

minutes

MEETING HELD ON **TUESDAY 12 DECEMBER 2017**

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CITY OF JOONDALUP

COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY 12 DECEMBER 2017.

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.20pm.

ANNOUNCEMENT OF VISITORS

Mayor:

HON. ALBERT JACOB, JP

Councillors:

CR KERRY HOLLYWOOD	North Ward	<i>from 7.21pm</i>
CR TOM McLEAN, JP	North Ward	<i>absent from 8.54pm to 8.56pm</i>
CR PHILIPPA TAYLOR	North Central Ward	<i>from 7.21pm</i>
		<i>absent from 9.32pm to 9.34pm</i>
CR NIGE JONES	North Central Ward	
CR CHRISTOPHER MAY	Central Ward	
CR RUSSELL POLIWKA	Central Ward – <i>Deputy Mayor</i>	<i>absent from 9.31pm to 9.34pm</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	<i>absent from 7.52pm to 7.55pm</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
MR NICO CLAASSEN	Director Infrastructure Services
MR BRAD SILENCE	Manager Governance
MR MIKE SMITH	Manager Leisure and Cultural Services
MR CHRIS LEIGH	Manager Planning Services
MR MARK McCRORY	Manager Marketing and Communications
MR DANIEL DAVINI	Media Advisor
MR JOHN BYRNE	Governance Coordinator
MRS LESLEY TAYLOR	Governance Officer
MRS DEBORAH GOUGES	Governance Officer

There were 70 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	CJ208-12/17 - Proposal for a Kingsley Commemorative Peace Precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley - Alternative Location Proposal.
Nature of Interest	Proximity Interest.
Extent of Interest	Cr Poliwka owns property in proximity.

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	CJ210-12/17 - Request for Leave - Chief Executive Officer.
Nature of Interest	Financial Interest.
Extent of Interest	The Chief Executive Officer is requesting annual leave.

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 Hon. Albert Jacob, JP.
Item No./Subject	CJ191-12/17 - Proposed Unlisted Use (Telecommunications Infrastructure) at HBF Arena Lot 103 (25) Kennedy Drive, Joondalup.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Mayor Jacob's children attend Lake Joondalup Baptist College which is adjacent to the proposed tower.

Name/Position	Cr Philippa Taylor.
Item No./Subject	CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Residents in Heathridge (both for and against) are known to Cr Taylor.

Name/Position	Mr Brad Sillence, Manager Governance.
Item No./Subject	CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	As a Heathridge resident, Mr Sillence made a submission as part of the community consultation process.

Name/Position	Cr Mike Norman.
Item No./Subject	CJ207-12/17 - Mullaloo Coastal Foreshore Reserve Management Plan 2018-2022.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Norman is the Treasurer of the Joondalup Community Coast Care Forum of which the Mullaloo Beach Community Group is a member.

Name/Position	Cr John Chester.
Item No./Subject	CJ208-12/17 - Proposal for a Kingsley Commemorative Peace Precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley - Alternative Location Proposal.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Chester is a member of the Kingsley and Greenwood Residents Association.

Name/Position	Cr John Logan.
Item No./Subject	CJ208-12/17 - Proposal for a Kingsley Commemorative Peace Precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, LOT 15031 (72) Kingsley Drive, Kingsley - Alternative Location Proposal.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan is a member of the Kingsley and Greenwood Residents Association which supports the proponent's proposal and is known to a number of the stakeholders.

PUBLIC QUESTION TIME

The following questions were taken on notice at the Council meeting held on 21 November 2017:

Mr L Sparks, Hillarys:

Re: *CJ187-11/17 – Petitions regarding the installation of toilet facilities and additional car parking on Broadbeach Park, Hillarys.*

Q1 *What can Council do to reduce the activity rather than increase the burden on the native flora and fauna in Broadbeach Park by the additional toilet block proposal?*

A1 At its meeting held on 21 November 2017 (CJ187-11/17 refers), it was resolved that Council does not support the installation of toilet facilities at Broadbeach Park, Hillarys.

Q2 *Will the installation of the proposed toilet block increase the pressure on the native inhabitants of Broadbeach Park due to increased human activity in the park and also increase the drug use in the park near the playground area?*

A2 Refer A1 above.

Mrs M Wegg, Hillarys:

Re: CJ187-11/17 – Petitions regarding the installation of toilet facilities and additional car parking on Broadbeach Park, Hillarys.

Q1 Does Council believe it would be a better use of funds to improve the core facilities of other local public open spaces within the City rather than install expensive and unnecessary facilities at Broadbeach Park and the impost of ongoing expenses?

A1 At its meeting held on 21 November 2017 (CJ187-11/17 refers), it was resolved that Council:

1 DOES NOT SUPPORT the installation of toilet facilities at Broadbeach Park, Hillarys;

2 DOES NOT SUPPORT the installation of additional car bays at Broadbeach Park, Hillarys;

Q2 Does Council acknowledge that if toilets and additional parking were to be installed at Broadbeach Park that this would set a precedent for other local parks to also have toilets and parking that is normally located in regional parks?

A2 Refer A1 above.

Mrs N Stuart-Richardson, Hillarys:

Re: CJ187-11/17 – Petitions regarding the installation of toilet facilities and additional car parking on Broadbeach Park, Hillarys.

Q1 Does Council acknowledge that toilet facilities at Broadbeach Park will be detrimental to the surrounding local residents through crime, vandalism, graffiti, drug use and dealings and other anti-social behaviour. How will Council manage these issues in a real and cost effective manner?

A1 At its meeting held on 21 November 2017 (CJ187-11/17 refers), it was resolved that Council does not support the installation of toilet facilities at Broadbeach Park, Hillarys.

Ms N Dangar, Beldon:

Re: Hire / Bookings of Council facilities.

Q1 Which part or clause under Australian State and Federal legislation guided the City planning in the community facility program which has had the effect of denying the Beldon community any access or booking rights to the Beldon kitchen inside the toilet block which was a community amenity prior to the makeover in 2012?

Q2 When providing clarification of the City's current term of 'user groups', please provide a definition of what a hireable community facility is.

A1 & 2 There is no state or federal legislation that guides the City's planning in the community facility program. The City defines a hireable community facility as a facility that has been designed and constructed with a functional hireable space (such as meeting room or function room) and multi-purpose and shared use principles. These facilities are designed in a way that provides for secure and safe usage of the community facility by a number of regular user groups while also allowing the facility to be utilised by casual users. An example of this type of facility would be the Bramston Park Community Sporting Facility which has a meeting room, kitchen, furniture store and internal community group store.

Regular hire groups for the purpose of facility bookings are defined by the City as a group that makes a minimum of 12 recurring bookings, being a booking made for the same day, time and venue across a recurring and consecutive period (that is every Monday, first Monday of every month and the like). Regular bookings are made either annually or seasonally (summer or winter sporting seasons).

Some of the City's toilet / change room buildings have what is called a kiosk included (Beldon Park, Charonia Park and Ocean Reef Park being examples). Such buildings are not hireable facilities as they were built by the City in the past to provide basic additional infrastructure to assist those sporting clubs while accessing the adjoining playing fields.

Mrs L Dawson, Heathridge:

Re: Proposed Redevelopment of Prince Regent Park.

Q1 *As the JUFC is identified as a not-for-profit community sporting organisation, does Council view payment of NPL players by the Joondalup United Football Club as a commercial arrangement?*

A1 The City does not govern organisations in line with the *Associations Incorporation Act 2015*, however guidance provided by the Department of Mines, Industry Regulation and Safety who are the department responsible for managing the Act advises that incorporated associations "may not use honorariums as a way of distributing its income to members, but can make payments of wages or other remuneration to members, so these payments may be made if they represent remuneration for services actually provided to the association (even if the rate at which payment is made is less than the usual market rate)".

Mrs B McGhie, Duncraig:

Re: Festivals held in City of Joondalup - Kaleidoscope.

Q1 *When festivals are held in the City of Joondalup, particularly the recent Kaleidoscope Festival, are there any provisions for Councillors to ensure that festivals do not mitigate or run the risk of mismanagement when they are staged?*

A1 The City of Joondalup holds a number of annual events, including the recent Kaleidoscope Festival, which are delivered by qualified and experienced event professionals.

During the event planning process, a significant number of documents are prepared to assist with the delivery of events. These include:

- *Event Management Plan*
- *Risk Management Plan*
- *Emergency Management Plan*
- *Security Management Plan*
- *Traffic Management Plan.*

Elected Members are regularly updated during the planning process for major events.

The 2017 Kaleidoscope Festival attracted 88,000 people to the Joondalup City Centre over the four nights of the event which made it one of the biggest free events ever staged in the northern corridor.

As a result of such large numbers, the event organisers arranged a series of one-way journeys and a large open space around the food trucks and in Central Park to ensure pedestrian traffic moved throughout the Festival safely.

Roped-off queuing areas were also used to ensure safe and orderly journeys through the most popular attractions.

The City undertakes detailed reviews and debriefs of its events to ensure all feedback received and lessons learnt are used in the planning and delivery of future events.

The following questions were submitted prior to the Council meeting on 12 December 2017:

Ms N Dangar, Beldon:

Re: CJ206-12/17 – Prince Regent Park, Heathridge – Community Sporting Facility.

Q1 *When will the City acknowledge and confirm that we were informed by the administration by email dated 5 December 2017, that the facilities and the park were available for booking and that the Community Facilities Officer agreed that Saturdays were not booked by any club, and that the right forms were supplied to us at the time?*

A1 The City is aware of an email sent Ms Dangar on 5 December 2017 by the City answering a number of questions raised in regard to Beldon Park, Beldon. This email responded to a number of questions in regard to the kiosk at Beldon Park, Beldon including:

- the building's compliance with relevant building standards and fire and safety requirements
(The City's response was that it did meet the standards of the time it was constructed)
- the relevant insurance policies and requirements in relation to the building
(The City's response was that the City held a public liability insurance for all public venues, however regular hirers were required to hold their own insurance as well)
- the City's management of the kiosk and storage

(The City's response was that the kiosk was only approved for limited food preparation and the sale of pre-packaged food and beverages, and that the toilets, change rooms and umpires rooms were made available to all Beldon Park hirers, while the kiosk and any available storage areas may be made available to regular hirers)

- the usage agreements between the City and the Joondalup United Football Club (The City's response was that the JUFC held a number of seasonal hire agreements with the City for Beldon Park, Charonia Park and Prince Regent Park)
- information in regard to the City's public toilets (The City's response was that the City managed 28 public toilets which automatically opened at 6.00am and locked at 8.00pm seven days a week).

This email does not refer to any park availability or booking application forms.

Q2 *Is the City in receipt of the Event and Casual User Booking forms submitted on Friday 8 December 2017 for a proposed car boot sale?*

A2 Yes, the City received a Booking and Event Application Form from the Beldon Resident's Association on Friday 8 December 2017.

Mr A Potter and Ms J Jurak, Iluka:

Re: *CJ192-12/17 – Proposed Amendment to the Iluka Structure Plan and two Proposed Local Development Plans – Consideration following public consultation.*

Q1 *Where the developer has stated:*

'releases will be developed and timed to respond to market demand...'

Will Council prevent the development to occur based on market demands, which only benefits the developer and if partially completed or completed over a number of years will negatively impact our property, quality of life and quiet enjoyment, as our property price will drop.

A1 The City cannot control when a property is developed, however issues associated with sand drift, noise and other associated impacts during construction are generally managed by a condition of planning approval which requires a construction management plan be lodged with the City prior to commencement of works. This management plan states how the developer / builder will manage works to limit any impact on surrounding landowners during construction.

Q2 *How will Council prevent the lots remaining empty lots if the developer feels it is no longer viable to develop the remaining land?*

A2 The City cannot control when a property is developed and has no ability to require a landowner to commence development on vacant land.

Q3 *Will Council please explain how the plans for the proposed development are in keeping with the State Planning Policy No. 2.6: State Coastal Planning Policy, Section 5.4: Building height limits that states:*

- (iii) *When determining building height controls in a local planning scheme and/or structure plan, building heights should have due regard to the following planning criteria:*
 - (a) *development is consistent with overall visual theme identified as part of land use planning for a locality or in an appropriate planning control instrument such as a local planning strategy;*
 - (e) *there is overall visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.*
- A3 The height provisions within *State Planning Policy 2.6: State Coastal Planning Policy* only apply to development within 300 metres of the horizontal shoreline. Notwithstanding, a fourth storey element within the locations specified under the draft Local Development Plans would be considered in detail once a development application is lodged for determination and would consider the impact on nearby residential areas, roads and public spaces.
- Q4 *Will Council please explain how they know the development's building height will not interfere with the cooling coastal sea breeze, an integral factor for cooling our energy efficient and sustainably designed home?*
- A4 There are no provisions within the planning framework which considers how development will impact ventilation when the affected land is not located directly adjacent to the site. As a result, this has not been considered as part of the assessment of the proposal.

Mr P Oliver, Iluka:

Re: *CJ192-12/17 – Proposed Amendment to the Iluka Structure Plan and two Proposed Local Development Plans – Consideration following public consultation.*

- Q1 *Why is Council supporting strip retail instead of a local village style retail precinct?*
- A1 The lot configuration and local road network have been subdivided / designed on the basis of a 'main street' local centre being developed on the subject sites. This was the original intent under the *Iluka Structure Plan* when it was initially adopted in 2002. No modification has been proposed to this aspect of the *Iluka Structure Plan*.
- Q2 *Why is Council not recommending removal of the amendment to Clause 6.1.1 Building Size in the LDP's, when it is not permitted to be amended in Clause 7.3.1 of the R Codes?*
- A2 As stated in the report, it is considered that the bulk and scale of the development will be effectively controlled without a prescribed plot ratio area, as the proposed setback, building height and open space development provisions under the draft local development plans control these impacts more effectively than a simple plot ratio requirement will.

Should Council resolve to approve the local development plans, this approval will be subject to the Western Australian Planning Commission (WAPC) supporting the proposed amendments to the *Residential Design Code* clauses 6.1.1 (building size), 6.1.5 (open space) and 6.4.3 (dwelling size) as required by the *Residential Design Codes*. If the proposed amendments are not supported by the WAPC, the applicant / developer will be required to modify the draft local development plans for further consideration by the City.

- Q3 *Why is Council supporting four storeys when there is a clear objection from the residents to the four storey height for the proposed development?*
- A3 Council has not yet formed a position on this matter. The City's planning staff have formed a recommendation for Council's consideration. It is noted that a decision on the structure plan amendment and local development plans will not approve four storey development 'as of right'. A subsequent development application will need to demonstrate that a fourth storey would not have a negative impact on the surrounding community.
- Feedback from residents is not the sole determining factor on whether or not a proposed structure plan or development proposal should be approved or refused. Planning justification for the proposal by the applicant and the general planning merits of a proposal, combined with feedback received from residents, assists the City in forming a position on a proposal.
- Q4 *Why is council not recommending removal of the proposed amendment to the R Codes Context Clause 6.1 – Clause 6.1.5 Open Space in the LDP's, when it is not permitted to be amended under Clause 7.3.1 of the R Codes unless supported by the City of Joondalup?*
- A4 As outlined above, should Council resolve to approve the local development plans, this approval will be subject to the Western Australian Planning Commission (WAPC) supporting the proposed amendments to clauses 6.1.1 (building size), 6.1.5 (open space) and 6.4.3 (dwelling size) as required by the *Residential Design Codes*. If the proposed amendments are not supported by the WAPC, the applicant / developer will be required to modify the draft local development plans for further consideration by the City.
- Q5 *Will Council give any consideration to the comments made by the residents in regard to the amendments to the ISP, the proposed LDP's and ask the proponent to modify both and re-submit?*
- A5 The key issues / themes raised during public consultation have been outlined and addressed within the report. This information will assist Council in forming a view and making a decision.

Mr N Catterall, Iluka:

Re: *CJ192-12/17 – Proposed Amendment to the Iluka Structure Plan and two Proposed Local Development Plans – Consideration following public consultation.*

In relation to agenda item CJ192-12/17 at page 18 - 'Executive Summary' it states:

'A further approval process, via a development application which will include public consultation, will need to be undertaken before any concept or design proposal for the site is granted approval.'

- Q1 *As this is not always the case in relation to Development Applications, please can Council confirm that any Development Application received in relation to the 'Iluka Local Centre Lot No. 1754' and also 'Iluka Local Centre Lot No. 1840' if submitted would be subject to public consultation prior to any concept or design proposals for the sites being granted approval?*

- A1 Yes, as indicated in the report to Council, further public consultation will be undertaken in regard to any detailed development proposal received for the site.
- Q2 *Can Council confirm what extent and format the above public consultation exercises would take, if a Development Application was submitted in relation to either 'Iluka Local Centre Lot No.1754' or 'Iluka Local Centre Lot No. 1840'?*
- A2 The extent of consultation and exact method of consultation will be determined by the City once any proposal is received. Consultation normally includes writing to landowners and occupants of properties directly affected by a development proposal; making documents available for viewing at the City's Administration building and placing a notice on the City's website. For more significant development proposals, consultation may also include erecting a sign on site and placing a notice through the City's social media platforms.

Mr M Dickie, Perth:

Re: *CJ177-11/17 – Local Housing Strategy – Addressing Issues in Housing Opportunity Areas.*

Q1 *With reference to questions raised at the Council meeting held on 21 November 2017 by Mr D Charron and given that Members should know that conformity with "any policy of the Commission" is only one of 11 items in Clause 6.8 of the scheme to which Council "shall have due regard", why did the Mayor advise that "Council does not have the ultimate authority in these matters"?*

A1 The question asked by Mr D Charron at the Council meeting held on 21 November 2017 referenced a number of issues, including the amalgamation of lots and the change of residential density codes. In regard to the amalgamation of parcels of land, the Western Australian Planning Commission are the decision-making authority. In regard to amendments to a planning scheme to change the residential density code, the Minister for Planning is the decision maker.

Re: *Cities Climate Protection Program.*

Q2 *Since the City endorsed a target in 2002 as part of the Cities for Climate Protection Program "to reduce corporate greenhouse gas emissions by 20% by 2010 based on 2000 levels and a stretch target of 35% reduction" and, as reported in 2010, it was failing to meet this objective since greenhouse gases had only been reduced by 16% could you please relate to the Year 2000 baseline the figures given on page 132 of the Annual Report tabled at the last meeting of Council?*

A2 The emissions was included in the City of Joondalup Greenhouse Action Plan 2007 – 2010.

The implementation of this plan is now complete and the CCP Program ended in 2009 when Federal funding ceased.

Since the end of the Greenhouse Action Plan and the cessation of the CCP Program the City has developed the Climate Change Strategy 2014 – 2019 to guide its climate change mitigation and adaptation activities. The Annual Report 2016-17 provides the City's total greenhouse gas emissions (18,366 t/CO₂-e) and amount of emissions that are offset (1,607 t/CO₂-e) for 2016-17.

Emission data collected under the CCP Program related to net greenhouse gas emissions (total emissions minus offsets). The City's net greenhouse gas emissions for 2016-17 were 16,759 t/CO₂-e which is a 26% reduction compared to the 2000-01 CCP Program baseline.

Mr R Hanna, Beldon:

Re: Proper and Legislated Procurement Procedure of Awarded Contract.

Q1 *Did the City recently award a contract of high value without following the proper and legislated procurement procedure?*

A1 The City has well established and documented procurement procedures to ensure compliance with legislated requirements and procurement best practice. All procurement is required to follow these. These procedures have been subject to independent scrutiny and procurement is subject to annual audit.

The following questions were submitted verbally at the Council meeting:

Mr D McFarlane, Joondalup:

Re: CJ205-12/17 – 2017 Active Reserve and Community Facility Review.

Q1 *If Council decides to vote against the proposed upgrade of Prince Regent Park, how does that align with the City's active reserve management strategy?*

A1 Mayor Jacob stated that was a speculative question and that Elected Members will consider all the relevant issues when debating and determining the matter.

Q2 *Why has the Joondalup United Football Club in its 18 year history never formed a part of the Five Year Capital Works Program or the 20 Year Strategic Financial Plan in any capacity when they have always been a successful club with rapid growth over the years?*

A2 Mayor Jacob commented that the *Five Year Capital Works Program* is focussed on facilities not the users of the facilities, with a focus on community needs within the City of Joondalup.

Mr N Sherwin, Currambine:

Re: CJ206-12/17 – Prince Regent Park, Heathridge – Community Sporting Facility.

Q1 *As a result of concerns previously raised about liquor licences for sporting clubs, will there be any implications for those sporting clubs who have been approved licences by Racing, Gaming and Liquor who rely on the revenue generated to keep their organisation afloat, bearing in mind that the City of Joondalup must also approve the licence for application before it goes to Racing, Gaming and Liquor?*

A1 Mayor Jacob believed this was a speculative question and commented that Council in making its decision this evening should not consider the aspect of a liquor licence as this was not part of the process. The granting of a liquor licence was a separate matter to be processed by the Department of Racing, Gaming and Liquor.

Q2 *Are there any plans in place by the City to audit sporting clubs and community organisations in the City to ensure that they are not selling alcohol illegally or are operating without a liquor licence?*

A2 Mayor Jacob commented the City of Joondalup has no intention at this stage of conducting pre-emptive audits across the City. The City hires out these facilities, and while it is not the regulator of liquor licences, the City does investigate complaints relating to illegal or inappropriate consumption of alcohol at its facilities.

Mr J Stone, Kinross:

Re: CJ206-12/17 – Prince Regent Park, Heathridge – Community Sporting Facility.

Q1 *With only 3% of the residents in the suburb of Heathridge in total and only 18% within 200 metres responding, would voting against a proposal based on such low numbers set a precedent for every proposal moving forward?*

A1 Mayor Jacob stated that Council is not bound by precedence when it considers a discretionary matter.

Q2 *Does Council generally vote against recommendations made by the City's administration?*

A2 Mayor Jacob commented in his experience of observing Council meetings, Council's may make decisions contrary to an officer's recommendation. Mayor Jacob stated that this is not by any means the norm, with the officer's recommendation usually carried.

Mr L Sparks, Hillarys:

Re: Footpath – Broadbeach Park, Hillarys.

