilities.
- 5 Residential – lead by market demand.

Further amendments were made to the concept plan based on the specific requirements of the potential end-users identified by Devwest. At the meeting held on 1 August 2016, it was agreed that the Major Projects Committee, among other things:

“2 ENDORSES the amended Joondalup City Centre Concept Plan Option 4 (SK0010 Rev A) for the purposes of advancing the project.”

To enable the City to process negotiation of a new Memorandum of Understanding (and other potential agreements) with Devwest, the Major Projects Committee (meeting held on 1 August 2016) requested that a report be prepared on the implications, both financial and other, to the City assuming the role of precinct developer. The required investigations, including town planning and subdivision, to facilitate the above commenced in October 2016.

At its adjourned meeting held on 3 October 2016 the Major Projects Committee identified that the location of mix-use Building G (mixed-use), on the eastern side of the development site fronting Boas Avenue, restricted the line of sight into Civic Square and the Joondalup Library. It was therefore requested by the Major Projects Committee that investigations be undertaken to create an “arrival” point with a better line of sight into Civic Square.

Following consideration of the amendments made to the concept plan, at its meeting held on 28 November 2016 (Item 3 refers), it was agreed that the Major Projects Committee, among other things:

“2 REQUESTS further refinement of the Boas Place Concept Plan to ensure that:

- 2.1 Building G has minimal impact on the western facade of the library building;*
- 2.2 the pedestrian access way between Building G and Building A be redesigned to enable an engaging pedestrian experience;*
- 2.3 the new access way to the south of Building H be revised to give focus to a pedestrian environment, with a possible restricted vehicle access, as well as respect the natural area of Central Park.”*

DETAILS

Boas Place Concept Plan

The City's architectural consultant, Woods Bagot, has reviewed and amended the *Boas Place Concept Plan* taking into consideration the matters of concern raised by the Major Projects Committee.

Woods Bagot will present the amended concept plan as well as traffic and transport information on the southern access way to the Major Projects Committee via a PowerPoint presentation (Attachment 1 refers).

Design Guidelines

The *Boas Place Design Guidelines*, incorporating the landscape guidelines, are currently being finalised. The guidelines are not enforceable through the City's planning framework; however a *Local Planning Policy* will be prepared for the development that incorporates the components of the guidelines critical to ensuring appropriate built form and activity particularly at ground level and to support the development provisions of the *Joondalup Activity Centre Structure Plan*.

Devwest Group Pty Ltd

Advice received from Devwest indicates that negotiations with potential hotel operators are on-going. However, the demand for student accommodation in the Joondalup area appears to be falling with ECU indicating that they have no requirement for additional student accommodation in the short-term. Further, it is likely that any additional student accommodation will be constructed on ECU owned land.

Feasibility Analysis

The relevant information contained within the Town Planning / Subdivision Advice report prepared by the Rowe Group contributed to the preparation of a high level financial feasibility analysis of the development.

Further assessment of the potential expenditure and income streams is required following endorsement of the *Boas Place Concept Plan*. This assessment will include such items as:

- public realm costs
- validation of potential costs by a Quantity Surveyor
- impact on costs and income streams of staging the development (particularly the public realm).

The current estimates raised doubts about the financial benefits of implementing the concept plan in totality due to current low capital value of the land and the high cost of the public realm. This situation is now expected to be the long-term position; therefore there may be opportunity to develop a single site that complies with the endorsed concept plan as an initial investment. This would result in promoting the overall development and could act as a catalyst for further interest and investment.

Memorandum of Understanding

The exclusivity period of the MOU with Devwest has been extended by nine months, expiring on 10 September 2017.

At the same time as endorsing the extension to the exclusivity period, Council also authorised the commencement of negotiations with Devwest for a new MOU for one or more components of the *Boas Place Concept Plan* or either one or more of the lots or specific sites of the JCCD (CJ226-12/16 refers).