Q1 *Who first proposed Council to construct a footpath around Broadbeach Park, Hillarys that was installed on 1 December 2014?*

A1 Mayor Jacob advised this question would be taken on notice.

Mrs S Thompson, Duncraig:

Re: Housing Opportunity Area No. 1.

Q1 *Is it possible for Amendments No. 88 and No. 90 to be advertised as soon as the Western Australian Planning Commission return its verdict on Amendment No. 90, likely January 2018 at the earliest?*

A1 Mayor Jacob advised that was a decision for Council to consider later in the meeting.

Q2 *How is Amendment No. 73 a good policy, which benefits no one other than the developers' pockets?*

A2 Mayor Jacob advised the question was subjective in nature and the Item would be considered later in the meeting.

Mr J Summers, Iluka:

Re: CJ192-12/17 – Proposed Amendment to the Iluka Structure Plan and two Proposed Local Development Plans – Consideration following public consultation.

Q1 If any areas of the proposed development do not include a commercial ground floor unit and instead include a residential ground floor unit would the developer be held to a maximum building height of only nine metres? If so, can this clarification be included in the amended structure plan?

A1 The Director Planning and Community Development advised there was a standard requirement for commercial non-residential tenancies to have extra height because of the different servicing needs. The structure plan is attempting to reflect that if it is a commercial premises additional height is required.

Q2 Current provisions state a maximum building height restriction of three storeys shall apply for development within the commercial zone unless it can be demonstrated to the satisfaction of the determining authority that additional height will not negatively impact on the amenity of surrounding landowners. Why is Council considering allowing four storeys, when a building of three storeys would struggle to satisfy any of the provisions?

A2 The Director Planning and Community Development advised the Structure Plan and two Local Development Plans are seeking flexibility in the design outcomes of the corner lot and any future development application will need to prove that the proposed development is not going to cause undue negative impact. The proposed structure plan amendment allows for consideration of height above the existing three storey limit.

C89-12/17**FIRST EXTENSION OF PUBLIC QUESTION TIME - [01122, 02154]**

MOVED Mayor Jacob, SECONDED Cr Poliwka that Public Question Time be extended for a period of 10 minutes.

The Motion was Put and**CARRIED (12/0)**

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

Ms J Quan, Edgewater:

Re: Plot Ratio Requirements.

Q1 Was there anything in the community consultation package in either 2010 or 2014 in relation to housing opportunity areas stating that multiple dwellings are governed by plot ratio?

Q2 In relation to Housing Opportunity Area No. 8 (HOA No. 8), is it correct there are currently two options: firstly to modify the scheme to improve design outcomes for apartment developments; secondly to support the petition to reduce density code to R20/30 and that both amendments would be complex amendments, with the risks of being overruled by WAPC over both options being the same, with no conflict between either amendment?

A1 & 2 Mayor Jacob advised these questions would be taken on notice.

Ms N Dangar, Beldon:

Re: CJ205-12/17 – 2017 Active Reserve and Community Facility Review and CJ206-12/17 – Prince Regent Park, Heathridge – Community Sporting Facility.

Q1 Will the City of Joondalup release the often referred to confidential in-house documentation that is used to determine which park is active or passive and what type of facilities should be allocated to particular parks such as BBQs, shade over playgrounds and the like?

A1 Mayor Jacob advised the question would be taken on notice.

Ms B Hewitt, Edgewater:

Re: Amendment No. 88.

Q1 Are there examples of local planning schemes, amendments or local housing policies that have led to better outcomes and greater community acceptance of densification than that which is currently failing in the City of Joondalup?

A1 Mayor Jacob advised this was often a controversial issue in almost every community.

Q2 In relation to Amendment No. 88 for Housing Opportunity Area 1 (HOA1) and the subsequent request by ratepayers and residents of Edgewater for their zoning to be reduced to the original proposal of R20/R30 in order to protect and retain their residential amenity are all residents in the City of Joondalup equal, or are some more equal than others?

A2 Mayor Jacob stated all residents are equal and listened to equally. Mayor Jacob noted that it is often the case that additional weight is given to the residents most immediately affected by a Council decision. Mayor Jacob elaborated that in relation to Duncraig residents in HOA1, almost all of the residents who raised concerns reside within the housing opportunity area itself, in contrast to the situation in Edgewater, where the vast majority of residents who raised concerns did not reside within the housing opportunity area.

Mrs R Millet, Beldon:

Re: Provision of BBQ at Prince Regent Park, Heathridge.

Q1 Who authorised the inclusion of BBQ facilities and drink fountains as part of the public consultation of the proposed redevelopment at Prince Regent Park given none of these items were identified, costed and included in reports that were submitted to Council prior to the public consultation?

A1 Mayor Jacob advised this question would be taken on notice.

Mr S Slater, Iluka:

Re: CJ192-12/17 – Proposed Amendment to the Iluka Structure Plan and two Proposed Local Development Plans – Consideration following public consultation.

Q1 If planning is designated for commercial in this development, will Council assist in ensuring that a reasonable setback of no less than 20 metres opposite residential housing on Santos Vista and Calis Avenue and if so how, and if not, why not?

A1 Mayor Jacob commented that this matter will be determined by Council this evening.

Q2 Will Council ensure that the proposed commercial lots which may be used as a café or eatery are located on the corner of O'Mara Boulevard and Burns Beach Roads instead of the intersections of Santos Vista, O'Mara Boulevard and Calis Avenue to provide more privacy to residents and less noise from patrons such as has been done at Lot One Kitchen located in Hillarys which overlooks bushland? If so, how would this be achieved and if not, why not?

A2 Mayor Jacob advised such conditions would be considered as part of a potential future development application, not the Local Structure Plan (LSP) and Local Development Plan (LDP) which are before Council this evening.

The Director Planning and Community Development commented that when a development application is submitted to the City it will be known where it is intended to position tenancies. At this stage the Local Structure Plan amendment and the Local Development plans do not restrict a particular land use such as a café or an eatery to a specific location.

C90-12/17**SECOND EXTENSION OF PUBLIC QUESTION TIME - [01122, 02154]**

MOVED Mayor Jacob, SECONDED Cr McLean that Public Question Time be extended for a further period of 10 minutes.

The Motion was Put and**CARRIED (12/0)**

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

Ms A Field, Heathridge:

Re: CJ206-12/17 – Prince Regent Park, Heathridge – Community Sporting Facility.

Q1 Why does page 125 of the Council agenda still state that the Heathridge Residents Association (HRA) submitted a comment form during the consultation period and strongly supported all proposed components of the redevelopment project when at the Briefing Session held on 5 December 2017 Peter Lancaster, a HRA committee member stated that contrary to the interpretation on page 121 of the Briefing Session agenda, the HRA does not strongly support all proposed components of the redevelopment project as they wish to remain neutral.

A1 Mayor Jacob advised Mr Lancaster's comments were noted by the meeting and indeed prior to his comments an email was received by Elected Members advising the position of the HRA. However, the report had already been drafted and prepared for the Council meeting.

Mr N Catterall, Iluka:

Re: CJ192-12/17 – Proposed Amendment to the Iluka Structure Plan and two Proposed Local Development Plans – Consideration following public consultation.

Q1 In relation to the preferred primary and secondary vehicle access points, there is minimal information provided by the applicant defining the intended purpose of these access points and to differentiate between the specific purposes of a preferred primary vehicle access point with respect to a secondary vehicle access point. Is it possible to seek clarification on the differences?

A1 Mayor Jacob stated the local structure planning process signals intent with the actual location and usage to be defined through a development application process at a later stage.

The Director Planning and Community Development advised the Local Development Plan indicates the preferred primary vehicle access point is off Burns Beach Road and that the preferred secondary vehicle access point will be off Santos Vista. However, specific reliable access point locations will only be identified at the development application stage. Once a development application is received there will be a traffic analysis undertaken about how that access will work, the impact that that will have on the network, whether the sight lines are adequate and so on. This occurs at the next stage of development and will also be subject to public consultation, enabling the community to see exactly where those access points are proposed and providing the opportunity to comment.

Cr Logan left the Chamber at 7.52pm.

Q2 Based on information provided on Pages 22 (vehicle access) and Page 27 (residential parking) the report provides contradictory information in relation to the intended purpose of the secondary vehicle access point. The former states to allow for a small number of staff parking and visitor parks if required, whereas the latter states secondary vehicle access points have been included on a number of access streets adjoining the site to accommodate service and delivery vehicles associated with the future development. Why is there such contradictory information in the report and why was the applicant not required to clarify such an important aspect of the LDPs?

A2 Mayor Jacob advised this question would be taken on notice.

Ms M O'Byrne, Kinross:

Re: Pedestrian Crossing on Marmion Avenue, Kinross.

Q1 In January 2017 approval was granted by Main Roads WA for installation of a signalised crossing on Marmion Avenue. In the interests of transparency, please explain the points of difference between Main Roads WA and the City of Joondalup in the matter of the pedestrian crossing on Marmion Avenue?

A1 Mayor Jacob advised this question would be taken on notice.

Q2 *Can the City of Joondalup negotiate a compromise with Ms Rita Saffioti, MLA – Minister for Transport, Planning and Lands to put in the crossing as the City of Joondalup recommends, subject to a review after one year or any qualifying period that the Minister considers appropriate?*

A2 Mayor Jacob stated the City was keen to provide this facility on a permanent basis as there is some doubt having it installed on a temporary basis would serve the needs of the community. The City will continue to negotiate in good faith with the Minister.

Cr Logan entered the Chamber at 7.55pm.

Mr A Anderson, Edgewater:

Re: Communication with Councillors.

Q1 *It is understood that by law Councillors are not required to respond to residents who contact them through formal channels. Is this correct?*

A1 Mayor Jacob confirmed that was correct, but believed in the main Councillors did respond to contact from the community. However, if a matter was complex it may take some time to provide a full response because accuracy was important.

Q2 *It is understood there is a principle and ethic that Councillors who have been elected by residents have a duty to respond to residents who contact them through formal channels. Is that correct?*

A2 Mayor Jacob believed this was a value judgement for individual Councillors.

PUBLIC STATEMENT TIME

The following statements were submitted verbally at the Council meeting:

Ms A Field, Heathridge:

Re: CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.

Ms Field spoke against the redevelopment of Prince Regent Park, stating that should the proposal be approved, the City will remove the ability for residents and ratepayers to use the park in line with the local park classification it falls under.

Mr T Hoskin, Heathridge:

Re: CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.

Mr Hoskin spoke against the redevelopment of Prince Regent Park, asking Councillors to vote against the redevelopment of the park in its current form. Mr Hoskin stated that the consultation results show that residents do not support the redevelopment.

Mrs R Millett, Heathridge:

Re: CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.

Mrs Millett spoke against the redevelopment of Prince Regent Park and questioned why the Joondalup United Football Club left the HBF Arena.

Mrs S Wilberforce, Edgewater:

Re: CJ193-12/17 -Initiation of Scheme Amendment No. 90 to District Planning Scheme No. 2 – Recoding from R20/60 and R20/40 to R20/30.

Mrs Wilberforce spoke in relation to her opposition to R20/60 zoning, stating that the zoning will result in high density, high rise apartments that do not fit with the area and will destroy local habitat. Mrs Wilberforce asked Council to give the residents of Edgewater a voice and represent the community.

Ms L Dawson, Heathridge:

Re: CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.

Ms Dawson spoke against the redevelopment of Prince Regent Park, requesting that Council does not proceed with the proposal as the community does not support the redevelopment.

Mr N Catterall, Iluka:

Re: CJ192-12/17 - Proposed Amendment to the Iluka Structure Plan and Two Proposed Local Development Plans – Consideration Following Public Consultation.

Mr Catterall spoke against the proposed amendment to the Iluka Structure Plan and requested that Council preserve the integrity of the original vision for Iluka and not approve the submission in its current form.

Mr P Lancaster, Heathridge:

Re: CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.

Mr Lancaster spoke on behalf of the Heathridge Residents Association (HRA), stating that the HRA wants to work constructively with all parties to reach the best outcome for all. Mr Lancaster noted that the current proposal for Prince Regent Park will not result in an acceptable outcome for Heathridge residents.

Mr R Duckham, Perth:

Re: CJ192-12/17 - Proposed Amendment to the Iluka Structure Plan and Two Proposed Local Development Plans – Consideration Following Public Consultation.

Mr Duckham spoke on behalf of Satterley and the land owner of Beaumaris Beach Estate, speaking in favour of the proposed amendment to the Iluka Structure Plan. Mr Duckham acknowledged concerns raised regarding building height, advising that should Council believe applications need further refinement regarding height and land use permissibility Satterley will work with the City and the WA Planning Commission to resolve these matters.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Russ Fishwick, JP	15 November to 20 December 2017 inclusive;
Cr Russ Fishwick, JP	25 January to 18 February 2018 inclusive;
Cr Mike Norman	22 February to 3 March 2018 inclusive;
Cr Mike Norman	6 April to 13 April 2018 inclusive.

C91-12/17 REQUEST FOR LEAVE OF ABSENCE – CR DWYER - [105628]

Cr Sophie Dwyer requested Leave of Absence from Council duties covering the period 21 February to 31 March 2018 inclusive.

MOVED Cr Logan, SECONDED Cr McLean that Council APPROVES the Request for Leave of Absence from Council Duties covering the following dates:

1	Cr Sophie Dwyer	21 February to 31 March 2018 inclusive.
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The Motion was Put and CARRIED (12/0)

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

CONFIRMATION OF MINUTES

C92-12/17 **MINUTES OF COUNCIL MEETING HELD 21 NOVEMBER 2017 -**
[01122, 02154]

MOVED Cr Hamilton-Prime, SECONDED Cr May that the Minutes of the Council Meeting held 21 November 2017 be CONFIRMED as a true and correct record.

The Motion was Put and CARRIED (12/0)

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

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Valentine's Concert

Mayor Jacob announced that the stars of the hip musical blockbuster *Wicked* will take centre stage at the Joondalup Resort for the City's annual Valentine's Concert in February 2018.

Mayor Jacob stated that *Witches* will see leading ladies of Australian musical theatre Amanda Harrison, Lucy Durack, Helen Dallimore and Jemma Rix, along with male protagonist Simon Gleeson, performing classic hits from stage and screen backed by the West Australian Symphony Orchestra (WASO).

Mayor Jacob advised a capacity audience of 8,000 people is expected to attend the free annual concert for City residents and ratepayers.

Mayor Jacob commented that the City's Valentine's Concert is one of the most popular events held in the northern corridor, bringing the community together for a relaxing night with family and friends, while having the opportunity to witness free world-class entertainment.

Mayor Jacob stated that tickets are to be in high demand when they are made available on Saturday 20 January 2018 and advised for more information people should visit joondalup.wa.gov.au or the City's social media platforms.

Twilight Markets

Mayor Jacob advised that the Twilight Markets have been held in the Joondalup City Centre throughout November and December.

Mayor Jacob stated that the Twilight Markets offer locally sourced, designed and created art, craft, clothing, jewellery, homewares and giftwares, as well as delicious food stalls.

Mayor Jacob informed that there are children's activities, live music and roving performers to keep the whole family entertained.

Mayor Jacob notified the final Twilight Market of 2017 will be held on Friday night 15 December 2017 in Central Walk from 5:30pm to 9:00pm.

Season's Greetings

Mayor Jacob, on behalf of the City and the Council, took the opportunity to publicly wish everyone in the City of Joondalup a very happy Christmas and a safe and prosperous New Year.

Mayor Jacob thanked the many individuals and groups who have made invaluable contributions to the continued growth and development of the City of Joondalup in 2017.

Mayor Jacob also thanked the City's Chief Executive Officer Mr Garry Hunt and the staff of the City of Joondalup for their tireless work delivering outstanding services, programs and events for our local community.

Mayor Jacob advised that the City's Elected Members will be taking a break in January, returning in February and that the time away will allow all Elected Members time to refresh and recharge their batteries before a busy and exciting 2018.

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

Nil.

PETITIONS**C93-12/17****PETITION REQUESTING BROADBEACH PARK, HILLARYS BE
ZONED AS A 'DOGS ON LEASH' PARK – [05386, 01525]**

Cr Hamilton-Prime tabled a 167 signature petition on behalf of the residents of the City of Joondalup requesting Council zone Broadbeach Park, Hillarys as a 'Dogs on Leash' park.

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

- 1 **Petition in relation to zoning Broadbeach Park Hillarys as a 'Dogs on Leash' park.**

The Motion was Put and**CARRIED (12/0)**

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

REPORTS**CJ190-12/17 DEVELOPMENT AND SUBDIVISION APPLICATIONS
– OCTOBER 2017**

WARD	All			
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development			
FILE NUMBER	07032, 101515			
ATTACHMENTS	Attachment 1	Monthly Development Applications Determined – October 2017		
	Attachment 2	Monthly Subdivision Applications Processed – October 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 October 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 October 2017 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during October 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 27 June 2017 (CJ091-06/17 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 October 2017 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	10	11
Strata subdivision applications	20	31
TOTAL	30	42

Of the 30 subdivision referrals 25 were to subdivide in housing opportunity areas, with the potential for 35 additional lots.

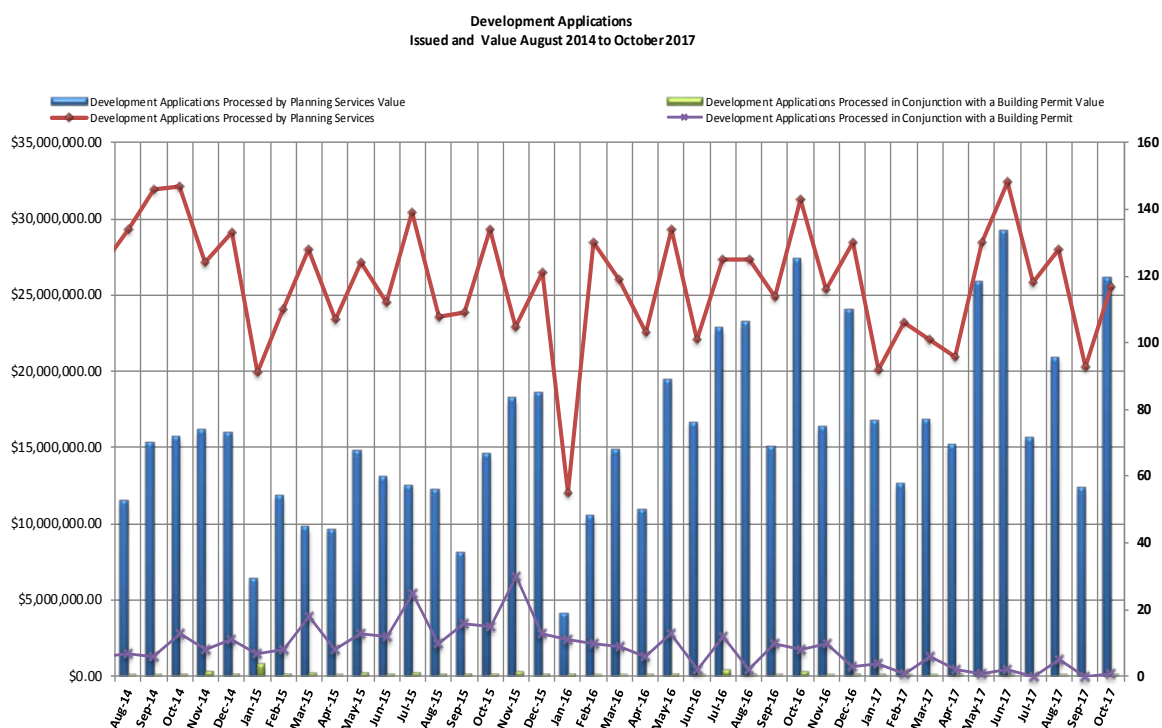
Development applications

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

Type of development application	Number	Value (\$)
Development applications processed by Planning Services	117	\$ 26,159,407
Development applications processed by Building Services	1	4,000
TOTAL	118	\$ 26,163,407

Of the 118 development applications, 15 were for new dwelling developments in housing opportunity areas, proposing a total of 37 additional dwellings.

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



The number of development applications received during October was 114. (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 October was 213. Of these, 52 were pending further information from applicants and 16 were being advertised for public comment.

In addition to the above, 301 building permits were issued during the month of October with an estimated construction value of \$26,841,873.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation	<i>City of Joondalup District Planning Scheme No. 2. Planning and Development (Local Planning Schemes) Regulations 2015.</i>
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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 118 development applications were determined for the month of October with a total amount of \$77,277 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 Mayor Jacob, SECONDED Cr Jones that Council NOTES the determinations and recommendations made under delegated authority in relation to the:

- 1 development applications described in Attachment 1 to Report CJ190-12/17 during October 2017;**
- 2 subdivision applications described in Attachment 2 to Report CJ190-12/17 during October 2017.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf171205.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Mayor Hon. Albert Jacob, JP.
Item No./Subject	CJ191-12/17 - Proposed Unlisted Use (Telecommunications Infrastructure) at HBF Arena Lot 103 (25) Kennedy Drive, Joondalup.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Jacob's children attend Lake Joondalup Baptist College which is adjacent to the proposed tower.

**CJ191-12/17 PROPOSED UNLISTED USE
(TELECOMMUNICATIONS INFRASTRUCTURE) AT
HBF ARENA, LOT 103 (25) KENNEDYA DRIVE,
JOONDALUP**

WARD North

RESPONSIBLE DIRECTOR Ms Dale Page
Planning and Community Development

FILE NUMBER 05005, 101515

ATTACHMENTS	Attachment 1	Location plan
	Attachment 2	Development plans
	Attachment 3	Photomontage
	Attachment 4	Environmental EME report

AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.
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PURPOSE

For Council to determine a development application for proposed telecommunication infrastructure at HBF Arena, Lot 103 (25) Kennedy Drive, Joondalup.

EXECUTIVE SUMMARY

An application for planning approval was received by the City on 14 July 2017 for a proposed telecommunication tower and associated ground infrastructure at HBF Arena, Lot 103 (25) Kennedya Drive, Joondalup.

The infrastructure is proposed to be located on the western-most playing field of HBF Arena, adjacent to Waabiyn Way.

The proposed development has been assessed having due regard to the City's *District Planning Scheme No. 2* (DPS2), the Western Australian Planning Commission's *State Planning Policy No. 5.2 – Telecommunications Infrastructure* (SPP 5.2) and the City's *Telecommunications Infrastructure Local Planning Policy*.

The proposal was advertised for a period of 21 days and the City received a total of 12 submissions. Of the 12 submissions received, two stated no objection and 10 objections were raised regarding health concerns associated with electromagnetic emissions (EME), visual impact of the tower, its proximity to Lake Joondalup Baptist College and the affect the proposal would have on property values.

Having regard to the nature of the proposed facility and the issues raised by submitters it is considered that the proposal meets the requirements of DPS2, SPP 5.2 and the City's *Installation of Telecommunications Facilities Policy*.

It is recommended that Council approves the proposed development, subject to conditions.

BACKGROUND

Suburb/Location	HBF Arena, Lot 103 (25) Kennedy Drive, Joondalup.
Applicant	Planning Solutions Pty Ltd.
Owner	WA Sports Centre Trust.
Zoning	DPS2 Centre.
	MRS City Centre Area.
Site area	301,200m ² .
Structure plan	<i>Joondalup City Centre Development Plan and Manual</i> (JCCDPM). <i>Draft Joondalup Activity Centre Plan</i> (JACP).

The subject site is bound by the Mitchell Freeway reserve to the west, Moore Drive to the north, Joondalup Drive to the east and Kennedy Drive, Lake Joondalup Baptist College and the railway reserve to the south (Attachment 1 refers). The proposed works are located on the western-most playing field of HBF Arena, adjacent to Waabiyn Way.

The site is zoned 'City Centre Area' under the *Metropolitan Region Scheme* (MRS) and is zoned 'Centre' under DPS2. The site is also located within the Arena Joondalup precinct under the *Joondalup City Centre Development Plan and Manual* (JCCDPM) and the Health and Wellness precinct under the draft *Joondalup Activity Centre Plan* (JACP).

The tower is located approximately 210 metres from the HBF Arena building, 350 metres from Lake Joondalup Baptist College and the closest residential property is located 200 metres to the north.

DETAILS

The development consists of the following:

- A galvanised monopole telecommunications tower with six panel antennas to a maximum height of 41.25 metres.
- A ground equipment shelter.
- Bollards to surround the infrastructure.
- Replacement of the existing flood light pole and flood light.

The development plans are included in Attachment 2.

The proposed facility is not exempt from the need to obtain planning approval as it is not considered 'low impact' under the Federal Government's *Telecommunications (Low Impact Facilities) Determination 1997*.

City of Joondalup Installation of Telecommunications Facilities Policy

Clauses 67(g) and (y) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) detail that Council should have due regard to local planning policies and submissions received in the determination of development applications. Accordingly, the City's *Installation of Telecommunications Facilities Policy* is considered below:

- *The provisions outlined in State Planning Policy 5.2: Telecommunications Infrastructure.*

The proposed location of the telecommunication tower is considered to be consistent with the provisions of the Western Australian Planning Commission's *State Planning Policy No. 5.2 – Telecommunications Infrastructure* which states, where practical, telecommunication towers should be located within commercial areas and should be designed and sited to minimise adverse impacts on the visual character and amenity of residential areas.

The proposed telecommunication facility is located approximately 200 metres from the nearest residential development and approximately 350 metres from the Lake Joondalup Baptist College. The photomontages provided by the applicant demonstrate the minimal visual impact upon residential areas (Attachment 3 refers).

- *Compliance with the Telecommunications Code of Practice 1997.*

The proposed infrastructure is considered to comply with the code of practice as the subject site has been selected in order to minimise its impact upon the locality while improving service delivery. Furthermore, it has been demonstrated through the provision of an Environmental EME report (Attachment 4 refers) that community exposure to electromagnetic energy will comply with the relevant legislation.

- *The topography of the site and surrounding area, the size, height and type of the proposed facility, the location and density of surrounding vegetation, and the general visibility of the proposal from surrounding development.*

The tower is located in a low-lying area on the site and is significantly lower than the natural ground level of the surrounding land.

The photomontage images (Attachment 3 refers) provided by the applicant depict the tower being relatively unobtrusive as viewed south from Moore Drive due to the significant level difference. The residential properties adjacent are approximately two to three metres above the ground level of Moore Drive and therefore the tower will not be visually dominant as viewed south from these residential properties. It is also noted that the proposed tower will replace an existing flood light pole which is currently located in the same vicinity.

- *The merits of the particular proposal, including the need for services to be located to optimise coverage.*

In selecting the site Optus identified a lack of adequate mobile network coverage in the immediate area of the subject site, "*occasioned by substantial increased demand for wireless data download coverage and capacity by users of tablets and smartphones*".

- *Submissions received in response to public consultation, noting that submissions on health or safety grounds cannot be considered.*

The submissions received are discussed within the consultation section of this report.

State Planning Policy No. 5.2 – Telecommunications Infrastructure

Clause 67(c), Schedule 2 of the Regulations details that the Council should have due regard to State planning policies in the determination of development applications. Accordingly, *State Planning Policy No. 5.2 – Telecommunications Infrastructure* is considered below:

The Western Australian Planning Commission's *State Planning Policy No. 5.2 – Telecommunications Infrastructure* provides matters for consideration in determining development applications for telecommunications infrastructure.

Clause 6.3(a) recommends the consideration of the extent to which the proposal adheres to the policy measures relating to the minimisation of the visual impact of above ground infrastructure:

Clause 5.1.1 ii) Telecommunications infrastructure should be designed to minimise visual impact and whenever possible:

- a) *Be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites.*

The proposed development will not be readily visible from scenic routes or lookouts as the location is low-lying relative to surrounding properties and development. Although the HBF Arena could be considered a recreation site itself, the proposed telecommunication tower will replace an existing floodlight and will therefore integrate with its surrounds.

- b) *Be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.*

The proposed telecommunication infrastructure is well setback from surrounding properties and development. The level difference between the location and Moore Drive is such that the majority of the tower will be concealed from this streetscape.

- c) *Not be located on sites where environmental or cultural heritage, social and visual landscape values may be compromised.*

The works are located on an existing cleared area and will replace a floodlight pole. Therefore, it is not considered to have a significant environmental, cultural, social or visual landscape impact.

- d) *Display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape.*

The proposed finish of the tower is intended to be unobtrusive as it will be constructed in materials in keeping with the existing power poles and floodlight poles located on-site. Therefore, the tower is consistent in its appearance with existing features within the surrounding area.

Clause 6.3(b) gives consideration to the necessity of the proposed development in providing optimised coverage. In selecting the site Optus identified a lack of adequate mobile network coverage in the immediate area of the subject site, "occasioned by substantial increased demand for wireless data download coverage and capacity by users of tablets and smartphones".

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

Clause 67 of Schedule 2 of the Regulations sets out the matters to be considered by Council when determining an application for development approval. In addition to the matters discussed above, the following matters for consideration are relevant to the proposal:

- *Clause 67(m) - the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.*

The development is compatible with its setting as it will integrate with the existing power poles and floodlight poles on-site. It is not considered to be visually obtrusive to adjacent properties as the subject site is setback 200 metres from residential land uses and 350 metres from Lake Joondalup Baptist College.

The photomontages submitted (Attachment 3 refers) demonstrate that the proposed tower will replace an existing 20-metre-high light pole for the playing field/s and will be generally consistent with the remaining light poles and the high voltage power poles located to the west of the development site.

- *Clause 67(n) - the amenity of the locality including the following —*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality;*
 - (iii) *social impacts of the development.*
- An EME report has been submitted with the application (Attachment 4 refers) which demonstrates that there will be no environmental impact as a result of the proposal.
- The character of the locality includes existing power poles and floodlight poles which are consistent with the proposed telecommunication facility.
- The setback of the tower from surrounding residential properties and other development ensures that there will be no social impacts associated with the development.
- *Clause 67(r) - the suitability of the land for the development taking into account the possible risk to human health or safety.*

The applicant has provided a report confirming that the proposed development will be compliant with relevant federal legislation which relates to the minimisation of health risks in the installation of telecommunications infrastructure.

Joondalup City Centre Development Plan Manual

The subject site is located within the 'Northern Recreation' district of the JCCDPM. The proposed development complies with the relevant development provisions under the JCCDPM, including setbacks to Moore Drive and building heights. The development does not impact the recreational use / nature of the land and therefore does not contradict the objectives of the Northern Recreation district.

Draft Joondalup Activity Centre Plan

The subject site is located within the 'Health and Wellness' precinct under the draft JACP which is a 'seriously entertained' document. Telecommunications Infrastructure is a discretionary ("D") land use as listed in the land use permissibility table of the draft JACP.

The maximum building height permitted within the 'Health and Wellness' precinct is 13.5 metres. While the proposed structure exceeds this height, it is considered appropriate due to the proximity of the subject site to surrounding development, the height of the existing light poles for the playing field/s being 20 metres high, and minimal bulk and scale of the pole being only approximately 0.5 metres in width.

The proposed works are considered appropriate in facilitating improved telecommunications services to the Joondalup City Centre area and surrounding.

Issues and options considered

Council must consider the proposed telecommunication facility in accordance with the City's Local Planning Policy and State Planning Policy and determine whether the proposed development is appropriate or not.

Council has the discretion to:

- approve the application without conditions
- approve the application with conditions
- or
- refuse to grant its approval of the application.

Legislation / Strategic Community Plan / policy implications

Legislation

- *Planning and Development (Local Planning Schemes) Regulations 2015.*
- *City of Joondalup District Planning Scheme No. 2.*
- *Telecommunications Act 1997.*

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.

Structure plan

Joondalup City Centre Development Plan and Manual.
Draft Joondalup Activity Centre Plan.

Policy

- *City of Joondalup Telecommunications Infrastructure Local Planning Policy.*
- *State Planning Policy No. 5.2 Telecommunications Infrastructure.*

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

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

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

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) any policy of the Commission;*
- (f) any policy of the State;*
- (g) any local planning policy for the Scheme area;*
- (h) any structure plan, activity centre plan or local development plan that relates to the development;*
- (i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (k) the built heritage conservation of any place that is of cultural significance;*
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*

- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of —*
 - (i) *the proposed means of access to and egress from the site; and*
 - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *the availability and adequacy for the development of the following —*
 - (i) *public transport services;*
 - (ii) *public utility services;*
 - (iii) *storage, management and collection of waste;*
 - (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
 - (v) *access by older people and people with disability;*
- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*
- (w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate.*

City of Joondalup Installation of Telecommunications Facilities Policy

The City's *Installation of Telecommunications Facilities Policy* sets out provisions for telecommunications facilities deemed not to be 'low impact' under the *Telecommunications (Low-impact Facilities) Determination Act 1997*. In addition to provisions regarding the advertising of an application, the policy sets out the follow criteria which Council is to have regard to when determining an application:

- The provisions outlined in *State Planning Policy 5.2: Telecommunications Infrastructure*.
- Compliance with the *Telecommunications Code of Practice 1997*.
- The topography of the site and surrounding area, the size, height and type of the proposed facility, the location and density of surrounding vegetation, and the general visibility of the proposal from surrounding development.
- The merits of the particular proposal, including the need for services to be located to optimise coverage.
- Submissions received in response to public consultation, noting that submissions on health or safety grounds cannot be considered.

State Planning Policy No. 5.2 – Telecommunications Infrastructure

The Western Australian Planning Commission's *State Planning Policy No. 5.2 – Telecommunications Infrastructure* provides matters for consideration in determining development applications for telecommunications infrastructure. Clause 6.3(a) requires the consideration of the extent to which the proposal adheres to the policy measures relating to the minimisation of the visual impact of above ground infrastructure. Clause 6.3(b) gives consideration to the necessity of the proposed development in providing optimised coverage.

Risk management considerations

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

Financial / budget implications

The applicant has paid fees of \$576 (excluding GST) for the assessment of the application. The cost of the consultation undertaken by the City is to be paid by the applicant in accordance with the City's *Installation of Telecommunications Facilities Policy*.

Regional significance

Not applicable.

Sustainability implications

The City recognises the importance of telecommunication facilities in supporting the community and commercial industries. One of the key strategic initiatives of the City's *Strategic Community Plan 2012 – 2022* is to actively seek opportunities for improving local communication network infrastructure. The proposal will provide improved telecommunication services within the City of Joondalup.

Consultation

The application was advertised to 140 property owners and occupiers within a 400 metre radius of the development site for a period of 21 days concluding on 26 October 2017. A total of 12 submissions were received, being 10 objections and two submissions with no objection from Main Roads WA and Western Power. The majority of the objections received by the City came from residents located north of Moore Drive.

The issues raised during public consultation are included below, along with the City's response to each concern:

- *Visual impact.*

The proposed telecommunication infrastructure is located approximately 200 metres away from the nearest residential development, and is separated by Moore Drive to the north and the Mitchell Freeway to the west.

The photomontages (Attachment 3 refers) demonstrate that the installation of the telecommunication infrastructure in this location will not be unduly visually obtrusive due to the presence of other vertical elements such as light poles and power lines in the immediate vicinity, landscape screening and its location within a low-lying area in comparison to surrounding land.

- *Health risks.*

The main community concern raised related to the perceived adverse health risk associated with telecommunication facilities as a result of electromagnetic emissions (EME). EME is controlled and regulated by separate Federal Government legislation and EME is not considered to be a valid land use planning consideration.

It is a mandatory requirement for all telecommunications carriers to comply with the *Australian Safety Standards* set by the Australian Communication and Media Authority and the EME limits established by the Australian Radiation Protection and Nuclear Safety Agency. A report submitted with this application (Attachment 4 refers) indicates estimates for the EME levels that will be present at different areas surrounding the proposed communication facility. The estimated maximum level of cumulative EME at ground level is 4.52% of the Australian Radiation Protection and Nuclear Safety Agency general public exposure limit, and is well within the mandatory standards.

- *Impact on property values.*

The potential impact of a proposed development on property values is not a valid land use planning consideration. There is no known published data to link property values to telecommunication facilities. It is considered that the design and location of the proposed telecommunication facility is sufficient to minimise the visual impact as viewed from nearby properties due to the separation from nearby residential properties and the presence of other vertical elements such as light poles and power lines in the vicinity of the subject site.

- *Distance from Lake Joondalup Baptist College.*

The proposed telecommunication infrastructure is located approximately 350 metres from the Lake Joondalup Baptist College. Due to the location, level difference and distance from the school, there will be limited visibility of the tower from the school site. EME emissions (as stated previously within this report) are not a valid planning consideration, however the maximum EME level calculated for the proposed system is well within the public exposure limits.

- *Necessity of the tower.*

In selecting the site Optus identified a lack of adequate mobile network coverage in the immediate area of the subject site, "occasioned by substantial increased demand for wireless data download coverage and capacity by users of tablets and smartphones".

COMMENT

As outlined above, it is considered that the development is appropriate in the context of its location and meets the requirements of relevant legislation.

The application is therefore recommended for approval, subject to conditions.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council APPROVES under clause 68(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the application for development approval, dated 14 July 2017 submitted by Planning Solutions, for proposed UNLISTED USE (Telecommunications Infrastructure) at Lot 103 (25) Kennedy Drive, Joondalup (HBF Arena) subject to the following conditions:

- 1 This approval relates to the telecommunications infrastructure and associated works only, as indicated on the approved plans. It does not relate to any other development on the lot;**
- 2 All development shall be contained within the property boundaries;**
- 3 All stormwater shall be collected on-site and disposed of in a manner acceptable to the City;**
- 4 The external surface of the development shall be finished in materials and colours that have low reflective characteristics, to the satisfaction of the City. The external surfaces shall be treated to the satisfaction of the City if it is determined by the City that glare from the completed development has a significant adverse effect on the amenity of adjoining or nearby neighbours;**
- 5 The monopole and associated infrastructure shall be finished in colours that are unobtrusive to the specifications and satisfaction of the City;**
- 6 The works are to be established and thereafter maintained to the specifications and satisfaction of the City;**
- 7 The lighting shall operate in accordance with the Australian Standards (AS4282-1997 – *control of the obtrusive effects of outdoor lighting*).**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf171205.pdf](#)

CJ192-12/17 PROPOSED AMENDMENT TO THE ILUKA STRUCTURE PLAN AND TWO PROPOSED LOCAL DEVELOPMENT PLANS – CONSIDERATION FOLLOWING PUBLIC CONSULTATION

WARD	North	
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development	
FILE NUMBER	48934, 101515	
ATTACHMENTS	Attachment 1	Location plan
	Attachment 2	Proposed Amendment No. 4 to LSP No. 26 (available electronically only)
	Attachment 3	Proposed Local Development Plans
	Attachment 4	LSP – Schedule of submissions
	Attachment 5	LDP – Schedule of submissions
	Attachment 6	LSP – Schedule of modifications
	Attachment 7	LDP – Schedule of modifications
	Attachment 8	Building height cross section
	Attachment 9	Indicative perspective drawings
AUTHORITY / DISCRETION	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.	

PURPOSE

For Council to consider a proposed amendment to the *Iluka Structure Plan* and two proposed local development plans following public consultation.

EXECUTIVE SUMMARY

The subject site comprises two large, vacant land parcels at the western end of O'Mara Boulevard.

The existing *Iluka Structure Plan* (LSP) has been in place since 2002. Under the existing LSP the subject site is identified as a neighbourhood centre and is zoned 'Centre'. The existing LSP currently allows for retail floorspace provision of 3,300m² on the subject site and it already allows for an R60 residential density coding and building heights of three storeys.

The existing LSP does not however contain any land use permissibility or detailed development provisions for the subject site. Instead, it requires the preparation of a further plan over the sites to provide more specific details on future land uses, building development standards and car parking and access.

The proposed LSP amendment and Local Development Plans (LDPs) are intended to provide the additional details mentioned above, though the documents also seek to vary or broaden some of the provisions of the existing LSP.

The key differences between the existing provisions that apply to the subject site and the proposed provisions are:

- Reduction in the amount of retail floorspace anticipated.
- Change in zoning from 'Centre' to 'Commercial'. Under a 'Centre' zoning, land use permissibility would need to be specifically stated in the structure plan.

Under a 'Commercial' zoning, land use permissibility is contained in the City's planning scheme. This is a technical difference only and in practical terms makes no difference to the actual land uses that would have been proposed by the applicant;

- Introduction of a provision that allows additional height (over the three storeys currently permitted) to be contemplated at development application stage, if it can be demonstrated via this subsequent approval process that the additional height would be appropriate.

Introduction of this provision into the LSP amendment at this stage does not automatically constitute approval for additional height.

As part of the documentation submitted by the applicant, artist's impressions have been provided that show the type of development that could be contemplated under the proposed LSP and LDP provisions. These artist's impressions are indicative only and approval of the proposed LSP amendments and proposed LDPs does not constitute approval or even in-principle approval for the type of development shown in the artist's impressions.

A further approval process, via a development application which will include public consultation, will need to be undertaken before any concept or design proposal for the site is granted approval.

The proposed LSP amendment and LDPs assist in guiding development of the Iluka local centre through appropriate zoning and development provisions included as part of the applicant's proposal. The overall intent and aspirations for a mixed-use development at the local centre are supported as it will assist in providing housing diversity, local employment and facilities for the surrounding community. The land uses expected within the local centre include restaurants, cafes, professional services and other non-residential businesses on the ground floor along O'Mara Boulevard, with residential apartments and aged persons dwellings with associated communal facilities. The first stage of development is expected to be undertaken across the southern land parcel of the local centre.

A number of modifications are recommended to the LSP amendment and LDPs as a result of the City's assessment of the proposal, as well as the submissions received, to improve the wording and ensure the documents provide an appropriate framework against which to assess development applications.

It is recommended that Council supports the proposed LSP amendment, subject to modifications, and forwards its recommendation to the Western Australian Planning Commission (WAPC) for determination. The recommended modifications to the LSP amendment primarily relate to minor typographical errors, updating terminology and improving the legibility of the document.

It is also recommended that the proposed LDPs are adopted by Council, subject to modifications. The key modifications recommended to the LDPs are inclusion of an overall maximum building height in metres as measured from natural ground level, inclusion of additional building setbacks to some street boundaries, and the requirement for visitor parking bays to be provided on-site, instead of being permitted in the verge as of right.

BACKGROUND

Suburb/Location	Lot 9039 (98 and 99) O'Mara Boulevard, Iluka.
Applicant	RobertsDay.
Owner	Davidson Pty Ltd & Roman Catholic Archbishop.
Zoning	DPS Urban Development.
	MRS Urban.
Site area	LSP Centre. 2.004 hectares.
Structure plan	<i>Iluka Structure Plan No. 26.</i>

The Iluka LSP came into effect in August 2002. The LSP zones the subject site 'Centre' and requires a further structure plan in order to provide detailed planning for the establishment of a local centre within the LSP area.

The subject site is currently undeveloped and is bounded by Burns Beach Road to the west, Fernando Parkway to the south, Calis Avenue and Santos Vista to the east and Mykonos View to the north. The two land parcels are intersected by O'Mara Boulevard which runs east to west and connects with Burns Beach Road (Attachment 1 refers).

DETAILS

The Iluka LSP provides a guiding framework for the consideration of development and subdivision within the Beaumaris estate within the suburb of Iluka. The proposed amendment to the LSP relates specifically to the subject site and the guiding principles for the local centre.

The current LSP includes the following key provisions which relate to the local centre:

- The zoning of the site as 'Centre'.
- A residential density coding of R60.
- An indicative retail floorspace provision of 3,300m².
- A permitted building height of three storeys.
- The requirement for a further structure plan for the site to address land use permissibility, maximum permissible areas of retailing, development standards, overshadowing and protection of privacy, car parking and vehicular access requirements.

In accordance with the WAPC's *Structure Plan Framework*, introduced after the original Iluka LSP was put in place, a structure plan is no longer intended to determine built form detail (such as building setbacks and car parking provision) and therefore the applicant has prepared two LDPs in place of a further structure plan, which are designed to provide detailed provisions related to the design and intended built form of development on the subject site.

The details of the proposed LSP amendment (Attachment 2 refers) and the two LDPs (Attachment 3 refers) are included below.