It is anticipated that these negotiations will occur following endorsement of the amended concept plan (*Boas Place Concept Plan* – Option 4B, Attachment 2 refers).

Expression of Interest – Office Accommodation in Joondalup

On Monday 30 January 2017 ACORPP on behalf of an undisclosed client, advertised an EOI for the following:

| | |
|-----------------------|--|
| Lease area: | 4,000sqm. |
| Property type: | Office accommodation. |
| Location: | Ideally located in Joondalup or up to 10 kilometres from the Joondalup City Centre. |
| Lease term: | Minimum 10 years. |
| Requirements: | Located in close proximity to public transport. Car parking – private and public. |
| Closing date: | 5.00pm, Friday 3 February 2017. |

Responses had to include the following information:

- Lease area.
- Proposed rent.
- Outgoings (if payable).
- Lease term and any renewal options.
- Number of car parking bays available and cost per bay.
- Incentives offered.
- A floor plan and brochure (if available).

The City understands that following consideration of responses to this EOI, successful respondents will be requested to provide a detailed proposal, should the undisclosed client choose to do so.

In collaboration with development partner Devwest the City submitted a proposal based on the concept plan for Boas Place. The submission incorporated many of the elements from the City's detailed proposal for State Government office accommodation in Joondalup.

The proposal outlined the components of the *Boas Place Concept Plan* and the benefits to tenants of being part of a mixed-used development in the heart of the City Centre close to all amenities including public transport and car parking.

The proposal also outlined that 4,000sqm of office accommodation could be facilitated in a number of locations within Boas Place; therefore not limiting the client to one specific location or building size.

Following submission of the proposal to ACORPP, the document was made available to Elected Members.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation

- The structure through which the City will facilitate any agreement with its development partner will comply with the City's obligations under the *Local Government Act 1995*.
- The development of the site (Lot 507 (90) Boas Avenue, Lot 496 (70) Davidson Terrace and part Lot 497 (102) Boas Avenue, Joondalup) is subject to the provision of *District Planning Scheme No. 2*.

Strategic Community Plan

| | |
|-----------------------------|--|
| Key theme | Quality Urban Development. |
| Objective | City Centre development. |
| Strategic initiative | Pursue the development of commercial office buildings within the Joondalup City Centre. |
| Policy | The development of the site is subject to the provisions of the relevant City of Joondalup planning policies. The project will also require the preparation of a <i>Local Planning Policy</i> . |

Risk management considerations

A risk management assessment will be a required component of the contract documents preparation phase and the business plan process required for any disposal of City owned land.

Financial / budget implications

Current financial year impact

| | |
|-----------------------------|--|
| Account no. | 220-C1041. |
| Budget Item | Joondalup City Centre Commercial Office Development – 220-2. |
| Budget amount | \$878,011 |
| Amount spent to date | \$279,542 |
| Balance | \$598,469 |

The approved 2016-17 project budget makes provision for legal advice, other consultancy, subdivision costs and marketing/promotion.

The project acknowledges that a business plan process will be undertaken in accordance with the City's obligations under the *Local Government Act 1995*.

All amounts quoted in this report are exclusive of GST.

Regional significance

The substantial commercial component of the integrated mixed-used development across Lot 507 (90) Boas Avenue and Lot 496 (70) Davidson Terrace will enhance the vitality and vibrancy of the City Centre by increasing the number of people attracted to it for work, retail, leisure, entertainment and commercial purposes. This, together with the attraction of permanent residents to the development, will provide the impetus for the City Centre to grow and become the preferred location for investment in high-order public and private employment generating infrastructure – key performance indicators identified by the State Government for the classification of a “primary centre” articulated in *Directions 2031 and Beyond*.

Sustainability implications

Environmental

Environmental sustainability initiatives will be incorporated into the proposed design of all components of the entire development. The sustainability focus is underpinned by two core principles:

- Enhance the end user experience and provide a high quality environment.
- Reduce operating expenses with sensible solutions that satisfy whole of life considerations.