Proposed amendment to the Iluka Structure Plan

The amendments proposed by the applicant to the Iluka LSP include the following:

- Updating the overview section of the LSP to ensure the wording is consistent with the Regulations.

- Modifying the Iluka LSP map to change the zoning of the subject site from 'Centre' to 'Commercial' and update all wording within the LSP which references the 'Centre' zone.
- Removing reference to Part 9 of DPS2, as this section is now obsolete with the gazettal of the Regulations.
- Removing the definition of 'Storey', noting that a provision is recommended to be included in the LDPs to address the overall building height.
- Modifying and including additional provisions under clause 6 of the LSP related to the proposed 'Commercial' zone, including:
 - removing the objectives of the 'Centre' zone and referencing the objectives for the 'Commercial' zone included under DPS2
 - requiring the preparation and adoption of a LDP/s prior to subdivision including provisions which the LDP/s will need to address, specifically; creating a non-residential main street along O'Mara Boulevard, built form controls, height limits, R-Code variations and car parking and vehicle access arrangements
 - remove the requirement to address overshadowing and privacy as part of an LDP, so that overshadowing and privacy will be assessed in accordance with the R-Codes
 - requiring a minimum of 1,500m² of street-activating non-residential floorspace fronting O'Mara Boulevard
 - a maximum building height of three storeys unless demonstrated that additional height is appropriate
 - a non-residential car parking standard of one bay per 20m² of net lettable area.
- Updating all references from 'neighbourhood centre' (outdated) to 'local centre' to reflect the classification of the centre as defined by *State Planning Policy 4.2: Activity Centres*.
- Modifying and including additional wording under *clause 4 – Context Analysis* and *clause 5.2 – Coastal Village*, Part 2 of LSP regarding the subject site, specifically its 'Commercial' zoning, the required minimum non-residential floorspace and the mixed-use nature of the future development.
- Including additional wording under *clause 8 – Traffic*, Part 2 of LSP referring to the car parking provision for non-residential development, on-street parking and the reciprocal use of parking over the subject site.
- Updating *clause 9 – Staging*, Part 2 of LSP stating that development will occur based on market demands and that the local centre will be among the last land to be developed in order to be supported by a mature/complete catchment.

Draft Local Development Plans

The provisions proposed by the applicant to be included in the LDPs include the following:

- Removal of the plot ratio provision for multiple dwellings to allow the inclusion of specific design provisions within the LDP to control built form, bulk and scale of the development.
- Inclusion of a provision related to the permitted building height, including where and when a fourth storey element could be considered appropriate by the determining authority.
- Permitting a nil setback to the O'Mara Boulevard street boundary to achieve the main street vision for the subject site.
- Allowing nil setbacks to internal lot boundaries in certain circumstances.
- Allowing a reduced open space provision where communal facilities are proposed as part of the development.
- Encouraging angled or parallel public visitor parking bays within the verge surrounding the LDP area.

- Identifying the locations of primary and secondary vehicle access points.
- Removal of the requirement for a diversity of unit types (such as single bedroom apartments) for aged persons dwellings (persons over 55 years old).
- Including an active frontage to O'Mara Boulevard with applicable built form provisions which assist in achieving a main street environment, such as extensive glazing, pedestrian awnings, footpaths and alfresco dining.
- Provisions which refer to the staging of development and the aesthetic treatment of walls and sections of building where they will be abutting another wall/building in the future (as part of a separate stage).

Applicant's justification

The applicant has provided justification to support the proposed development provisions in the two draft LDPs which has been summarised below:

Plot ratio

The applicant has stated that guidance in the LDPs provides a more specific set of built form parameters for the sites, which is easier understood as a design outcome rather than plot ratio limits. The controls will allow for architectural expression to occur within the parameters of the LDP built form controls.

Building Height

As the applicant has indicated that the proposal is consistent with the principles formulated within the State Government's draft *Design WA* documents, local provisions responding to site-specific conditions can allow for additional height provided there has been an appropriate consideration of local implications. Specifically, *Design WA* suggests that building height should consider context, character, built form and scale.

Locational guidance for a potential fourth storey element has been added in the corner of the sites (adjacent to the O'Mara Boulevard and Burns Beach Road intersection), to create a landmark entrance to the centre, while ensuring that built form above three storeys does not impact existing residents to the north and east of the sites and public open space to the south.

Additional height in the location marked can only be achieved by demonstrating that the Design Principles of the Residential Design Codes (R-Codes) can be satisfied, including, adequate access to direct sun, maintenance of views of significance, and developing to a human scale.

In order to maintain consistent ground floor levels for non-residential uses fronting O'Mara Boulevard, some site levelling interventions are likely to occur in the west of the sites (nearest the intersection of O'Mara Boulevard and Burns Beach Road). Providing for flexibility of up to two metres will cater for any changes that may be necessary to the natural ground levels, combined with additional floor to ceiling height for non-residential uses

A building height cross-section (east-west) from Santos Vista to Burns Beach Road has been provided to illustrate the impact an indicative fourth storey element would have on surrounding landowners (Attachment 8 refers).

Street Setbacks

The applicant has stated that in order to create a vibrant main street pedestrian environment, it is crucial that shopfronts and built form have a strong relationship with the public realm and frame the boundary of the road reserve. A setback of nil will be provided, taking into account any potential need for space to facilitate angled or parallel parking, width of footpath and allowance for services and street trees and any alfresco area.

Lot boundary setbacks

The applicant has indicated that as the scale of the sites lend itself to being developed in stages on separate titles, therefore the provision is to encourage developers to coordinate between each title (if created), by providing party walls, as to not undermine the broader objective for development to face outward toward the surrounding streets. It is important that the final outcome as viewed from the street appears integrated as if it were one parcel of land.

Open Space

The applicant's intention is to reduce the open space provision to incentivise developers to provide high quality internal facilities to cater for a mixed community within the sites. A high level of urban amenity shall be offered to residents along O'Mara Boulevard. This shall be combined with the proximity to public open space immediately south of the local centre and the short walk to the coast. Importantly, the concession can only be used if the proponent demonstrates higher quality internal amenity (consistent with the draft *Design WA* provisions regarding functional open space).

Parking

The applicant's proposed provision allows for visitor bays to be provided on the street, instead of on-site, affording greater opportunities for reciprocal use with non-residential uses (which have their own parking requirements also). Legible parking on-street means less confusion and less circulation from people looking for parking, reducing traffic. It also reflects the convenience goods base of local centres, so convenient short-term parking is appropriate.

Importantly, the words 'where justified' are inserted to ensure the objective for achieving a high quality urban design streetscape is not undermined by excessive amounts of on-street parking.

Vehicle access

The applicant has indicated that providing primary access from Burns Beach Road can substantially remove traffic from the estate, significantly reducing the impact on existing residents. Secondary access opportunities are provided from the local road network, to allow for a small number of staff parking and visitor bays, if required. It is likely that the primary access points will lead to basement parking.

Dwelling size

The applicant has stated that the southern half of the southern land parcel is best suited for retirement living, being immediately adjacent the public open space to the south. The inclusion of this use will create the diversity in community this particular R-Code clause seeks to encourage, in addition to providing a consistent stream of customers (from both staff and residents) to support viable commercial offerings on O'Mara Boulevard. This will serve the overall objective of dwelling diversity in lieu of prescriptive requirements for single bedroom dwellings.

Active frontage

The applicant has indicated that the proposed provision provides clear guidance to proponents for what is an acceptable outcome fronting O'Mara Boulevard. The reference to floorspace is necessary to retain the commitment to the overall 1,500m² of non-residential floorspace within the centre, practically split between the two land parcels (700m² and 800m² respectively). This

safeguards the main street style local centre proposed for O'Mara Boulevard and is considered the amount of floorspace that can be guaranteed for the centre as a minimum.

Staging

The applicant has stated that this provision allows for the sites to be developed in stages, which may be necessary given the scale of development. However, the provision affords the City with a level of comfort that requirements such as open space, parking and the like, must be satisfied for each individual stage.

Aesthetic treatment of blank walls

The applicant has stated that this provision provides an opportunity for public art or some form of articulation to be provided on otherwise blank temporarily exposed side boundary walls. This provides the community with a level of comfort that, should development stages occur several years apart, an acceptable level of interim design aesthetics must be achieved.

Key themes and issues

The key themes / issues arising from the City's assessment of and submissions received from the community on the LSP amendment and two LDPs are detailed below:

Building height and fourth storey element

The majority of objections to the proposed LSP amendment and LDPs relate to the proposed building height within the local centre.

The building height proposed by the LSP amendment and LDPs remains three storeys as per the current structure plan provisions, however, the applicant has also included a provision under the LSP and the two LDPs which allows for a fourth storey on the corner of each site adjacent to the O'Mara Boulevard and Burns Beach Road intersection, provided it can be demonstrated that the additional height has no undue negative impact on the surrounding community.

In considering this aspect of the proposal and the submissions received, the following is noted:

- The two areas identified under the LDPs as a potential location for a fourth storey element are located away from any existing residential properties.
- The natural ground level of these two areas identified on the LDPs are significantly lower than that of the residential land surrounding, therefore the impact of an additional storey will be lessened.
- The applicant has demonstrated through cross-sections of the site and the adjacent residential properties to the east that the additional fourth storey element will not have any greater impact on views than that of a three-storey building.
- The provision proposed under the LSP and LDPs does not permit a fourth storey 'as of right' and would be considered as part of a future development application at the discretion of the determining authority. This gives the determining authority the ability to refuse / not support a fourth storey element if the built form outcome will have a negative impact on the surrounding community.
- The fourth storey element could assist in creating an architectural feature and 'gateway' to the Iluka LSP area from Burns Beach Road. It will also help 'frame' the main street of O'Mara Boulevard, consistent with the intended development outcomes envisioned for the local centre.

- In assessing a fourth storey element, the determining authority will still need to assess the development against the requirements of the R-Codes to ensure it meets either the relevant deemed-to-comply criteria or design principles.
- The majority of the subject site will still need to ensure compliance with the three storey height limit which was originally envisioned for the local centre under the current LSP requirements, including those areas of the subject site adjacent to and / or fronting residential properties.

The proposed building height provision is considered appropriate; however, it is recommended that the LDPs be modified to further address the concerns raised by the community regarding the bulk and scale of the development on surrounding properties.

As a means of transitioning building height from the surrounding single / two storey detached dwellings to the potential medium density three storey multiple dwellings, it is recommended that the development on the subject site be set back two metres from all street boundaries, with the exception of Burns Beach Road and O'Mara Boulevard. The proposed two metre street setback is consistent with the primary street setback that is required under the R-Codes for multiple dwellings/mixed use development coded R60 and will avoid a potential street setback of one metre that could be applied to a secondary street.

The provision for a street setback of at least two metres will allow for additional landscaping within the setback area, assist in reducing building bulk, as well as providing a transition to the three metre (average) street setback of dwellings to the east.

In addition to the above modification, it is also recommended that the building height provision under the LDPs is further modified to remove reference to topographic level changes not being considered in the calculation of building height (up to two metres).

Under the R-Codes, building height is determined from the natural ground level of the site. However, the LDP states that building height does not include any site works / retaining up to two metres above natural ground level. This provision is not supported as retaining and siteworks may impact the difference in level between the O'Mara Boulevard verge and the ground floor level of development on the subject site. This is not considered appropriate, as the level of O'Mara Boulevard and the level of the ground floor should be generally consistent to achieve an activated, accessible and integrated frontage which meets the 'main street' principles and vision under the LSP. Detailed consideration of ground levels is more appropriate at development application stage when a specific development form is known.

As a result, the provisions included in the LSP amendment and the LDPs related to height on the subject site are considered appropriate subject to the following:

- a) Including a provision within the LDPs which requires a two metre setback from all street boundaries, excluding Burns Beach Road and O'Mara Boulevard.
- b) Removing reference to site works/retaining not being considered in the calculation of building height.

Storey definition

The current Iluka LSP includes a provision which limits development of the subject site to three storeys. The definition of "storey" under the current LSP states the following:

"shall mean the vertical space extending from one habitable floor of a building to the floor above and for residential properties shall be deemed to be no more than 3.5 metres. The term shall not include any space within a roof, whether used for habitation or not."

As a result of the above definition, the maximum height of the building could vary depending on whether the building includes commercial floorspace or not, as the definition only refers to residential properties. This creates some ambiguity in the overall height of any development. As a result, the applicant has proposed to remove the definition of 'storey' from the LSP.

Although the applicant has proposed a maximum height for a storey within the LDPs, it is considered that further clarity is required regarding the maximum height in metres that a development could achieve. It is recommended that the proposed building height provision under the LDPs be expanded to include reference to a maximum permitted building height in metres, as measured from natural ground level.

The maximum building heights considered appropriate are 10.5 metres for a three storey development and 13.5 metres for any four storey element / development. These maximum building heights have been calculated on the basis of providing a ground floor height of 4.5 metres for commercial land uses, with any storey above being three metres high. This is generally consistent with the building height provisions for mixed use development under the *City's Whitford Activity Centre Structure Plan* and draft *Joondalup Activity Centre Plan*. This method assists in quantifying the overall height of a three/four storey development to provide a level of certainty and consistency.

As a result of the above, the removal of the 'storey' definition under the proposed LSP amendment is considered acceptable, subject to the modification of the LDPs building height provision by including reference to maximum permitted building height/s in metres.

Zoning and land uses

The subject site is currently zoned 'Centre' under the Iluka LSP. In accordance with DPS2, no subdivision or development can occur on land zoned 'Centre' unless a structure plan is prepared and adopted over the area.

With the introduction of the Regulations in 2015, and subsequent guidance provided by the WAPC's *Structure Plan Framework*, a LDP is considered to be the most suitable tool to guide the built form outcomes and overall development of the subject site. It is considered that the overall size and commercial hierarchy of the subject site does not necessitate the requirement for a separate structure plan.

The 'Commercial' zoning of the site is considered appropriate as it allows for a range of residential and non-residential land uses consistent with a typical mixed-use development. The permissibility of land uses will be consistent with those identified in the 'Commercial' zone under DPS2. As a result, the rezoning of the subject site to 'Commercial' is considered appropriate.

It is also noted that the classification of the centre has been changed from 'neighbourhood' to 'local' as part of the LSP amendment as this is the correct terminology used under the State Government's *State Planning Policy 4.2: Activity Centres*. There are no implications as a result of this modification.

Non-residential floorspace

Under Part 2 of the current Iluka LSP, the local centre is anticipated to provide up to 3,300m² of retail floorspace. At this point in time the applicant has been unable to secure an anchor tenant for the site, and as such development of the local centre has not yet occurred. It is noted that the 3,300m² of retail floorspace is a maximum provision, not a mandated minimum, and therefore there is no obligation for the developer to deliver this extent of retail floorspace.

The applicant has provided a retail technical note prepared by an economic specialist which expands on the existing retail sustainability assessment. The retail technical note contributes the lack of market interest in the subject site to the fact that an effective 'half-catchment' has been created by virtue of its location adjacent to the coast; overlap of catchments from other centres (particularly the Currambine District Centre); and its location away from most commuter traffic.

However, the applicant has demonstrated that the subject site is still capable of accommodating at least 1,500m² of non-residential floorspace with greater demand for retail and local entertainment available to pedestrians and cyclists along the coast.

The findings within the updated retail analysis have merit given that market conditions and demands have changed over time since the original planning for the Iluka LSP. Notwithstanding, the applicant has committed through the LSP amendment to provide a minimum of 1,500m² of street activating non-residential floorspace between the two sites, and this is considered appropriate.

Traffic and movement network

Submitters have raised concerns regarding the amount of traffic generated by the future development of the local centre, particularly the impact on the existing local road network and amenity issues associated within additional noise, verge parking and congestion.

A technical note prepared by Riley Consulting has been provided by the applicant regarding the anticipated traffic impacts associated with the revised development expectations for the site.

Based on the proposed LSP amendment, it is anticipated that the traffic forecasts for Santos Vista, Calis Avenue, Mykonos View, O'Mara Boulevard and Burns Beach Road will not be affected. The maximum daily flow of vehicles on each road is expected to comply with those identified under WAPC's *Liveable Neighbourhoods* and will in fact reduce the previous traffic forecasts for the surrounding road network, which were based on 3,300m² of retail floorspace.

The daily traffic forecast at the intersection at O'Mara Boulevard and Burns Beach Road is also expected to reduce by approximately 2,324 vehicle trips per day, and therefore the proposed LSP amendment will not have an adverse impact on the operation of this intersection compared to that already contemplated by the current LSP.

Non-residential parking

The LSP amendment includes a proposed non-residential car parking standard of one bay per 20m² of net lettable area.

This parking standard has been formulated as part of the technical noted regarding the traffic impact assessment, consideration of the other local centres and the City's DPS2 parking standards.

DPS2 requires a shopping centre under 30,000m² to achieve a total of five bays per 100m² net lettable area, which equates to one bay per 20m². Therefore, the car parking standard proposed as part of the LSP amendment is consistent with the parking standards under DPS2. This provision will allow for a holistic consideration of car parking over the entire subject site. As a result, the proposed car parking standard is considered appropriate.

Residential parking

The parking provisions for residential development are proposed to be altered under the LDPs by allowing on-street public car parking bays to be used to meet the visitor car parking standard under the R-Codes.

This provision in the LDPs is not supported as car parking bays located within the road reserve are for public use, and therefore cannot be assigned to an individual landowner or property. As a result, it is recommended that this provision of the LDPs be modified to ensure on-street bays cannot be formally designated as visitor bays, however are still encouraged within the adjacent road reserve. This will mean that visitor parking associated with residential uses will need to be contained on-site in accordance with the R-Codes.

Vehicle access

Primary and secondary vehicle access points to the subject site have been nominated on the two proposed LDPs.

Both LDPs indicate that primary vehicle access to the subject site will be taken from Burns Beach Road in order to lessen the impact on surrounding residential properties. Secondary vehicle access points have been included on a number of other access streets adjoining the site to accommodate service and delivery vehicles associated with the future development.

Based on the traffic report provided as part of the LSP amendment, 'left in, left out' vehicle access from Burns Beach Road can be achieved in a safe and appropriate manner. However, it is noted that a future development application will need to confirm the exact location of these vehicle access points.

Built form

The proposed LSP amendment and LDPs include a provision requiring an activated non-residential frontage to O'Mara Boulevard, creating a 'main street' development which frames the street and provides a landmark site for the area.

This built form outcome was envisioned for the local centre as part of the original LSP, and therefore the applicant has provided further clarification as to how this will be achieved through the formulation of additional provisions within the LSP and the proposed LDPs.

The prospective developer of the site has provided conceptual renders showing a possible architectural response based on the development provisions proposed under the draft LDPs (Attachment 9 refers). These proposed LDP provisions include reference to providing significant glazing, nil setbacks to O'Mara Boulevard, pedestrian shelter, footpaths, space for alfresco dining and the provision of on-street parking where possible. This, in addition to the other setback requirements, building height and open space provision, means that the plot ratio requirement under the R-Codes is not considered necessary as the bulk and scale of the development will be controlled through the development provisions under the LDPs.

The current LSP requires that a structure plan for the subject site specifically addresses the impacts of overshadowing. The LSP amendment proposes to remove this requirement and does not list it as an item as a matter to be addressed by the proposed LDPs. This is considered appropriate as a result of this amendment, overshadowing for any future development proposals will be assessed in accordance with the R-Codes.

Residential density

A number of submitters have stated that Satterley Property Group had given landowners inconsistent information in terms of the development potential of the local centre. Comments related to the perception that the local centre would be developed to a lower scale of density with town houses/grouped dwellings instead of apartments.

The City is unable to confirm these claims; however, it is noted that the current density code of R60 is not proposed to be changed as part of the LSP amendment or the LDPs. As a result, the potential dwelling yield and density of the local centre remains the same. Irrespective of the proposed LSP amendment, the site can currently be developed with multiple dwellings based on the current R60 density coding.

Bushfire risk

In accordance with clause 6.3 of SPP 3.7, a BAL contour report prepared by Natural Area Consulting has been provided as part of the LSP amendment which demonstrates that the subject site has a maximum rating of BAL-12.5. This rating is considered low risk and can be managed through appropriate construction measures as part of a future building permit application for the development.

Proposed modifications

As a result of the above assessment of the proposals, as well as the submissions received (Attachments 4 and 5 refer), modifications to the LSP amendment and the LDPs are recommended.

The LSP amendment schedule of modifications is included as Attachment 6, and the schedule of modifications for the proposed LDPs are included as Attachment 7.

Issues and options considered

Iluka Local Structure Plan

The options available to Council in considering the submissions received and subsequent proposed modifications to the Iluka LSP under the Regulations include:

- requesting further information from a person who prepared the structure plan or
- advertising any modifications proposed to the structure plan to address issues raised in submissions.

Should Council be of the opinion that neither of the above is necessary, a report is required to be forwarded to the WAPC in accordance with Schedule 2, Part 4 Clause 20 of the Regulations. The report must include the following:

- A list of the submissions considered by the local government.
- Any comments by the local government in respect of those submissions.
- A schedule of any proposed modifications to address issues raised in the submissions.
- The local government's assessment of the proposal based on appropriate planning principles.

- A recommendation by the local government on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.

Local Development Plans

The options available to Council regarding the two LDPs under the Regulations include the following:

- approve the local development plan/s
- require the person who prepared the local development plan/s to:
 - Modify the plan in the manner specified by the local government
 - Resubmit the modified plan/s to local government for approval.
- or
- refuse to approve the plan/s.

Legislation / Strategic Community Plan / policy implications

Legislation

Planning and Development Act 2005.
Planning and Development (Local Planning Schemes) Regulations 2015.
District Planning Scheme No. 2.

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

State Planning Policy 3.1: Residential Design Codes.
State Planning Policy 3.7: Planning in Bushfire Prone Areas.

Planning and Development (Local Planning Schemes) Regulations 2015

Structure plans

Under the Regulations, structure plans no longer have statutory effect, with decision makers only required to have 'due regard' to the plan. The Regulations also limit the lifespan of a structure plan to 10 years, commencing on the day the WAPC approves the plan.

In accordance with Schedule 2, Part 4, Clause 19(1) (d), the local government may advertise any modifications proposed to the structure plan to address issues raised in submissions. However, in accordance with Clause 3 any modifications to a structure plan may not be advertised on more than one occasion without the approval of the WAPC.

In accordance with Schedule 2, Part 4, Clause 20, the local government must prepare a report within 60 days of either the last day for making submissions or from a day agreed by the WAPC. The report is required to contain a list of submissions considered by the local government, any comments by the local government on those submissions, a schedule of any modifications required to address issues raised, an assessment of the proposal based on

appropriate planning principles and a recommendation on whether the structure plan should be approved by the WAPC.

Upon receiving the local government's report, the WAPC must determine the structure plan in accordance with Schedule 2, Part 4, Clause 22 and must do so within 120 days or another time agreed to by the person who prepared the structure plan.

Local development plan/s

Unlike structure plans, local development plans are to be determined by the local government in accordance with Schedule 2, Part 6, Clause 52(1) of the Regulations, and must do so within 60 days from the last day of public consultation.

The local government has the ability to approve, require modifications or refuse the local development plan taking into account the submissions received during advertising.

State Planning Policy 3.1: Residential Design Codes

In accordance with Clause 7.3.2 of the R-Codes, the local government may, with the approval of the WAPC, amend any deemed-to-comply provision within the R-Codes by means of a LDP where it can be demonstrated to the satisfaction of the WAPC that the proposed amendment is warranted due to the specific need related to the locality, is consistent with the objectives of the design principle of the R-Codes, and can be properly implemented and audited by the decision-maker as part of the ongoing building approval process.

It is noted that as the draft LDPs propose to amend certain provisions of the R-Codes that only the WAPC can approve. During the public consultation period, the City requested that the WAPC consider the proposed amendments, which require their approval. However, the City was advised that the amended provisions would be considered by WAPC in conjunction with the proposed LSP amendment. As a result, following Council's consideration, the LDP must be referred to the WAPC to make a determination on those amended provisions.

In event that the WAPC does not approve the amended provisions, the LDPs would effectively not be approved. If this was to occur, the applicant would be required to modify the LDP which would then be referred back to Council for consideration.

State Planning Policy 3.7: Planning in Bushfire Prone Areas

Clause 6.2 of SPP 3.7 requires that strategic planning proposals within a bushfire prone area provide a Bushfire Management Plan to identify any risks and include measures to address these risks. A Bushfire Management Plan has been prepared by the applicant which supports the LDPs and meets the requirements of SPP 3.7.

District Planning Scheme No. 2

Clause 3.7.1 of DPS2 states that the 'Commercial' zone is intended to accommodate existing or proposed shopping and business centres. The objectives of the 'Commercial' zone are to:

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

Risk management considerations

Should Council defer a decision on the LSP, then the application may be determined by the WAPC without Council's input.

As Council is only providing its recommendation to the WAPC on the proposed LSP amendment, the applicant does not have the ability to appeal Council's recommendation.

The applicant has a right of appeal through the *State Administrative Tribunal Act 2005* should Council determine to refuse the LDPs, not determine the LDPs within 60 days from the last day of advertising, or approve the LDPs subject to conditions/modifications.

Financial / budget implications

The applicant has paid fees of \$10,197.59 (including GST) for assessment of the LSP and LDPs. In addition, the applicant is responsible for all costs associated with advertising of the proposed LSP amendment and proposed LDPs.

Regional significance

Not applicable.

Sustainability implicationsEnvironmental

The subject site is currently vacant and does not have any remnant vegetation, however, the City's environmentally sustainable design checklist will be applicable to any major development on the subject site.

Areas of amenity in close proximity to the site include the natural bushland, the coast/beach and public open space areas surrounding the subject site which will be enjoyed by future visitors and residents.

Social

The proposed LSP amendment recognises the importance of a diversity in housing type/product as it supports the lifestyles of those who live, or wish to live, in apartment style housing within the suburb of Iluka.

The local centre will act as a meeting place and central node for existing and future residents and visitors to Iluka and will help create a sense of place to further build upon the local community.

Economic

The local centre will assist in providing convenient facilities, services and employment opportunities for local residents and attraction for visitors.

A technical note updating the retail sustainability considerations associated with the site has been provided as part of the LSP amendment and adequately demonstrates that the proposed size and location of the local centre is appropriate in the context of the available catchment and impact on existing commercial centres.

Consultation

The proposed LSP amendment and LDPs were advertised for public comment for a period of 28 days, closing on 8 November 2017, as follows:

- A total of 983 letters were sent to landowners and/or occupiers within the *Iluka Structure Plan* area, including the Iluka Home Owners Association, as well as relevant government agencies.
- Two on-site advertising signs.
- A notice placed in the *Joondalup Weekender* newspaper.
- A notice and documents placed on the City's website.
- A notice placed on the City's social media accounts.

A total of 126 valid submissions were received, consisting of two submissions from government authorities, one submission from the Department of Planning and the remaining submissions being provided by the general public.

Of the 126 valid submissions received, 96 (75.4%) submitters oppose the draft LDPs, while 14 (11.1%) submitters support the proposal, eight (6.3%) submitters are unsure and nine (7.1%) submitters provided no response.

Similar results were received regarding the proposed LSP amendment, with 101 (80.2%) submitters opposed to the LSP amendment, 12 (9.5%) submitters support the proposal, four (3.2%) submitters are unsure and nine (7.1%) submitters did not respond.

In accordance with the requirements of the Regulations, a schedule of submissions has been developed which summarises the comments received into key themes as well as the number of responses to each theme (Attachment 4 and 5 refer).

COMMENT

The proposed LSP amendment and draft LDPs assist in clarifying the intent and vision for the local centre within the Iluka structure plan area, while also providing appropriate development standards and provisions which will guide future development of the subject site.

The provisions of the amendment and LDPs retain the key principles of the current LSP and ensure the subject site can be development based on current market trends and demands, while not providing any additional impact on the surrounding residential properties.

It is recommended that Council supports the LSP amendment subject to the modifications outlined in Attachment 6, and approve the two proposed LDPs subject to the modifications outlined in Attachment 7.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMENDATION

That Council:

- 1 Pursuant to clause 20 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

- 1.1 SUPPORT Amendment No. 4 to *Iluka Structure Plan No. 26* included as Attachment 2 to Report CJ192-12/17, subject to the modifications specified in Attachment 6 to this CJ192-12/17;
 - 1.2 FORWARDS the Council Report, schedule of submissions included in Attachment 4 to Report CJ192-12/17 and schedule of recommended modifications specified in Attachment 6 to Report CJ192-12/17 to the Western Australian Planning Commission for consideration and determination;
- 2 Pursuant to Clause 52 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, REQUIRES the applicant to modify the proposed local development plans included as Attachment 3 to Report CJ192-12/17, as outlined within the schedule of modifications included as Attachment 7 to Report CJ192-12/17;
- 3 Pursuant to Clause 52 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the local development plans included as Attachment 3 to Report CJ192-12/17 subject to:
 - 3.1 The local development plans being modified in accordance with the schedule of modifications included in Attachment 7 as outlined in part 2 above;
 - 3.2 The proposed amendments / replacement of the deemed-to-comply requirements of clauses 6.1.1 (building size), 6.1.5 (open space) and 6.4.3 (dwelling size) of the *Residential Design Codes* being approved by the Western Australian Planning Commission in accordance with clause 7.3.2 of *State Planning Policy 3.1: Residential Design Codes*;
 - 3.3 Amendment No. 4 to the *Iluka Structure Plan No. 26* being approved by the Western Australian Planning Commission;
- 4 NOTES the submissions received and ADVISES the submitters of Council's recommendations to the Western Australian Planning Commission and Council's determination of the local development plans.

PROCEDURAL MOTION – ITEM BE REFERRED BACK TO THE CHIEF EXECUTIVE OFFICER

MOVED Mayor Jacob, **SECONDED** Cr McLean that Council **RESOLVES** to refer Amendment No. 4 to *Iluka Structure Plan No. 26* and the proposed local development plans included as Attachment 3 to Report CJ192-12/17 back to the Chief Executive Officer to allow the applicant to reconsider the additional height and the extent of the land use permissibility sought in the proposal.

The Motion was Put and

CARRIED (12/0)

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

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf171205.pdf](#)

CJ193-12/17 INITIATION OF SCHEME AMENDMENT NO. 90 TO DISTRICT PLANNING SCHEME NO. 2 – RECODING FROM R20/60 AND R20/40 TO R20/30

WARD	South
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	106679, 101515
ATTACHMENTS	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* to change the residential density code of the portion of Housing Opportunity Area 1 (HOA1) located west of Davallia Road from R20/40 and R20/60 to R20/30.

EXECUTIVE SUMMARY

As part of a report addressing issues in Housing Opportunity Areas, at its meeting held on 21 November 2017 (CJ177-11/17 refers), Council considered a petition from some landowners in Duncraig and subsequently resolved to include the area west of Davallia Road, Duncraig, into existing Amendment No. 88. This would effectively mean that Council would need to revoke its earlier decision to initiate and advertise existing Amendment No. 88 and to replace it with an amendment to DPS2 to recode the entire area of HOA1 west of the Mitchell Freeway from R20/40 and R20/60 to R20/30.

Following this resolution, the Department of Planning, Lands and Heritage (DPLH) advised that it does not believe that the *Planning and Development (Local Planning Schemes) Regulations 2015* expressly provide for Amendment No. 88 to be rescinded at this stage. DPLH advised that Amendment No. 88 should be advertised in the form that it was initiated, and cannot be modified prior to advertising. Separate legal advice sought by the City has confirmed this to be the case.

This means that Amendment No. 88 must proceed to be advertised in its current form, that is, not including the portion of HOA1 west of Davallia Road.

However, as an alternative, Council can consider initiating a separate scheme amendment (Amendment No. 90) to recode the portion of HOA1 west of Davallia Road from R20/40 and R20/60 to R20/30 and in practical terms, where possible, treat the amendments as though they were one amendment by:

- advertising both amendments concurrently and in the same manner
- reporting on both amendments in one report to Council at the conclusion of advertising

- advising the Western Australian Planning Commission (WAPC), via a formal resolution of Council and through the amendment documentation sent to the WAPC, that the two amendments both deal with the same issue in the same Housing Opportunity Area and encourages the WAPC to view the two amendments as one issue to be dealt with holistically

If Council supports this course of action, this report provides the necessary mechanism to initiate an additional scheme amendment (Amendment No. 90) to implement the above.

BACKGROUND

Suburb/Location	Properties within HOA1 west of Davallia Road, Duncraig.
Applicant	City of Joondalup.
Owner	Various.
Zoning	DPS 'Residential', 'Public Use', 'Parks and Recreation'.
	MRS 'Urban'.
Site area	Various.
Structure plan	Not applicable.

At its meeting held on 27 June 2017 (CJ086-06/17 refers), Council resolved to initiate Amendment No. 88 to DPS2 to amend the residential density code of a portion of HOA1 bounded by Mitchell Freeway, Davallia Road, Beach Road and Warwick Road, Duncraig, from R20/40 and R20/60 to R20/30.

Following Council's resolution to initiate Amendment No. 88, the City referred the amendment to the Western Australian Planning Commission (WAPC) and Environmental Protection Authority (EPA) prior to advertising, as required by the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

Permission was granted to advertise Amendment No. 88, but prior to commencement of advertising, a separate petition was received from some landowners in HOA1 west of Davallia Road seeking to also include this area of HOA1 in Amendment No. 88.

Amendment No. 88 was therefore not advertised pending Council's consideration of the petition to include additional areas into the amendment.

At its meeting held on 21 November 2017 (CJ177-11/17 refers), Council resolved in part as follows:

"SUPPORTS the request to include the portion of Housing Opportunity Area 1, located west of Davallia Road into Amendment No. 88 to District Planning Scheme No. 2, to reduce the density coding from R20/R40 and R20/R60 to a density coding of no higher than R20/R30 and NOTES that a report dealing with the revocation of Council's earlier decision to initiate existing Amendment No. 88 and to initiate a replacement amendment will be presented to an upcoming Council meeting".

DETAILS

In accordance with Council's decision on 21 November 2017 (CJ177-11/17 refers), an amendment is required to DPS2 that includes the original Amendment No. 88 area, being the area of HOA1 bounded by the Mitchell Freeway, Davallia Road, Beach Road and Warwick Road as well as the area of HOA1 located west of Davallia Road. This amendment would therefore effectively seek to recode the entire area of HOA1 west of the Mitchell Freeway from R20/40 and R20/60, to R20/30.

The remainder of HOA1 to the east of the Mitchell Freeway would not be impacted by the proposed amendment.

The City has obtained legal advice which indicates that the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations):

- do not contain provisions which expressly allow a decision to proceed to advertise a scheme amendment to be revoked
- require that an initiated scheme amendment must be advertised
- do not contain provisions to allow an initiated scheme amendment to be modified prior to advertising.

Amendment No. 88 must therefore proceed to be advertised in its current form, that is, not including the portion of HOA1 west of Davallia Road.

However, in order to implement the intent of Council's decision, a new amendment can be initiated to DPS2 (Amendment No. 90) to recode the portion of HOA1 west of Davallia Road from R20/40 and R20/60 to R20/30 (Attachments 1 and 2 refer).

In acknowledgment of the concerns expressed at the Council meeting that a separate amendment for the area west of Davallia Road may not be given the same consideration as Amendment No. 88 by the WAPC, it is proposed that the City deal with the two separate amendments as though they were a single amendment, as far as possible.

To this end it is recommended that Council initiates a new amendment (Amendment No. 90) for the area to the west of Davallia and seeks the consent of the WAPC to advertise it, holding the advertising of the original Amendment No. 88 in abeyance until the City has approval to advertise Amendment No. 90. This will not delay progress for the residents east of Davallia Road and the subject of the original Amendment No. 88 as they would have formed part of the new, larger amendment anyway.

In practical terms, the two amendments could be treated as one large amendment by advertising both amendments concurrently, using the same letters and the same Frequently Asked Questions and then considering with the outcomes of consultation on both amendments in one report to Council at the conclusion of advertising.

The Council could then advise the WAPC, via a formal resolution of Council and through the amendment documentation sent to the WAPC, that the two amendments both deal with the same issue in the same Housing Opportunity Area and the City could encourage the WAPC to view the two amendments as one issue to be dealt with holistically.

Council could also elect to not initiate a new amendment and resolve to include the area of HOA1 west of Davallia Road into Amendment No. 88 as part of its consideration of Amendment No. 88 after advertising. It is likely however, if this approach was to be undertaken, that the Minister for Transport, Planning and Lands would direct Council to readvertise the amendment, resulting in a much longer timeframe for a final decision to be made.

Issues and options considered

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

- resolve to advertise Amendment No. 90 with or without modifications and refer the proposal to the WAPC for advice as to whether any modifications to the documents are required before advertising, and to the EPA for advice as to whether the amendment requires a formal assessment under the *Environmental Protection Act 1986*

- or
- resolve not to proceed to advertise Amendment No. 90.

Legislation / Strategic Community Plan / policy implications

Legislation *Planning and Development Act 2005.
Planning and Development (Local Planning Schemes) Regulations 2015.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Housing infill and densification is encouraged and enabled through a strategic, planned approach in appropriate locations.

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 scheme amendment is not consistent with the City's *Local Housing Strategy*, it is classed as a complex amendment under the Regulations. Complex amendments are required to be referred to the WAPC for advice as to whether any modifications to the documents are required prior to advertising.

Should Council resolve to proceed with proposed Amendment No. 90 for the purposes of public advertising, the proposed amendment is required to be referred to the 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 60 days, provided the WAPC has approved advertising as outlined above.

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 Transport, Planning and Lands. The Minister can either grant final approval to the amendment, with or without modifications, or refuse the amendment. Council may also decide not to proceed to advertise a proposed amendment.

Risk management considerations

Draft *Local Planning Scheme No. 3* (LPS3) is currently being assessed for final approval by the Department of Planning, Lands and Heritage (DPLH).

There is a risk that should Amendment No. 90 to DPS2 be initiated now, given the statutory processes to be undertaken, it is possible that draft LPS3 will have progressed beyond a point where there is the ability to capture this subject amendment within draft LPS3. If this was to occur, a new amendment would then need to be initiated following the finalisation of LPS3 to request the reduction in the residential coding to the portion of HOA1 located west of the Mitchell Freeway.

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 could include letters to all owners, and placing a notice in the local newspaper and on the City's website. The total cost of advertising is estimated to be \$2,700. 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

Not applicable.

Consultation

Should the WAPC permit Amendment No. 90 to be advertised, it is required to be advertised for public comment for 60 days. It is proposed that Amendment No. 88 and Amendment No. 90 would be advertised at the same time by way of:

- letters to all landowners within the two scheme amendment areas (approximately 797)
- 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
- a notice placed through the City's social media platforms.

Council's *Community Consultation and Engagement Policy* states that no public consultation is to be undertaken during the summer break, being the last Ordinary Meeting of Council in December to the first Ordinary Meeting of Council in February.

Based on the anticipated Council meeting schedule, this would mean that no consultation could occur between Tuesday 12 December 2017 and Tuesday 20 February 2018, unless otherwise directed by the Council.

Therefore, even if the EPA and the WAPC grant permission to advertise proposed Amendment No. 90, consultation on Amendments No. 88 and 90 will not commence until late February.

COMMENT

It is not legally possible to modify Amendment No. 88 to include the portion of HOA1 west of Davallia Road, and Amendment No. 88 must be advertised in its current form. Therefore, a separate scheme amendment is required to meet the intent of Council's resolution at its meeting held on 21 November 2017 (CJ177-11/17 refers).

The effect of Amendments No. 88 and 90 would be to recode the area of HOA1 west of the Mitchell Freeway from R20/40 and R20/60 to R20/30. It is considered appropriate to advertise the amendments at the same time, and for Council to consider the submissions on the amendments together. It is also considered appropriate to request that the WAPC consider both amendments together, given that they apply to the same HOA, and with the intent that they essentially be one amendment.

Should Council initiate Amendment No. 90, it should be noted that the City has received advice that it would only be appropriate to give weight to the provisions of the amendment once there is certainty that the amendment will be approved.

VOTING REQUIREMENTS

Simple Majority.

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

- 1 Pursuant to section 75 of the *Planning and Development Act 2005* and Regulation 37(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to proceed to advertise Scheme Amendment No. 90 to the *City of Joondalup District Planning Scheme No. 2* to:**
 - 1.1 amend the Residential Density Code Map to recode a portion of Housing Opportunity Area 1 from R20/40 and R20/60 to R20/30, as depicted at Attachment 2 to Report CJ193-12/17,**

for the purpose of public advertising for a period of 60 days;
- 2 Pursuant to Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* NOTES that Scheme Amendment No. 90 is a complex amendment as the proposal is not consistent with the *City of Joondalup Local Housing Strategy*;**
- 3 SUBMITS Scheme Amendment No. 90 to the Western Australian Planning Commission to advise if any modifications are required to the documents prior to advertising;**
- 4 REQUIRES Amendments No. 88 and 90 to the *City of Joondalup District Planning Scheme No. 2* to be advertised for public comment at the same time and NOTES that, following the conclusion of the advertising period, the amendments will be considered by Council within the one report;**
- 5 ADVISES the Western Australian Planning Commission that Council considers Amendments No. 88 and 90 to be addressing the same issue within Housing Opportunity Area 1, and REQUESTS that the amendments be considered together.**

AMENDMENT MOVED Cr Norman, SECONDED Cr Chester that a new Part 6 be ADDED to the Motion to read as follows:

“6 *NOTES the requirements of the City’s Community Consultation and Engagement Policy with respect to consultation during the summer break and AGREES to proceed with public consultation as soon as possible even if commencement occurs before the first ordinary meeting of Council in February 2018.*”

The Amendment was Put and

LOST (4/8)

In favour of the Amendment: Crs Chester, Jones, Norman and Poliwka.

Against the Amendment: Mayor Jacob, Crs Dwyer, Hamilton-Prime, Hollywood, Logan, May, McLean and Taylor.

The Motion as Moved by Cr Dwyer and Seconded by Cr Hamilton-Prime

Was Put and

CARRIED (12/0)

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

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf171205.pdf](#)

CJ194-12/17 SETTING OF 2018 COUNCIL MEETING DATES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	08122, 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 set its meeting dates for the 2018 calendar year.

EXECUTIVE SUMMARY

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

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

BACKGROUND

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

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

DETAILS

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

The meeting scheduled for August 2018 has a proposed commencement time of 12.00 noon to enable attendance and participation by high school students.

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

In respect of other changes to the regular monthly meeting cycle, the Australian Local Government Association (ALGA) will be holding its Annual National General Assembly Conference in Canberra between 17 and 20 June 2018. Therefore it is recommended the Council meeting in June (scheduled to occur in that week of June) be moved to the fourth week in June to enable Elected Members to attend the conference, should they wish to do so.

Issues and options considered

Council can either:

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

Legislation / Strategic Community Plan / policy implications

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

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

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

Financial / budget implications

Current financial year impact

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

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

It is recommended the current monthly timeframe for meetings be maintained for 2018, subject to the:

- June Council meeting being moved to the fourth week in June to enable Elected Members to attend the ALGA Annual National General Assembly Conference in Canberra between 17 and 20 June 2018, should they wish to do so
- August Council meeting commencing at 12.00 noon to enable attendance and participation by high school students
- December meetings being scheduled one week earlier in order to accommodate the Christmas holiday period.