Social

The total development of Boas Place will offer a range of attractions and activities for locals, workers, visitors and tourists to see and do, throughout different times of the day, week and year.

Reflecting Joondalup’s unique community profile and diverse mix of businesses, educational, health, retail and other uses already present in the Joondalup City Centre, Boas Place will be a destination where everybody feels welcome. Boas Place will provide flexibility in many aspects of the work/life balance and will be a place to work, socialise, network, shop and relax.

Economic

The overall economic impacts of the total development of Boas Place include one-off construction impacts and on-going impacts generated by additional employment.

The current *Boas Place Concept Plan* predicts that the total benefit, including flow on impact to the Joondalup economy will be 2,920 jobs. It is anticipated that of this number, 63% of the jobs generated will be taken up by local residents (some 1,857). This is likely to have a significant positive impact on the wider Perth metropolitan transport system by improving the employment self-sufficiency of the region.

The total on-going impact on the Australian economy will be in the vicinity of \$648 million in additional output and a total of 3,175 jobs added to the Australian economy.¹

¹ Sources: City of Joondalup Economic Development Analysis

The addition of 800 State Government officers, located in the new office building on the corner of Shenton Avenue and Davidson Terrace, will also benefit the JCCD. These officers will increase the customer base for the commercial/retail tenants of the development and act as an attractor to potential end-users.

Consultation

In determining the proposed concept plan options, substantial consultation was undertaken with external consultants including Arup, Rowe Group, Woods Bagot and Seedesign. Devwest also provided input based on their negotiations with potential end-users and current market conditions.

Further, consultation regarding Crime Prevention through Environmental Design (CPTED) and environmentally sustainable design principles will be undertaken prior to the finalisation of the *Boas Place Design Guidelines*.

COMMENT

It is considered that the amended concept Plan (*Boas Place Concept Plan – Option 4B*) addresses the issues raised by the Major Projects Committee concerning Building G and the southern access way.

Endorsing the concept plan will enable the City to commence negotiations with Devwest on a new MOU (as authorised by Council at its meeting held on 13 December 2016, CJ226-12/16 refers), prepare marketing materials to promote the development, finalise the design guidelines and finalise the financial analysis of the project, particularly the financial impact to the City.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Major Projects Committee at its meeting held on 13 March 2017.

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

That Council:

- 1 *NOTES the Joondalup City Centre Development Project Status Report;*
- 2 *ENDORSES the Boas Place Concept Plan – Option 4B as detailed in Attachment 2 to this Report.*

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

That Council:

- 1 *NOTES the Joondalup City Centre Development Project Status Report;*
- 2 *ENDORSES the Boas Place Concept Plan – Option 4B as detailed in Attachment 2 to this Report;*

- 3 NOTES the new access way on the southern boundary of the site is to be part of the Boas Place Concept Plan – Option 4B, with construction and utilisation of the access way to connect Lakeside Drive and Grand Boulevard, paying due regard to the environmental area of Central Park.

MOVED Mayor Pickard, SECONDED Cr Hollywood that Council:

- 1 NOTES the Joondalup City Centre Development Project Status Report;**
- 2 ENDORSES the Boas Place Concept Plan – Option 4B as detailed in Attachment 2 to Report CJ036-03/17;**
- 3 NOTES the new access way on the southern boundary of the site is to be part of the *Boas Place Concept Plan – Option 4B*, with construction and utilisation of the access way to connect Lakeside Drive and Grand Boulevard, paying due regard to the environmental area of Central Park.**

The Motion was Put and

CARRIED (12/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman and Taylor.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14agn170321.pdf](#)

Cr Poliwka entered the Chamber at 9.06pm.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