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council:

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

Briefing Sessions to be held at 6.30pm in the Council Chamber	Council meetings to be held in the Council Chamber
Tuesday 13 February 2018	7.00pm on Tuesday 20 February 2018
Tuesday 13 March 2018	7.00pm on Tuesday 20 March 2018
Tuesday 10 April 2018	7.00pm on Tuesday 17 April 2018
Tuesday 8 May 2018	7.00pm on Tuesday 15 May 2018
Tuesday 12 June 2018	7.00pm on Tuesday 26 June 2018
Tuesday 10 July 2018	7.00pm on Tuesday 17 July 2018
Tuesday 14 August 2018	12.00 noon on Tuesday 21 August 2018
Tuesday 11 September 2018	7.00pm on Tuesday 18 September 2018
Tuesday 9 October 2018	7.00pm on Tuesday 16 October 2018
Tuesday 13 November 2018	7.00pm on Tuesday 20 November 2018
Tuesday 4 December 2018	7.00pm on Tuesday 11 December 2018

- 2 **AGREES to hold deputation sessions in conjunction with Briefing Sessions;**

- 3 in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, GIVES local public notice of the meeting dates detailed in Part 1 above;
- 4 INVITES a number of students from each of the high schools within the district of the City of Joondalup to attend the Council meeting to commence at 12.00 noon on Tuesday 21 August 2018;
- 5 NOTES the Mindarie Regional Council, Tamala Park Regional Council and the Western Australian Local Government Association North Zone meetings are generally scheduled to be held on Thursdays;
- 6 AGREES that, where possible, no meetings are to be scheduled in the fourth week of every month;
- 7 NOTES that, where possible, meetings for designated Council committees be scheduled to occur on Mondays, Tuesdays or Wednesdays of weeks one, two or three of any month to minimise potential conflicts with other Council activities.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

CJ195-12/17 MINUTES OF EXTERNAL COMMITTEES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	03149, 101515
ATTACHMENTS	Attachment 1 Minutes of Mindarie Regional Council meeting held on 9 November 2017. (Please Note: These minutes are only available electronically).
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 Mindarie Regional Council meeting held on 9 November 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 November 2017

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

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

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

9.1 Financial Statements for the Months Ended 31 July 2017 and 31 August 2017

It was resolved by the Mindarie Regional Council as follows:

“That the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 July 2017 and 31 August 2017, respectively, be received.”

9.2 List of Payments made for the months ended 31 July 2017 and 31 August 2017

It was resolved by the Mindarie Regional Council as follows:

"That the list of payments made under delegated authority to the Chief Executive Officer for the months ended 31 July 2017 and 31 August 2017 be noted."

9.3 Appointment of Councillors on to Committees and Other Groups

It was resolved by the Mindarie Regional Council as follows:

- "1. Appoint Cr Fishwick, Cr Boothman and Cr Proud on to the Audit Committee.*
- 2. Appoint Cr Fishwick, Cr Cole, Cr Norman, Cr Cvitan and Cr Guilfoyle on to the Chief Executive Officer's Performance Review Committee.*
- 3. Appoint Cr Cvitan as a member and Cr Driver as a Deputy Member on to the Resource Recovery Facility - Project Advisory Group.*
- 4. Appoint Cr Fishwick as a member and Cr Guilfoyle as a Deputy Member on to the Municipal Waste Advisory Council."*

9.4 Chief Executive Officer Recruitment Process

It was resolved by the Mindarie Regional Council as follows:

"A. That the Council:

- 1. appoint a Recruitment Panel (RP) consisting of the Chairperson, Deputy Chairperson and Councillor/s Cole, Guilfoyle, Norman and Cvitan.*
 - 2. endorse the following purpose of the RP:*
 - a) Review service offering submissions from recruitment agencies;*
 - b) Make a recommendation to council on the preferred recruitment agency at its meeting on 14 December 2017;*
 - c) Assess applications received for the CEO position (shortlisted by the successful recruitment agency);*
 - d) Interview the shortlisted applicants together with the recruitment agent; and*
 - e) Make a recommendation to council on the preferred candidate.*
- B. That the Council appoint the Director Corporate Services, Mr Gunther Hoppe, as the Acting Chief Executive Officer from Monday 8 January 2018 for a period of six (6) months or until the date a newly appointed CEO commences.*
- C. Any financial shortfall resulting from the recruitment process be funded in the 2017/18 half yearly budget review.*
- D. That the Council request the Administration to present a report to council amending the title and purpose of the CEO Performance Review Committee enabling the Committee to assist the council in the recruitment of a new CEO."*

9.5 Engagement of Consultant to assist in the Annual Review of the CEO's Performance – Deferred Item

It was resolved by the Mindarie Regional Council as follows:

"That the Council appoint Price Consulting to assist the CEO Performance Review Committee in reviewing the performance and remuneration of the Chief Executive Officer for a further (1) year with a two year option."

9.6 Resource Recovery Facility (Energy From Waste) – Award of Tender - Deferred Item

It was resolved by the Mindarie Regional Council as follows:

"That the Council acknowledges that the deferred confidential report entitled "Resource Recovery Facility (Energy from Waste) Award of Tender" was to be presented to the Ordinary Council meeting on 9 November 2017 and that it accepts that the changes to the Tender contract documents have not been finalised and provides an extension of time to have the report presented to its next Ordinary Council meeting to be held on 14 December 2017."

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 Mayor Jacob, SECONDED Cr Jones that Council NOTES the minutes of the Mindarie Regional Council meeting held on 9 November 2017 forming Attachment 1 to Report CJ195-12/17.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

To access this attachment on electronic document, click here: [EXTERNAL MINUTES171205.pdf](#)

CJ196-12/17 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	15876, 101515
ATTACHMENTS	Attachment 1 Documents executed by affixing the Common Seal during the period 31 October to 14 November 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 31 October to 14 November 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 31 October to 14 November 2017, as detailed in Attachment 1 to Report CJ196-12/17.

BACKGROUND

For the period 31 October to 14 November 2017, two documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Local Planning Strategy.	1
Section 70A Notification.	1

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

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

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 31 October to 14 November 2017, as detailed in Attachment 1 to Report CJ196-12/17.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf171205.pdf](#)

CJ197-12/17 STATUS OF PETITIONS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	05386, 101515
ATTACHMENTS	Attachment 1 Status of Petitions – 16 August 2016 to 21 November 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 status of outstanding petitions.

BACKGROUND

At its meeting held on 16 December 2008 (CJ261-12/08 refers), Council considered a report in relation to petitions.

As part of that report, it was advised that quarterly reports would be presented to Council in the future.

DETAILS

Issues and options considered

Attachment 1 provides a list of all outstanding petitions, which were received during the period 16 August 2016 to 21 November 2017, with a comment on the status of each petition.

Legislation / Strategic Community Plan / policy implications

Legislation *City of Joondalup Meeting Procedures Local Law 2013.*

Strategic Community Plan

Key Themes Governance and Leadership.

Objective Active democracy.

Strategic Initiatives

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

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 Mayor Jacob, SECONDED Cr Jones that Council NOTES:

- 1 the status of outstanding petitions submitted to Council during the period 16 August 2016 to 21 November 2017, forming Attachment 1 to Report CJ197-12/17;**
- 2 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*;**
- 3 in relation to the petition requesting that Council install a fence surrounding the main playground area and if possible the BBQ and eating facilities at Granadilla Park, Duncraig, a report is proposed to be presented to Council at its meeting to be held on 20 February 2018;**

- 4 in relation to the petition requesting Council defer the work to install connections to the MRWA Mitchell Freeway Principal Shared Path (PSP) from Perivale Close, Whitton Court and Romford Place, Kingsley and explore all options for making the section of the PSP safer, a report is proposed to be presented to Council at its meeting to be held on 20 March 2018;
- 5 in relation to the petition requesting the installation of toilet facilities adjacent to the BBQ and playground areas and additional car parking in Broadbeach Park Hillarys; as well as an additional drinking fountain located near the exercise equipment and cricket nets in Flinders Park, Hillarys, a report was presented to the Council meeting held on 21 November 2017 (CJ187-11/17 refers);
- 6 in relation to the petition objecting to the installation of toilet facilities adjacent to the BBQ and playground areas and additional car parking in Broadbeach Park, Hillarys, a report was presented to the Council meeting held on 21 November 2017 (CJ187-11/17 refers);
- 7 in relation to the petition requesting Council reinstate bulk waste verge collections, a report is proposed to be presented to Council at its meeting to be held on 20 March 2018;
- 8 in relation to the petition requesting that Council include the area West of Davallia Road in Housing Opportunity Area 1 that is currently coded R20/40 and R20/R60 to Amendment No. 88 to *District Planning Scheme No. 2*, providing a density coding of no higher than R20/R30, a report was presented to the Council meeting held on 21 November 2017 (CJ177-11/17 refers);
- 9 in relation to the petition requesting that Council does not proceed with the refurbishment of Prince Regent Park to allow the park to become the home ground of Joondalup United Football Club and preserve the park for the residents of Heathridge who would be impacted by this upgrade due to noise, traffic, anti-social behaviour and increased littering, a report is proposed to be presented to Council at its meeting to be held on 12 December 2017;
- 10 in relation to the petition requesting that Council ensures community consultation with residents occurs before new trees are planted on verges outside their homes in all instances and immediately removes the trees recently planted in suburbs due to a failure to apply minimum distances from infrastructure laid out by the Water Corporation guidance or immediately indemnifies all residents and other state bodies indefinitely against sustained damage caused by roots systems, a report is proposed to be presented to Council at its meeting to be held on 17 April 2018;
- 11 in relation to the petition requesting that Council to introduce the following to drive growth and success in the Performing Arts and Cultural Sector, thereby making opportunities available to our families and businesses:
 - 11.1 establish a formal subcommittee of Council to manage and deliver all performing arts and cultural growth / events in the City with 80% of members drawn from this City's community;
 - 11.2 establish safe, secure and accessible equipment storage for groups along with a dedicated, City supplied, equipment library to supply (free of charge) key equipment;

11.3 the City of Joondalup to have a professional Performing Arts and Cultural team that will:

11.3.1 act as the production and support for all suburbs with activities being centralised;

11.3.2 support all groups with fundraising applications, professional PR and memberships;

11.3.3 facilitate access to all current facilities in the City of Joondalup such as school theatres, churches, parks or empty business units for all groups and activities;

11.3.4 raise cross-cultural understanding and accessibility for families/disadvantaged groups;

11.4 source a Performing Arts and Cultural Facility that is fully funded by grants and donations,

it is anticipated that a report will be presented to Council at a later date;

12 in relation to the petition requesting that Council ensures Community consultation with residents in the suburb of Edgewater is a requirement for all DA's lodged with Council and advertisement of any such proposals includes all neighbours of any sites and notifications to the Edgewater Community Residents Association Inc. In addition, Council to ensure any DA's must include traffic impact assessments, environmental impact assessments and noise management plans to allow residents and Council to fully assess the impact of any proposal. Council should note that the signatures are not against development in Edgewater but wish this to be done in an inclusive way and be supported by the local community, a report was presented to Council at its meeting held on 21 November 2017 (CJ177-11/17 refers);

13 in relation to the petition requesting Council does not proceed with the refurbishment of Prince Regent Park to allow this to become the home ground of Joondalup United Football Club, a report is proposed to be presented to Council at its meeting to be held on 12 December 2017;

14 in relation to the petition requesting Council's reconsideration of development approval of the 21 multiple dwellings at Lots 82, 83 and 84 Beach Road, Duncraig:

14.1 the application was approved by the Metro North-West Joint Development Assessment Panel (JDAP) on 1 September 2017 and there is no ability for this decision to be reconsidered;

14.2 the City's administration in its recommendation to the JDAP considered the development to meet the relevant requirements of the *Residential Design Codes (R-Codes)*, *District Planning Scheme No. 2* and the *Residential Development Local Planning Policy*;

14.3 future development applications for multiple dwelling developments in Duncraig or in other areas within the City of Joondalup will be considered against the relevant planning framework and determined accordingly by the relevant decision maker;

- 14.4 the lead petitioner will be advised of the outcome on this matter;**
- 15 in relation to the petition seeking to extend the 50km/h speed zone northwards along Whitfords Avenue, from the Hepburn Avenue and West Coast Drive intersection to Angove Drive:**
- 15.1 a request to consider changing the speed limit will be made to Main Roads WA as this agency is responsible for designating speed limits on roads;**
- 15.2 the lead petitioner will be advised of the City's actions on this matter.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf171205.pdf](#)

CJ198-12/17 MINUTES OF SPECIAL MEETING OF ELECTORS HELD ON MONDAY 13 NOVEMBER 2017

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	75029, 101515
ATTACHMENTS	Attachment 1 Minutes of Special Meeting of Electors held on Monday 13 November 2017.
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 Minutes of the Special Meeting of Electors held on Monday 13 November 2017 and give consideration to the motions carried at the Special Meeting of Electors.

EXECUTIVE SUMMARY

As requested by electors of the City of Joondalup, a Special Meeting of Electors was held on Monday 13 November 2017 in accordance with the provisions of the *Local Government Act 1995*.

The *Local Government Act 1995* requires all decisions made at an electors meeting to be referred to Council for consideration.

It is therefore recommended that Council:

- 1 *NOTES the minutes of the Special Meeting of Electors held on Monday, 13 November 2017 forming Attachment 1 to Report CJ198-12/17;*
- 2 *In relation to Motion 1 carried at the Special Meeting of Electors, DOES NOT SUPPORT that the City of Joondalup does not proceed with the approval of the development on Lot 33 and Lot 34 (7 and 56) Tuart Trail, Edgewater;*
- 3 *In relation to Motion 1 carried at the Special Meeting of Electors, DOES NOT SUPPORT that development of Lot 33 and Lot 34 (7 and 56) Tuart Trail, Edgewater be limited to a maximum of three dwellings per block;*
- 4 *In relation to Motion 2 carried at the Special Meeting of Electors, DOES NOT SUPPORT a review of the City of Joondalup Local Housing Strategy and the initiation of an associated amendment to District Planning Scheme No. 2 to change the density coding of lots within Housing Opportunity Area 8 from a density coding of R20/R40 to a density coding of no higher than R20;*

- 5 *In relation to Motion 3 carried at the Special Meeting of Electors, DOES NOT SUPPORT the request that the Minister for Transport, Planning and Lands cancels Amendment No. 73 so that the City of Joondalup can start again and develop a local housing policy that respects the needs of all communities and all residents and delivers an equitable outcome;*
- 6 *In relation to the purpose of the Special Meeting of Electors, DOES NOT SUPPORT a review of the City of Joondalup Local Housing Strategy and the initiation of an associated amendment to District Planning Scheme No. 2 to change the density coding of lots within Housing Opportunity Area 8 from a density coding of R20/R40 to a density coding of no higher than R20/R30.*

BACKGROUND

A Special Electors' Meeting was convened in accordance with the provisions of Section 5.28 of the *Local Government Act 1995*.

The purpose of the meeting was to discuss the following matter:

"To request the City of Joondalup to initiate a review of its Local Housing Strategy (LHS) and an associated amendment to District Planning Scheme No. 2 to change the density coding of lots within Housing Opportunity Area 8, that are currently coded R20/R40, to a density coding of no higher than R20/R30."

The meeting was attended by approximately 150 persons, 118 of whom were electors registered to vote during the meeting. The minutes of that meeting form Attachment 1 to this Report.

Background to the density coding of Housing Opportunity Areas

The background to the current density coding of the City's Housing Opportunity Areas (HOAs) is extensively detailed in a number of reports previously presented to Council, and most recently in a report presented for Council's consideration at its meeting on 21 November 2017 (CJ177-11/17 refers).

A brief extract of this background is provided below:

Local Housing Strategy

Accommodation needs and the way that housing is planned and provided for in the metropolitan area are changing. Not only is more accommodation needed for a growing population, but a diversity of housing is also needed to cater for a variety of household structures and changing housing needs and preferences.

The State Government has developed a strategy aimed at the development of dwellings and the creation of employment for the population of Perth and Peel out to 2031. This strategy sets dwelling targets for all local governments in the metropolitan area. For local governments which do not have many or any greenfield sites left, the dwellings need to be accommodated as infill development.

In order to demonstrate how the City was going to achieve its dwelling targets, the City was required by the State Government to prepare a *Local Housing Strategy* (LHS).

It was established early in the development of the LHS that the City did not want to take an adhoc approach that would allow densification to occur everywhere throughout the City. Rather, a strategic approach was favoured that enabled residential density to increase in identified, appropriate areas.

The following broad selection criteria were developed through the LHS to assist with selecting areas within the City for higher density investigation:

- 800 metres walkable catchment around Currambine, Joondalup, Edgewater, Whitfords, Greenwood and Warwick railway stations.
- 800 metres walkable catchment around secondary centres of Whitfords and Warwick.
- 400 metres walkable catchment around district centres of Woodvale, Greenwood and Currambine.
- 400 metres walkable catchment around neighbourhood centres close to high frequency public transport services.
- 400 metres walkable catchment around high frequency bus routes.
- Suburbs which would benefit from revitalisation.
- Land abutting Right of Ways (laneways).

Ten areas were identified where, based on the aforementioned criteria, increased residential densities were considered appropriate. These areas are referred to as HOAs.

The original LHS proposed a dual density coding in HOAs that consisted predominantly of R20/R30 coded areas, with some higher coded areas of R20/R40 and R20/R60. Following specific direction from the State Government, the final LHS was endorsed in November 2013 with the majority of HOAs coded R20/40 with some higher coded areas of R20/R60.

Scheme Amendment No. 73

Following endorsement of the final LHS by the Department of Planning and the Western Australian Planning Commission, the City needed to implement and give statutory effect to the recommendations of the LHS via *District Planning Scheme No. 2 (DPS2)* and a local planning policy.

To this end, Amendment No. 73 to DPS2 was initiated and the City's *Residential Development Local Planning Policy* was developed.

The City always recognised the need to try and control and manage, as best it could, the potential impact that increased density would have on existing residents.

During the development of Amendment No. 73, the City consulted with the Department of Planning on appropriate scheme and local planning policy provisions. Advice received at that time indicated that the City was constrained in terms of what it could include in DPS2 and a l

The City did not have the ability to exclude or prevent multiple dwellings through scheme or policy provisions and did not have complete freedom to include whatever scheme provisions it saw fit to try and manage the impacts of density. The City did however attempt to include a provision in Amendment No. 73 to restrict the development of multiple dwellings to sites larger than 2,000m².

The effect of this would have been that normal residential lots would need to be amalgamated to enable multiple dwellings to be developed. This would have made it more difficult for developers to develop multiple dwellings in HOAs and, if they were able to amalgamate lots, the quality of multiple dwelling developments on larger sites would be of a higher standard and the impacts would be easier to manage.

In addition, to give more weight to the provisions of the City's *Residential Development Local Planning Policy*, the City also included a provision in Amendment No. 73 to require all higher density development in the HOAs to meet the requirements of the City's policy.

Throughout its consideration of Amendment No. 73, the Department of Planning did not support the provisions proposed by the City to restrict multiple dwellings to sites larger than 2,000m² or to give more weight to the provisions of the City's *Residential Development Local Planning Policy* and resolved that they be removed from Amendment No. 73.

Instead, the final Amendment No. 73, which came into effect in February 2016, only included a provision relating to minimum lot frontages. This provision requires a minimum frontage of 10 metres for single and grouped dwellings and 20 metres for multiple dwellings in order to develop at the higher density code.

Community Concern

Since implementation of the LHS in early 2016, development has commenced throughout all 10 HOAs in the City.

As this development has commenced, some members of the community have raised concern with some development occurring in HOAs, with common themes including:

- the type of development, in particular, multiple dwellings
- the scale of development in terms of potential dwelling increase per site
- the design and scale of development
- integration with existing housing stock and streetscape
- traffic and parking impacts
- impact on property values
- social impacts related to land tenure (owner/occupy vs. rented)
- social impacts related to anticipated residents
- impact on existing sense of community.

This concern has arisen across a number of HOAs and has manifested in a number of requests to Council for intervention, including the Special Meeting of Electors held on Monday 13 November 2017.

DETAILS

Issues and options considered

Decisions made at an Electors' Meeting are the recommendations of those present, on the matters discussed and considered at the meeting and are not binding on Council. The *Local Government Act 1995* requires all decisions made at an Electors' Meeting be referred to Council for consideration.

The motions carried at the Special Meeting of Electors are set out below, together with officer's comments:

MOTION 1

MOVED Mr G Sherwood, Edgewater, SECONDED Mrs A Marum-O'Donnell, Edgewater that the City of Joondalup does not proceed with the approval of the development on house number 7 and 56 Tuart Trail, Edgewater and does not exceed a maximum of three dwellings per block.

Officer's Comment

The City has no record of a development application being lodged for Lot 33 and Lot 34 (7 and 56) Tuart Trail, Edgewater and is not aware of a development proposal at this stage.

Notwithstanding this, the City is legally required to undertake assessment and determination of any future proposals in accordance with the applicable planning framework. If this framework permits the sites to be developed at a density greater than three dwellings per block, the City is not legally able to prevent this, provided the proposal satisfies other applicable development requirements.

Lot 33 and Lot 34 (7 and 56) Tuart Trail, Edgewater are both currently zoned residential with a density coding of R20/R40 and are 709 square metres and 873 square metres in size respectively.

Based on the density coding, lot areas and permitted housing types, each lot has the potential to be developed for more than three dwellings under the current planning framework.

As outlined above, the City is currently not able to restrict the number of dwellings developed on a lot, if the density allows for a greater number of dwellings and a proposal satisfies other applicable development requirements, such as setbacks, landscaping, height and parking.

It is therefore recommended that the motion not be supported.

Officer's Recommendation

That Council:

- 1 *DOES NOT SUPPORT that the City of Joondalup does not proceed with the approval of the development on Lot 33 and Lot 34 (7 and 56) Tuart Trail, Edgewater;*
- 2 *DOES NOT SUPPORT that development of Lot 33 and Lot 34 (7 and 56) Tuart Trail, Edgewater be limited to a maximum of three dwellings per block.*

MOTION 2

MOVED Mr A Anderson, Edgewater, SECONDED Ms B Hewitt, Edgewater that Council INITIATES a review of its *Local Housing Strategy* and associated amendment to *District Planning Scheme No. 2*. The purpose of the *Local Housing Strategy* review and scheme amendment should be to change the density coding of lots within Housing Opportunity Area 8, that are currently coded R20/R40, to a density coding of no higher than R20.

Officer's Comment

In relation to the request to rezone properties to revert the density coding of Housing Opportunity Area 8 (HOA8) back to R20, the boundaries of the City's HOAs and the opportunity for increased density within them were based on agreed criteria with a solid urban planning basis. The identification of the HOAs was part of a carefully considered strategic planning process across the whole City and informed both the City's LHS and the City's *Local Planning Strategy* (LPS), which is the overarching strategic planning framework for the City of Joondalup.

Since implementation of the LHS in early 2016, some members of the community have raised concern with some of the development occurring in the City's HOAs. This concern is not isolated to HOA8, with concerns being raised across a number of the City's HOAs.

While an amendment to downcode a portion of a separate HOA has been initiated elsewhere in the City (HOA1), it is not considered appropriate or in the interests of orderly or proper planning for Council to initiate a further amendment in another HOA as a localised solution to managing the impacts of density. It would be more appropriate at this time to consider and address the issue of development in the City's HOAs at a more strategic level and on a City-wide basis.

Officer's Recommendation

That Council DOES NOT SUPPORT a review of the City of Joondalup Local Housing Strategy and the initiation of an associated amendment to District Planning Scheme No. 2 to change the density coding of lots within Housing Opportunity Area 8 from a density coding of R20/R40 to a density coding of no higher than R20.

MOTION 3

MOVED Mr M Moore, Edgewater, SECONDED Mr J Cunningham, that Council formally REQUESTS that the Minister of Planning cancels Scheme Amendment No. 73 so that the City of Joondalup can start again and develop a local housing policy that respects the needs of all communities and all residents and delivers an equitable outcome.

Officer's Comment

Amendment No. 73 to *District Planning Scheme No. 2* (DPS2) came into effect in February 2016 following endorsement from the Minister.

It is not possible to cancel an amendment to a local planning scheme that has already been gazetted. The only way to effectively 'cancel' an amendment is to initiate a separate amendment to the scheme which seeks to revert the scheme back to the form it took prior to a subsequent amendment coming in to effect.

Amendment No. 73 was the mechanism used to give statutory effect to the recommendations of the City's *Local Housing Strategy* (LHS).

The LHS was developed in response to the State Government requirement of facilitating 47% of Perth's growth within existing suburbs.

As a precursor to the development of the draft LHS, a *Housing Intentions Community Survey* was conducted to ascertain the housing needs and requirements of residents, both at that time and into the future. Feedback received from the *Housing Intentions Community Survey* was used to inform the development of the draft LHS.

It was established early in the development of the LHS that the City did not want to take an ad hoc approach that would allow densification to occur everywhere throughout the City.

Rather, the City proactively sought to manage where this growth occurs and took a strategic approach that enabled residential density to increase in identified areas that were underpinned by amenity and infrastructure such as; train stations, activity centres and high frequency bus routes.

This approach was based upon sound planning principles of the time and these principles remain valid and are supported by the State Government.

It should also be noted that a review of the LHS is likely to take a significant amount of time to complete. The current LHS took approximately seven years from the time the project commenced to when the recommendations were implemented via Amendment No. 73. While a full review of the LHS may not take another seven years, it is conceivable that a review and preparation of a revised LHS could take a substantial amount of time.

During this time, consistent with the legal advice provided to the City, the City will not be able to prevent development from occurring under the current densities and within the existing legislative framework.

It is therefore not considered appropriate to undertake a review of the LHS in its entirety, however, it is noted that an opportunity exists to progress several strategies that seek to better inform the community and better manage the impacts of urban infill in the City's HOAs, at the current densities.

Officer's Recommendation

That Council DOES NOT SUPPORT the request that the Minister for Transport, Planning and Lands cancels Amendment No. 73 so that the City of Joondalup can start again and develop a local housing policy that respects the needs of all communities and all residents and delivers an equitable outcome.

Purpose of the Special Electors Meeting

Although not forming one of the formal motions carried during the Special Meeting of Electors, the meeting was convened to consider the following:

"To request the City of Joondalup to initiate a review of its Local Housing Strategy (LHS) and an associated amendment to District Planning Scheme No. 2 to change the density coding of lots within Housing Opportunity Area 8, that are currently coded R20/R40, to a density coding of no higher than R20/R30."

The request to consider a change in density coding of HOA8 from R20/R40 to a density coding of no higher than R20/R30 is not supported for the same reasons that Motion 2 above is not supported.

The identification of the City's HOAs and their boundaries was based upon sound urban planning and was part of a strategic planning process across that was considered on a City-wide basis.

While an amendment to downcode a portion of a separate HOA has been initiated elsewhere in the City (HOA1), the initiation of another amendment in an HOA as an ad hoc response and outside of endorsed planning frameworks is not considered appropriate in the interests of orderly and proper planning and is unlikely to be supported by the Department of Planning, Lands and Heritage (DPLH) and the Western Australian Planning Commission (WAPC).

Alternatively, it is considered more appropriate to implement additional strategies that seek to better inform the community and better manage the impacts of urban infill in HOAs, at the existing densities.

Possible alternate solutions

As an alternative to a complete review of the City's LHS and the initiation of further adhoc rezoning amendments throughout the City's HOAs, the report prepared for Council's consideration at its meeting held on 21 November 2017 recommended that Council progresses several other strategies that seek to better inform the community and better manage the impacts of urban infill in the City's HOAs, at the current densities.

These included the following:

- Amend the consultation procedures for planning proposals.
- Expand the role of the Joondalup Design Reference Panel.
- Prepare a design-led local planning policy for multiple dwellings in the City's HOAs.
- Introduce additional provisions in the City's DPS2 (or *Local Planning Scheme*).

These strategies have been identified for their degree of effectiveness and the timeframes in which they could be implemented, primarily being short to medium term.

It is considered that these strategies are a more appropriate way in which to manage the impacts of urban infill in the City's HOAs.

Conclusion

The residents' concerns about the impact of development at higher densities in HOA8 are acknowledged, and are not in isolation, with residents raising similar concerns in other HOAs throughout the City of Joondalup.

In relation to the motions carried at the Special Meeting of Electors held on 13 November 2017, it is not possible for the City to limit the number of dwellings included in a development if the underlying density allows for a greater number of dwellings to be provided.

Further, it is not in the interests of orderly and proper planning to initiate adhoc amendments to the City's planning scheme to reduce the density coding of the area; the likelihood of successfully having such an amendment endorsed by the WAPC and the Minister for Transport, Planning and Lands is low.

Finally, it is not considered appropriate to undertake a full review of the City's LHS. The approach to accommodate growth within the City of Joondalup was based upon sound planning principles that remain current and valid. Further, the timeframes associated with a full review of the City's LHS, coupled with the fact that the City will not be able to prevent development from occurring under the current densities and within the existing legislative framework is unlikely to provide comfort to those community members who are currently concerned with development being undertaken at the higher densities within HOAs.

At this time, it is considered more appropriate to implement strategies that seek to better inform the community and better manage the impacts of urban infill in the City's HOAs, at the current densities.

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

Section 5.33 of the Local Government Act 1995 states:

Decisions made at Electors' Meetings

5.33 (1) *All decisions made at an Electors' Meeting are to be considered by Council at the next ordinary Council meeting or, if this is not practicable:*

(a) at the first ordinary Council meeting after that meeting; or

(b) at a special meeting called for that purpose,

whichever happens first.

(2) If at a meeting of Council a local government makes a decision in response to a decision made at an Electors' Meeting, the reasons for the decision are to be recorded in the minutes of that Council Meeting.

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

Failure to consider the decision made at the Special Meeting of Electors will result in the City breaching Section 5.33 of the *Local Government Act 1995*.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The minutes of the Special Meeting of Electors are submitted to Council for information with the motions passed needing to be considered by Council.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Poliwka, SECONDED Cr May that Council:

- 1 **NOTES** the minutes of the Special Meeting of Electors held on Monday 13 November 2017 forming Attachment 1 to Report CJ198-12/17;
- 2 in relation to Motion 1 carried at the Special Meeting of Electors, **DOES NOT SUPPORT** that the City of Joondalup does not proceed with the approval of the development on Lot 33 and Lot 34 (7 and 56) Tuart Trail, Edgewater;
- 3 in relation to Motion 1 carried at the Special Meeting of Electors, **DOES NOT SUPPORT** that development of Lot 33 and Lot 34 (7 and 56) Tuart Trail, Edgewater be limited to a maximum of three dwellings per block;
- 4 in relation to Motion 2 carried at the Special Meeting of Electors, **DOES NOT SUPPORT** a review of the *City of Joondalup Local Housing Strategy* and the initiation of an associated amendment to *District Planning Scheme No. 2* to change the density coding of lots within Housing Opportunity Area 8 from a density coding of R20/R40 to a density coding of no higher than R20;
- 5 in relation to Motion 3 carried at the Special Meeting of Electors, **DOES NOT SUPPORT** the request that the Minister for Transport, Planning and Lands cancels Amendment No. 73 so that the City of Joondalup can start again and develop a local housing policy that respects the needs of all communities and all residents and delivers an equitable outcome;
- 6 in relation to the purpose of the Special Meeting of Electors, **DOES NOT SUPPORT** a review of the *City of Joondalup Local Housing Strategy* and the initiation of an associated amendment to *District Planning Scheme No. 2* to change the density coding of lots within Housing Opportunity Area 8 from a density coding of R20/R40 to a density coding of no higher than R20/R30.

The Motion was Put and

CARRIED (12/0)

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

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7agn171212.pdf](#)

CJ199-12/17 STRATEGIC COMMUNITY REFERENCE GROUP – 2018 WORKPLAN

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	102605, 101515
ATTACHMENTS	Attachment 1 Proposed 2018 Work Plan Attachment 2 SCRG Meeting Notes for Community Engagement and Communication Practices Attachment 3 SCRG Meeting Notes for Community Leadership Attachment 4 SCRG Terms of Reference
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 2018 Work Plan for the Strategic Community Reference Group (SCRG) and to note the SCRG's achievements throughout 2017.

EXECUTIVE SUMMARY

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

The 2017 Work Plan for the SCRG included the following items:

- Review of the City's community engagement and communication practices.
- Options for the development of a Community Leaders Program.
- Options to support local business within the City of Joondalup.

The SCRG met on two occasions throughout 2017 to discuss the review of the City's community engagement and communication practices and the options for a program to support and develop community leaders. The third item on the 2017 Work Plan, namely options to support local business in Joondalup, was not considered within this period and is recommended to be carried forward into the SCRG's 2018 Work Plan.

Overall, the SCRG has demonstrated its effectiveness as a unique and appropriate means of obtaining community advice in the consideration of high-level, strategic matters at the City.

The proposed 2018 SCRG Work Plan includes consideration of the following matters:

- **Explore and understand opportunities to support the small to medium business sector in Joondalup (carried forward from 2017).**

The City is continually seeking to better understand the needs of businesses located in Joondalup as the growth of local businesses and new start-up activity is critical to the local economy and the provision of local employment opportunities. The SCRG is well placed to explore opportunities for responding to local business needs in order to ensure the continuation of the City's economic prosperity.

- **Review of the City of Joondalup Community Safety and Crime Prevention Plan**

The City's Community Safety and Crime Prevention Plan 2014–2018: *Towards Zero Crime* is due for major review. The SCRG previously considered the Community Safety Crime Prevention Plan in 2013. The SCRG's involvement in the review of the Plan will assist in the assessment of current responses as well as identify new initiatives for consideration in the development of the new Plan.

BACKGROUND

At its meeting held on 26 June 2012 (CJ112-06/12 refers), Council considered options for future engagement with the community in reviewing the existing Working Group and Community Forum formats. As an alternative option, Council supported the establishment of a Strategic Community Reference Group with the objective of providing advice to the Council on:

- matters of significant community interest
- strategic initiatives, as determined by the Council.

At its meeting held on 5 November 2013 (JSC06-11/15 refers) Council adopted the following format for the SCRG:

- One Council-appointed community representative from each Ward.
- Up to four Elected Members, one of whom acts as a Presiding Member.
- Up to four temporary-appointed professionals to provide expert advice and information on specific matters as required.
- Resident and / or ratepayer group representatives if matters presented to the SCRG are relevant to a specific location.

The Community Members of the SCRG, up until October 2017 were as follows:

- | | |
|----------------------|-------------------|
| • North Ward | Mr Adrian Hill |
| • North Central Ward | Mr Wes Buzza |
| • Central Ward | Mr Bryan Saunders |
| • South-West Ward | Mr Brian Yearwood |
| • South-East Ward | Ms Sonia Makoare |
| • South Ward | Dr Susan King |

In accordance with the SCRG Terms of Reference, the terms for community members concluded in October in line with the ordinary Council election cycle. Community members were advised of the conclusion of their current term in October 2017 and were also informed that Council would consider the re-establishment of the SCRG and membership composition following the local government elections on 21 October 2017.

At its special meeting held on 6 November 2017 (JSC04-11/17 refers) Council:

- re-established the Strategic Community Reference Group
- endorsed the current Terms of Reference of the Strategic Community Reference Group
- authorised the Chief Executive Officer to seek nominations to fill the vacant community representative positions for all Wards
- appointed the following members and deputy members to the Strategic Community Reference Group:

Members

- Mayor Albert Jacob
- Cr Russ Fishwick
- Cr John Chester
- Cr Christopher May

Deputy Members

- Cr Christine Hamilton-Prime
- Cr John Logan
- Cr Russell Poliwka

DETAILS

During 2017, the SCRG met on two occasions and considered the following matters:

Date/s	Matter Considered	Status	Seconded Experts
March 2017	Review of the City's community engagement and communication practices	The City is currently using SCRG feedback to explore opportunities and alternative methodologies as well as improve current engagement and communication practices including online and greater face-to-face opportunities.	Mr Matt Zis (Editor-in-Chief – Community Newspaper Group). Mr Miles Burke (Managing Director – Bam Creative). Ms Vivian Warren (Director – Viv Warren Consulting and IAP2 Ambassador).
July 2017	Options for a community leaders program.	The City is currently exploring opportunities to incorporate SCRG feedback into its programs, including the <i>Communities in Focus Program</i> .	Ms Glen Vawser (Coordinator, Super Tuesdays Seniors Group). Ms Karly Guadagnin (Netball WA Premiership Coach). Mr David Moroney (Past President, Whitfords Hockey Club; Board Member, Hockey Australia).

Review of Community Engagement and Communication practices

On 27 March 2017, the SCRG met to discuss the current community engagement and communication practices enacted by the City and improvements to the existing approach. Based on the SCRGs discussions, the City is exploring options to improve current engagement and communication practices. This includes investigations into online discussion boards as well as greater face-to-face opportunities in the form of community workshops and officers being available on site to provide information to interested community members on high profile projects. The full notes of the meeting are provided in Attachment 2 of Report CJ199-12/17 for Council's consideration.

Options for the development of a Community Leaders Program

On 31 July 2017, the SCRG discussed community leadership and the City's role in fostering and supporting leaders within the context of its *Community Development Plan 2015–2020*. The City outlined achievements to date and the current and future challenges around community leadership. The SCRG explored the City's and the community's role in promoting a community leaders program as well as new opportunities or initiatives to activate community leaders. As a result, the City is investigating mechanisms to enhance its *Communities in Focus Program*, which focuses on providing opportunities to enhance the skills, knowledge and capacity of members within volunteer community groups, strengthening local networks, promoting new connections and raising the profile of local community groups. The full notes of the meeting are provided in Attachment 3 of this report for Council's consideration.

The third item on the 2017 Work Plan, "options to support local businesses", was not considered within this period. It is therefore proposed that this item be carried forward to the SCRG's 2018 Work Plan.

Proposed 2018 Work Plan

The following items have been identified for consideration by the SCRG in 2018:

- **Explore and understand opportunities to support the small to medium business sector in Joondalup (carried forward from 2017)**

There are approximately 13,000 registered businesses in the City with the majority being Small and Medium Enterprises (SMEs), and their continued success is vital to providing local employment opportunities. The City is continually seeking to better understand the needs of businesses located in Joondalup as the growth of local businesses and new start-up activity is critical to the local economy and the provision of local employment opportunities. The SCRG is well placed to assess existing mechanisms as well as investigate improved mechanisms for responding to local business needs to support business growth.

- **Review of the City of Joondalup Community Safety and Crime Prevention Plan**

The City's Community Safety and Crime Prevention Plan 2014–2018: *Towards Zero Crime* is due for major review. The SCRG previously considered the Community Safety Crime Prevention Plan in 2013. The SCRG's involvement in the review of the Plan will assist in the assessment of current responses as well as identify new initiatives for consideration in the development of the new Plan.

The listing of these items within the SCRG 2018 Work Plan is considered an appropriate and manageable number of projects. However, the proposed Work Plan does not prevent the Council from referring additional matters to the SCRG should they be considered of significant community interest or of a strategic nature.

Issues and options considered

Council has the option to adopt the proposed 2018 Work Plan for the Strategic Community Reference Group as outlined in Attachment 1 of Report CJ199-12/17, or to amend the program according to alternative preferences or additional matters for consideration.

It should be noted that if additional matters are added to the Work Plan, facilitation fees to conduct the meetings will increase for the management of the Strategic Community Reference Group.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995 – Section 1.3 (2) states:

This Act is intended to result in –

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

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Active democracy.

Strategic initiative

Optimise opportunities for the community to access and participate in decision-making processes.

Adapt to community preferences for engagement formats.

Policy

Community Consultation and Engagement Policy.

Risk management considerations

If the adopted 2018 SCRG Work Plan is expanded, there is a risk that the program will not be able to be delivered within existing resources. As such, it is recommended that the identification and prioritisation of select key issues is referred to the group for advice within the 2018 period that would benefit the most from input by the group.

Financial / budget implications

The budget below reflects the costs associated with conducting meetings for the Strategic Community Reference Group, including external facilitation and catering costs.

Current financial year impact

Account no.	1.534.A5304.3359.0000. 1.534.A5304.3281.0000.
Budget Item	External Contractors and Services. Catering.
Budget amount	\$ 6,600
Amount spent to date	\$ 5,830
Proposed cost	\$ 6,600
Balance	\$ 770

Regional significance

Not applicable.

Sustainability implications

The proposed 2018 SCRG Work Plan has been developed to allow consideration of matters of a strategic nature and / or of significant interest to the community. The issues noted within the Work Plan, namely; options to support local business within the City and reviewing the City's *Community Safety and Crime Prevention Plan* are related to the sustainability of the City in terms of community wellbeing and economic development.

Consultation

The Strategic Community Reference Group provides an innovative forum for the City to conduct consultation and engagement activities with community representatives and local experts on strategic matters affecting the City.

COMMENT

The Strategic Community Reference Group continues to demonstrate its value in providing a unique and relevant platform for effective engagement with the community supported by input from experts on matters considered at the SCRG meetings.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council:

- 1 NOTES the achievements of the Strategic Community Reference Group for 2017;**
- 2 ADOPTS the 2018 Work Plan for the Strategic Community Reference Group, as shown in Attachment 1 of Report CJ199-12/17;**
- 3 NOTES that nominations for the vacant community representative positions will be sought in January 2018.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8agn171212.pdf](#)

CJ200-12/17 LIST OF PAYMENTS MADE DURING THE MONTH OF OCTOBER 2017

WARD	All
RESPONSIBLE ACTING DIRECTOR	Mr Mike Smith Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENTS	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of October 2017 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of October 2017 Attachment 3 Municipal and Trust Fund Vouchers for the month of October 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 October 2017.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of October 2017 totalling \$14,413,025.05.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for October 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 CJ200-12/17, totalling \$14,413,025.05.

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 October 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 105719 - 105873 & EF066375 – EF067018 Net of cancelled payments.	\$9,485,781.35
	Vouchers 2067A – 2072A & 2078A – 2085A	\$4,881,299.05
Trust Account	Trust Cheques & EFT Payments 207204 – 207236 & TEF001342 – TEF001376 Net of cancelled payments.	\$45,944.65
Total		\$14,413,025.05

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 *2017-18 Annual Budget* as adopted by Council at its meeting held on 27 June 2017 (CJ084-06/17 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 Mayor Jacob, SECONDED Cr Jones that Council NOTES the Chief Executive Officer's list of accounts for October 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 CJ200-12/17, totalling \$14,413,025.05.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf171205.pdf](#)

CJ201-12/17 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 OCTOBER 2017

WARD	All
RESPONSIBLE ACTING DIRECTOR	Mr Mike Smith Corporate Services
FILE NUMBER	07882,101515
ATTACHMENTS	Attachment 1 Financial Activity Statement for the period ended 31 October 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 October 2017.

EXECUTIVE SUMMARY

At its meeting held on 27 June 2017 (CJ084-06/17 refers), Council adopted the Annual Budget for the 2017-18 financial year. The figures in this report are compared to the adopted budget.

The October 2017 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$6,418,080 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 October 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 \$1,631,766 higher than budget, made up of higher operating revenue \$340,756 and lower operating expenditure of \$1,291,010.

Operating revenue is higher than budget on Fees and Charges \$348,514, Interest Earnings \$330,042, Rates \$74,404, Other Revenue \$65,991 and Contributions, Reimbursements and Donations \$37,569 offset by lower than budget revenue from Grants and Subsidies \$484,227 and Profit on Asset Disposals \$31,538.

Operating Expenditure is lower than budget on Materials and Contracts \$2,300,381, Utilities \$206,034, Loss on Asset Disposals \$196,462, Insurance Expenses \$171,831 and Interest Expenses \$20,852 offset by higher than budget expenditure from Depreciation \$1,281,102 and Employee Costs \$323,448.

The Capital Deficit is \$4,927,041 lower than budget. This is due to lower than budgeted expenditure on Capital Projects \$2,083,792, Vehicle and Plant Replacements \$671,274, and Loan Repayment Principal \$33,485 and higher than budgeted Capital Grants and Subsidies \$2,148,466, Capital Works \$153,219, Capital Contributions \$90,909 and Other Equity Movements \$52,334.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 October 2017 forming Attachment 1 to Report CJ201-12/17.

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 October 2017 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 2017-18 adopted budget or has been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the Financial Activity Statement for the period ended 31 October 2017 forming Attachment 1 to Report CJ201-12/17.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10brf171205.pdf](#)

CJ202-12/17 TENDER 029/17 - PROVISION OF CLEANING SERVICES FOR LEISURE CENTRES

WARD	All
RESPONSIBLE ACTING DIRECTOR	Mr Mike Smith Corporate Services
FILE NUMBER	106863, 101515
ATTACHMENTS	Attachment 1 Schedule of Items Attachment 2 Summary of Tender Submissions
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to accept the tender submitted by TJS Services Group Pty Limited trading as TJS Facility Services for the provision of cleaning services for leisure centres (Option 2).