C17-03/17 NOTICE OF MOTION NO. 1 – CR RUSS FISHWICK - INSTALLATION OF A FOOTPATH STRATHYRE DRIVE, DUNCRAIG

In accordance with Clause 4.6 of the *Meeting Procedures Local Law 2013*, Cr Russ Fishwick has given notice of his intention to move the following Motion at the Council meeting to be held on Tuesday 21 March 2017:

“That Council:

1 *BY AN ABSOLUTE MAJORITY REVOKES Part 2 of its decision of 13 December 2016 (CJ221-12/16 refers) as follows:*

“2 *SUPPORTS the installation of a 1.8 metre wide concrete footpath to be located at least 2.3 metres from the back of kerb where practical and to be installed on the eastern verge of Strathyre Drive from Beach Road to Methuen Way, Duncraig as detailed in Attachment 3 to Report CJ221-12/16;”;*

2 *SUPPORTS the installation of a 1.8 metre wide concrete footpath to be located behind the back of the existing kerb on the eastern verge of Strathyre Drive from Beach Road to its northern intersection of Methuen Way, Duncraig.”*

Reason for Motion

- 1 The proposed footpath alignment in Strathyre Drive is located at the back of kerb connecting to Sycamore Drive.
- 2 The alignment for the proposed footpath on the northern side of Methuen Way is at the back of kerb connecting to the Freeway PSP.
- 3 The alignment of the proposed footpath in Strathyre Drive from its northern intersection with Methuen Way is at the back of kerb of at Lots 86 and 85 where there are some verge trees.
- 4 The alignment of the proposed footpath in Strathyre Drive from the southern intersection with Methuen Way is at back of kerb except where there are some verge trees at Lot 54 where it is on the back of kerb alignment.

I am of the view that the path alignment should be consistent and be located at the back of kerb for the whole length of Strathyre Drive.

If I was a resident and maintaining my verge I would prefer to look after one verge at 4.5 metres wide rather than two verges of 2.3 metres and 2.2 metres dissected by a footpath as it would be easier for mowing grass and trimming the edges.

I consider the footpath alignment at the back of kerb would provide an opportunity to plant more street trees a distance greater than 1.8 metres from the edge of the road which I consider is a safer location for vehicular traffic rather than closer to the carriageway. This would then provide a clear zone to a non-frangible structure should a vehicle run off the road.

It would provide better safety in terms of walking in a straight line for pedestrians particularly those pushing prams, using a wheel chair or those that have impaired vision.

In the report considered by Council at its meeting held on 13 December 2016 (CJ221-12/16 refers) one of the reasons given for aligning the footpath 2.3 metres behind the back of the kerb is, *“to take into consideration the requirements of the Residential Development Local Planning Policy”*. The use of the verge to create parking bays for high density living in residential areas was not supported by Elected Members and I cannot support the use of the verge for parking embayments in this location given its effect on the residential amenity of the streetscape.

Currently most residents do not want a footpath in Strathyre Drive but if it is to be installed then their preference is that it be located at the back of kerb. I understand that the residents of Strathyre Drive will be submitting a petition to Council on aligning the footpath at the back of the kerb which demonstrates support for the motion.

In accordance with clause 13.4 of the City of Joondalup Meeting Procedure Local Law 2013, the notice of Motion was supported by Councillors Fishwick, Poliwka, McLean, Dwyer and Logan.

Officer’s Comment

Strathyre Drive is a local access road that connects to Beach Road in the south and Sycamore Drive in the north. Strathyre Drive is within a 300 metre radius of the Warwick Train Station and the PSP that extends along the Mitchell Freeway. Davallia Primary School and the Carine Glades Shopping precinct are both within one kilometre of Strathyre Drive.

According to the latest vehicle volumes undertaken in March 2016, Strathyre Drive currently carries from 429 to 624 vehicles per day (vpd). The breakdown of the vehicle volumes and vehicle speeds are provided in the table below:

| Street | Location | Vehicles per day (vpd) | 85th percentile speed km/h |
|-----------------|----------------------------|-------------------------------|--|
| Strathyre Drive | North of Beach Road | 624 | 38 |
| | South of Methuen Way North | 429 | 57 |
| | East of Sycamore Drive | 508 | 38 |

The installation of a footpath on Methuen Way provides an integral connection to support the footpath installation on Strathyre Drive. Methuen Way is also a local access road that connects to Strathyre Drive in the north and south. The PSP runs along the eastern verge and also provides the connection to the Warwick Train Station via a footbridge.

The footpath installation is proposed for the eastern verge of Strathyre Drive with the alignment of 2.3 metres behind the back of the kerb where possible, to take into consideration the requirements of the City's Leafy City Program. This alignment allows for the following:

- The proposed 2.3 metre path alignment in this section of Strathyre Drive will enhance the pedestrian walking environment due to the separation from traffic movements.
- Locating the footpath at least 2.3 metre from the back of kerb would enable street trees to be planted in a location that would provide shade to both the footpath and the road. This would have a greater effect in reducing the heat island effect and achieving the aims of the Leafy City Program.
- This alignment will see the trees planted at least one metre from the existing kerb line which is an acceptable clearance under State Government's Liveable Neighbourhood Guidelines and provides a sufficient clear zone for vehicle movements.

The City does not support the change in alignment to have the footpath back of kerb.

MOVED Cr Fishwick, SECONDED Cr Dwyer that Council:

1 BY AN ABSOLUTE MAJORITY REVOKES Part 2 of its decision of 13 December 2016 (CJ221-12/16 refers) as follows:

“2 SUPPORTS the installation of a 1.8 metre wide concrete footpath to be located at least 2.3 metres from the back of kerb where practical and to be installed on the eastern verge of Strathyre Drive from Beach Road to Methuen Way, Duncraig as detailed in Attachment 3 to Report CJ221 12/16;”

2 SUPPORTS the installation of a 1.5 metre wide concrete footpath to be located behind the back of the existing kerb on the eastern verge of Strathyre Drive from Beach Road to its northern intersection of Methuen Way, Duncraig.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

C18-03/17

**NOTICE OF MOTION NO. 2 – MAYOR TROY PICKARD –
DECOMMISSIONED NAVAL VESSEL**

In accordance with Clause 4.6 of the City of Joondalup Meeting Procedures Local Law 2013, Mayor Pickard has given notice of his intention to move the following Motion at the Council meeting to be held on Tuesday 21 March 2017:

“That Council REQUESTS the Chief Executive Officer to prepare a report on the opportunity for the City to be part of a joint Expression of Interest bid with the Government of Western Australia to fund the decommissioning of a naval vessel off the coast of Western Australia in the Marmion Marine Park.”

Reason for Motion

The City has 17 kilometres of coastal foreshore with a considerable portion of it falling within the Marmion Marine Park. The park is one of Perth’s most important areas for aquatic recreation.

The City is working collaboratively with the State Government (through Landcorp) to plan a major marina for the area (the Ocean Reef Marina development) which will provide a world class recreational, residential, boating and tourism marina development for both the local community and all Western Australians.

The City has a strong background and track record in progressing environmentally sensitive developments and to this end the Ocean Reef Marina seeks to provide opportunities for residential and commercial development within the Marmion Marine Park with the development being initiated in a way to recognise the special attributes of this locality.

The City expressed an interest to the Government of Western Australia to explore the opportunity for a decommissioned Australian naval vessel to be scuttled off the coast in the Marmion Marine Park. The Department of the Premier and Cabinet has advised vessels may become available in 18 to 24 months (not confirmed) and at that time the Department of Defence will likely notify States and Territories of the opportunity. The department has welcomed a commitment from the City to potential funding for a decommissioned naval vessel and will then ensure the City is considered should the opportunity arise.

Officer’s Comment

A report can be prepared.

MOVED Mayor Pickard, SECONDED Cr Hollywood that Council REQUESTS the Chief Executive Officer to prepare a report on the opportunity for the City to be part of a joint Expression of Interest bid with the Government of Western Australia to fund the decommissioning of a naval vessel off the coast of Western Australia in the Marmion Marine Park.

The Motion was Put and**CARRIED (13/0)**

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

C19-03/17

NOTICE OF MOTION NO. 3 – MAYOR TROY PICKARD – PLASTIC BAG REDUCTION LOCAL LAW

In accordance with Clause 4.6 of the City of Joondalup Meeting Procedures Local Law 2013, Mayor Pickard has given notice of his intention to move the following Motion at the Council meeting to be held on Tuesday 21 March 2017:

“That Council REQUESTS a report from the Chief Executive Officer on the opportunity to prepare a Plastic Bag Reduction Local Law under the provisions of the Local Government Act 1995.”

Reason for Motion

The intent of the local law would be to enable the City to become a plastic bag free City, proposing that only biodegradable bags are to be utilised within the district. The purpose of the proposed local law would be to *‘reduce the use of plastic shopping bags within the City of Joondalup to the effect that the local law would prohibit retailers from providing single use plastic shopping bags to customers.’* The City of Fremantle has recently initiated such a local law and has now overcome some of the initial legal impediments.

Research published by the CSIRO in 2014 has found that approximately three-quarters of the rubbish along the Australian coastline is plastic. In coastal and offshore waters, most floating debris is plastic. The density of plastic ranges from a few thousand pieces of plastic per square kilometre to more than 40,000 pieces of plastic per square kilometre. Debris is more highly concentrated around major cities. It is likely that the high levels of debris on the southwest coast are due to strong onshore winds and the origins of the currents that run along the coast.

Although as much as two-thirds of plastic bags are reused once or twice prior to disposal (Australian Bureau of Statistics 2012), very few are recycled and some become litter. The information gathered by Clean Up Australia through its annual clean up days, suggests that between 30-50 million plastic bags could be entering the Australian environment as litter every year. The number of littered plastic bags means that collections carried out by volunteers, local and state government agencies are unable to capture all littered bags – the National Litter Index identified that plastic bags make up 1.6% of litter items (NSW EPA 2016). Aside from the obvious impact this has on animals when they become entangled, or ingest it, littered plastic bags are contributing to the accumulation of micro-plastics in the environment, as they break down into smaller pieces.

From research undertaken by CSIRO in 2014 it is evident that Western Australia has one of the highest levels of plastic pollution in the country and there is a particularly high loading along the coast around the Perth metropolitan area.

Officer’s Comment

A report can be prepared.

In regard to the implications associated with the introduction of such a local law. The City of Fremantle has previously endeavoured to create a similar local law however Parliament (through the Legislative Council) disallowed the local law firstly in 2013 (on a motion of disallowance from the Joint Standing Committee on Delegated legislation) and again in 2015 (as a result of a private member’s motion). Advice from the City of Fremantle suggests that it may again initiate local law proceedings following the State Election.

MOVED Mayor Pickard, SECONDED Cr Norman that Council REQUESTS a report from the Chief Executive Officer on the opportunity to prepare a *Plastic Bag Reduction Local Law* under the provisions of the *Local Government Act 1995*.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Dwyer, Fishwick, Gobbert, Hamilton-Prime, Hollywood, Jones, Logan, McLean, Norman, Poliwka and Taylor.

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 9.17pm the following Elected Members being present at that time:

MAYOR TROY PICKARD
CR KERRY HOLLYWOOD
CR TOM MCLEAN, JP
CR PHILIPPA TAYLOR
CR NIGE JONES
CR LIAM GOBBERT
CR RUSSELL POLIWKA
CR CHRISTINE HAMILTON-PRIME
CR MIKE NORMAN
CR JOHN CHESTER
CR JOHN LOGAN
CR RUSS FISHWICK, JP
CR SOPHIE DWYER