EXECUTIVE SUMMARY

Tenders were advertised on 23 September 2017 through statewide public notice for the provision of cleaning services for leisure centres. Tenders closed on 10 October 2017. A submission was received from each of the following:

- TJS Services Group Pty Limited trading as TJS Facility Services.
- Quayclean Australia Pty Ltd (Quayclean).
- Academy Services (WA) Pty Ltd.
- Iconic Property Services Pty Ltd.
- A Cleaner World Business Trust trading as A Cleaner World.
- Gap (WA) Pty Ltd (Sanyati Property Services).

The submission from TJS Services Group Pty Limited trading as TJS Facility Services represents best value to the City. The company has extensive experience providing similar cleaning services for various local governments in WA including the Cities of Subiaco, Cockburn and Melville. It is the City's incumbent supplier for cleaning services to leisure centres. It demonstrated a thorough understanding and appreciation of the City's requirements. TJS Facility Services is well established with significant industry experience and proven capacity to provide the services to the City.

It is therefore recommended that Council ACCEPTS the tender submitted by TJS Services Group Pty Limited trading as TJS Facility Services for the provision of cleaning services for leisure centres (Option 2) as specified in Tender 029/17 for a period of three years for the fixed lump sum of \$375,852 (GST Exclusive) for scheduled cleaning services for year one of the Contract and the schedule of rates for unscheduled cleaning services, with any price variations subject to the percentage change in the Perth CPI (All Groups).

BACKGROUND

The City has a requirement for professional cleaning services to be provided to Craigie and Duncraig Leisure Centres. The cleaning services shall be undertaken in accordance with the requirements, frequencies and times as specified. The specifications called for optional minor cleaning in addition to major cleaning frequencies for Craigie Leisure Centre and once daily for Duncraig Leisure Centre:

- | | |
|----------|--|
| Option 1 | Five days / week. |
| Option 2 | Five days / week and including weekends during peak operations, from start of September / October school holidays to end of April school holidays. |
| Option 3 | Seven days / week. |

Tenderers were required to provide pricing for all options.

The leisure centres currently operate under a seven-night / five-day cleaning regime. Feedback from staff and insights received from the annual customer satisfaction survey, shows that cleanliness is the number one priority in regards to customers' expectations and experience of the facility. This is consistent with survey results over the last five years, where cleanliness has been rated as either the most or second most important aspect.

The City has a single contract in place with TJS Services Group Pty Limited trading as TJS Facility Services which will expire on 28 February 2018.

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

DETAILS

The tender for the provision of cleaning services for leisure centres was advertised through statewide public notice on 23 September 2017. The tender period was for two weeks and tenders closed on 10 October 2017.

Tender Submissions

A submission was received from each of the following:

- TJS Services Group Pty Limited trading as TJS Facility Services.
- Quayclean Australia Pty Ltd (Quayclean).
- Academy Services (WA) Pty Ltd.
- Iconic Property Services Pty Ltd.
- A Cleaner World Business Trust trading as A Cleaner World.
- Gap (WA) Pty Ltd (Sanyati Property Services).

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

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

Evaluation Panel

The evaluation panel comprised four members:

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

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

Evaluation Method and Weighting

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. Prior to assessment of individual submissions a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the tenderer to satisfactorily deliver the services. The predetermined minimum acceptable qualitative score was set at 60%.

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

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

Compliance Assessment

All submissions were assessed as fully compliant.

Qualitative Assessment

Sanyati Property Services scored 21.8% and was ranked sixth in the qualitative assessment. The company did not submit sufficient information demonstrating experience providing services involving cleaning of leisure facilities similar to the City's requirements. One example of works was for cleaning of Enerflex's two buildings, warehouses and offices located in Northbridge and South Guildford. Other examples of works included office buildings, workshops, golf course and schools. It did not demonstrate sufficient understanding of the required tasks. Its response provided franchisee information, processes and procedures rather than how it plans to address the cleaning requirements of the City.

A Cleaner World scored 38.5% and was ranked fifth in the qualitative assessment. It did not fully demonstrate its experience providing services to leisure facilities similar to the City's requirements. Examples of works included the Esplanade Hotel by Rydges in Fremantle, Royal Flying Doctor Services Clinic and Trizone Fitness Joondalup. Other examples of works were provided in less detail for mainly fitness facilities. Details of the size or contract value of these works were not provided. It demonstrated some understanding of the required tasks.

Iconic Property Services Pty Ltd scored 50.9% and was ranked fourth in the qualitative assessment. The company demonstrated an understanding of the required tasks. However, it demonstrated limited experience providing similar services to local governments. Examples of works included mainly cleaning of office buildings and shopping centres for various clients including the City of Perth, Town of Victoria Park, Colliers and Jones Lang Lasalle. The services did not involve cleaning of leisure facilities similar to the City's requirements.

It demonstrated the capacity required to provide the services, though its safety statistics were not addressed.

Academy Services (WA) Pty Ltd scored 61.8% and was ranked third in the qualitative assessment. The company has been undertaking cleaning services for various organisations nationally including WA local governments. Examples of works were provided, though the works carried out in WA were on a smaller scale to the City's requirements and these were for cleaning services to Aqualife for the Town of Victoria Park and Loftus Recreation Centre, Leederville. It has in the past provided general cleaning services to the City's leisure centres. It demonstrated its understanding of the City's requirements. It has sufficient capacity and experience required to undertake the works.

Quayclean scored 65.1% and was ranked second in the qualitative assessment. The company demonstrated experience and the capacity required to carry out the works. It has been providing similar services to various clients with its focus on aquatic, sports and leisure facilities. Examples of works included day to day, evening and event cleaning services to HBF Stadium at Mount Claremont and HBF Arena at Joondalup for VenuesWest. It demonstrated a sound understanding of the required tasks.

TJS Facility Services scored 74.3% and was ranked first in the qualitative assessment. The company has extensive experience providing similar cleaning services for various local governments in WA including the Cities of Subiaco (Lords Recreation Centre), Cockburn (Aquatic and Recreation Centre) and Melville (recreation / leisure centre and office). It is the City's incumbent supplier for cleaning services to Craigie and Duncraig Leisure Centres. It demonstrated a thorough understanding and appreciation of the City's requirements. TJS Facility Services is well established with significant industry experience and proven capacity to provide the services to the City.

Given the minimum acceptable qualitative score of 60%, TJS Facility Services, Quayclean and Academy Services (WA) Pty Ltd qualified for stage two of the assessment.

Price Assessment

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

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

Tenderer	* Option	Year 1	Year 2	Year 3	Total
TJS Facility Services	1	\$335,292	\$341,998	\$348,838	\$1,026,128
	2	\$375,852	\$383,369	\$391,036	\$1,150,257
	3	\$407,286	\$415,432	\$423,740	\$1,246,458
Quayclean	1	\$356,044	\$363,165	\$370,428	\$1,089,637
	2	\$381,329	\$388,956	\$396,735	\$1,167,019
	3	\$392,379	\$400,227	\$408,231	\$1,200,837
Academy Services (WA) Pty Ltd	1	\$334,833	\$341,529	\$348,360	\$1,024,721
	2	\$328,922	\$335,500	\$342,210	\$1,006,633
	3	\$375,426	\$382,934	\$390,593	\$1,148,953

* The specifications called for optional minor cleaning in addition to major cleaning frequencies for Craigie Leisure Centre and once daily for Duncraig Leisure Centre:

- Option 1 Five days / week
 Option 2 Five days / week and including weekends during peak operations, from start of September / October school holidays to end of April school holidays
 Option 3 Seven days / week

These options were included for an increased level of clean during peak operations for Craigie Leisure Centre, subject to cost meeting the budget allocated for this requirement.

The major and minor cleaning hours identified by the City as the hours required in Contract options for Craigie Leisure Centre (attached details refer) are as follows:

- Option 1 91 hours (major) plus 60 hours (minor) = total 151 hours per week.
 Option 2 As option 1 plus 24 hours (additional for 32 weeks) = total 175 hours per week.
 Option 3 As option 1 plus 24 hours (additional for 52 weeks) = total 175 hours per week.

Academy Services (WA) Pty Ltd did not submit rates, the number of staff or hours per week for items 2 and 4 (Supervisor) for any of the options.

During 2016-17, the City incurred \$337,313 for cleaning services for leisure centres (option 1).

Evaluation Summary

Tenderer	Price Ranking	Total Estimated Contract Price (Option 2)	Qualitative Ranking	Weighted Percentage Score
TJS Facility Services	2	\$1,150,257	1	74.3%
Quayclean	3	\$1,167,019	2	65.1%
Academy Services (WA) Pty Ltd	1	\$1,006,633	3	61.8%

Based on the evaluation result the panel concluded that the tender from TJS Facility Services for Option 2 provides best value to the City and is therefore recommended.

TJS Facility Services nominated an appropriate number of cleaners, supervisors and cleaning hours to ensure cleaning would be completed to the standard specified in the tender. The hourly labour rates submitted by TJS Facility Services was between 6% and 9% higher than those in the current contract but still offered better value to the City than the other offers submitted.

While Academy Services (WA) Pty Ltd was 12% less expensive, when compared to TJS Facility Services, it did not submit rates, the number of staff and hours per week for items 2 and 4 (Supervisor) for all options. In addition, the proposed total number of hours per week for cleaners for options 1, 2 and 3 is significantly lower than the number of hours required, as estimated by the City. In addition, the schedule of additional rates provided by Academy Services (WA) Pty Ltd appear to be significantly higher than TJS Facility Services or Quayclean. The panel was not convinced that the price offered by Academy Services (WA) Pty Ltd sufficiently supports the standard of cleaning required by the City.

Issues and options considered

The City has a requirement for professional cleaning services to be provided to Craigie and Duncraig leisure centres. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

Legislation / Strategic Community Plan / policy implications

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

Strategic Community Plan

Key theme 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 high as the leisure centres has a strong reputation within the community and failure to provide adequately clean and hygienic facilities will impact the centres and City's brand.

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

Financial / budget implications

Account no.	444-A4411-3359-0000 (Craigie Leisure Centre). 444-A4412-3359-0000 (Duncraig Leisure Centre). 444-A4413-3359-0000 (Heathridge Leisure Centre).
Budget Item	Cleaning services for leisure centres.
Budget amount	\$364,056
Amount spent to date	\$119,044
Projected current contract cost to 28 February 2018	\$ 91,838
Proposed cost	\$122,875
Balance	\$ 30,299

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

The provision of appropriate cleaning services enhances the amenity of the City's leisure centres.

Consultation

Not applicable.

COMMENT

The evaluation panel carried out the evaluation of the submissions in accordance with the City's evaluation process and concluded that the offer submitted by TJS Services Group Pty Limited trading as TJS Facility Services for Option 2 represents best value to the City.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council ACCEPTS the tender submitted by TJS Services Group Pty Limited trading as TJS Facility Services for the provision of cleaning services for leisure centres (Option 2) as specified in Tender 029/17 for a period of three years for the fixed lump sum of \$375,852 (GST Exclusive) for scheduled cleaning services for year one of the Contract and the schedule of rates for unscheduled cleaning services, with any price variations subject to the percentage change in the Perth CPI (All Groups).

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach11brf171205.pdf](#)

CJ203-12/17 JOONDALUP EISTEDDFOD REVIEW

WARD	All
RESPONSIBLE ACTING DIRECTOR	Mr Mike Smith Corporate Services
FILE NUMBER	104681, 101515
ATTACHMENT	Attachment 1 Western Australian Performing Arts Competitions
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 review of the Joondalup Eisteddfod and recommendation of the City to discontinue the event.

EXECUTIVE SUMMARY

The Joondalup Eisteddfod is a competition that provides performance opportunities for emerging talent within the disciplines of voice, pianoforte, instrumental, strings and woodwind. Participants compete in heats throughout May and June to win prize money and the opportunity to perform at the City's Eisteddfod Showcase. The Joondalup Eisteddfod currently receives around 367 registrations each year and has an annual budget allocation of nearly \$50,000, plus staff administration costs. This equates to \$131 per registered entrant (excluding staff administration costs).

The Joondalup Eisteddfod began in 1988 and was formerly known as the Wanneroo Eisteddfod. The main objective of the Eisteddfod is to provide opportunities for local arts development through a competitive program that provides industry expert feedback. Since 2011, participation in the Joondalup Eisteddfod has been steadily declining with 50% of sections containing less than three participants registered, resulting in a lack of competition. Statistically City of Joondalup residents have made up 30-40% of the competition since 2013.

Over the past six years there have been significant changes made to the event planning and delivery to provide the highest quality service and experience for participants. This has included significant improvements to the marketing of the event and the enrolment process. The most significant change was in 2013, with the introduction of prize money to the value of \$8,900 to increase the prestige of the event and attract more participants. The introduction of a significant prize pool did stabilise the participation levels for 2013, however in subsequent years participation levels have continued to decline despite the prize money incentive.

An obstacle to the delivery of the Eisteddfod is that the City does not currently have a suitable facility to hold the event and this limits the impact and proficiency for both the audience and the performer. Survey feedback in 2017 indicated that one in three people were dissatisfied with the venue.

The performing arts environment in the City of Joondalup has changed significantly since the first Eisteddfod nearly 30 years ago. There are now several performing arts schools in the local area offering skills development for young performers. Within Western Australia there are multiple other performing arts competitions accessible to City of Joondalup residents including:

- North of Perth Music Festival
- Bunbury Eisteddfod
- Fremantle Eisteddfod
- South Suburban Eisteddfod
- Storm the Stage
- Catholic Performing Arts Festival
- School of Instrumental Music Festival
- YOH Festival.

The report explores in detail the decline in participation levels in the Joondalup Eisteddfod and considers three options for the future of this program. The options to be considered include:

- the City continues to deliver the Eisteddfod
- the City discontinues the Eisteddfod immediately
- or
- the City discontinues the Eisteddfod after the 30 year anniversary in 2018.

It is recommended that Council agrees to discontinue the Joondalup Eisteddfod effective immediately, with no future Eisteddfods to be held. It is also recommended that the City acknowledges the efforts of Alison Major and Christopher Latham for their services throughout the life of the City of Joondalup Eisteddfod.

It is therefore recommended that Council:

- 1 *AGREES to not proceed with any future Joondalup Eisteddfod competitions due to declining entrants and the lack of availability of a purpose-built facility;*
- 2 *REQUESTS the Chief Executive Officer acknowledge the efforts of Alison Major and Christopher Latham and their contribution to the Joondalup Eisteddfod.*

BACKGROUND

The Joondalup Eisteddfod began in 1988 (formerly known as the Wanneroo Eisteddfod) and involves three to four weeks of competition heats in over 100 sections within the categories of pianoforte, instrumental, vocal, choir, string and woodwind. All participants receive a score and feedback on their performance from industry professional adjudicators and winners of sections are presented with medals and certificates. An Eisteddfod 'Showcase Concert' is held on the weekend following the heats, highlighting some of the highest scoring performances across the competition and awarding major prizes.

In 1988 when the Eisteddfod was established, a committee was formed to manage the event with the assistance of an Eisteddfod Coordinator and support provided by the former City of Wanneroo. The first event attracted approximately 200 entries and continued to grow to over 1,200 entries by 2008.

The arrangement of the contracted Eisteddfod Coordinator role became difficult to manage as each year the contractor changed and the program suffered in areas of consistency, succession planning and training and development. In 2008, the City took over the management of the Joondalup Eisteddfod. The committee reformed as the Eisteddfod Advisory Team (EAT) and operated as a voluntary reference group to provide support. In early 2011, the EAT was officially disbanded due to the role being greatly reduced with the City taking over the management of the Eisteddfod in 2008. Original members of the EAT who maintain contributions to the Eisteddfod are Christopher Latham and Alison Major. Since 2011, there has been a steady decline in participation levels.

The City of Joondalup is now the only local government to coordinate an Eisteddfod in Western Australia. The Cities of Bayswater, Bunbury and Fremantle currently sponsor local Eisteddfods and these are coordinated by an external committee of volunteers. The City of Bunbury sponsors the largest Eisteddfod in WA, coordinated by a committee of 10 volunteer members with an annual turnover of \$170,000 and around 6,000 participants (Attachment 1 refers).

The contributions each local government makes towards the Eisteddfod are as follows:

- Fremantle Eisteddfod – City of Fremantle subsidise venue hire only (50% discount on town hall).
- North of Perth Eisteddfod – City of Bayswater contributes \$21,900.
- Bunbury Eisteddfod – City of Bunbury contributes \$20,000.

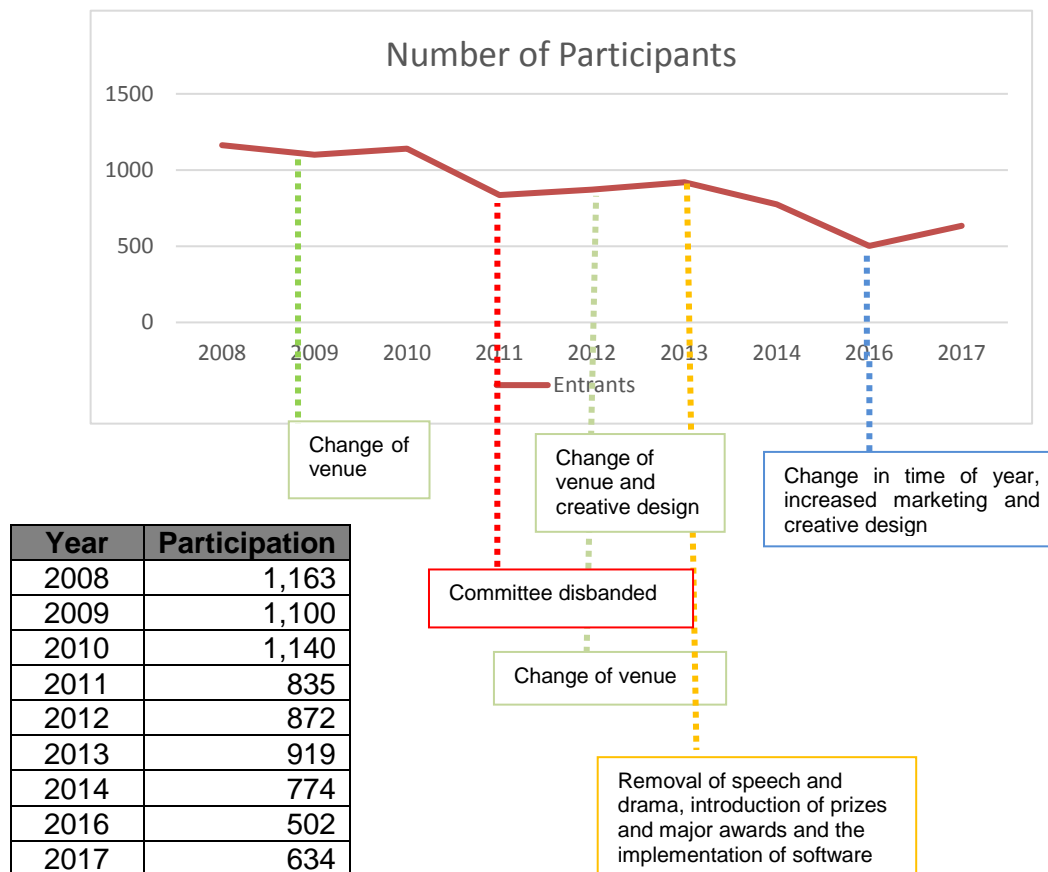
The City of Joondalup currently spends \$47,384 on the Eisteddfod each year and staffing costs of \$12,876.

DETAILS

Since 2011, participation in the Joondalup Eisteddfod has been steadily declining. Over the past six years there have been significant changes made to the event preparation and delivery to provide the highest quality service and experience for participants. These changes have included the following:

- Changes of venue (2009, 2012, 2017).
- Disbanded EAT (2011).
- Change of time of year (2016 - 2017).
- Change to the Eisteddfod syllabus - removal of speech and drama discipline (2013).
- Change of creative design (2012, 2016).
- Increased marketing and prize money (2012, 2016, 2017).
- Implementation of Eisteddfod specific program software (2013).
- Introduction of prize money and major awards (2013).

Declining registrations may be attributed to a few main factors including the lack of an appropriate venue, lack of competition within certain disciplines or categories and the relevance of the style of competition. The objectives of the Joondalup Eisteddfod first undertaken in 1988 remain relevant, namely to provide opportunities for local arts development. However, the program is not engaging local performers in its current format. The changes the City has implemented to try and increase registrations are detailed over the page.



(Please note participation levels will be higher than entrant levels as they include choir members. For example, three entries into a choral section may equate to 45 participants in total in that section).

Change in venue

During the years in which the City has administered the Eisteddfod the following venues have been trialled:

- 2009 Craigie Leisure Centre.
- 2011 Edith Cowan University.
- 2012 Sacred Heart Performing Arts Facility.
- 2017 Civic Chamber.

The event requires a professional venue with production and staging equipment. The City has found access to school facilities is limited for weekend and after-hours, required for Eisteddfod heats. The continual change in venue has meant the Eisteddfod has not established a home, and therefore it has been difficult to consolidate audiences / participants.

Disbanded EAT

The City took over the management of the Joondalup Eisteddfod in 2008. The committee that previously managed the Eisteddfod reformed as the EAT and operated as a voluntary reference group to provide support for the event. In early 2011, the EAT was officially disbanded due to the role being greatly reduced with the City taking over the management of the Eisteddfod.

Change in time of year

In 2014 the Eisteddfod trialled a change of date in an attempt rejuvenate participation levels and avoid clashing with several other music competitions. The change in date meant there was a one year recess in 2015. In 2016 the Eisteddfod moved from August to May and June. In 2017 the participation levels saw an increase due to an extensive marketing campaign. However, numbers have still dropped by almost half of the 2010 participation levels.

Change of syllabus

In 2013 the City removed sections from the Eisteddfod syllabus to reflect under subscription in some sections including speech and drama and some instrumental and piano duet sections. It was anticipated the removal of those 53 sections would only effect approximately 26 entrants, as most sections removed had previously received no entries.

Increased marketing and prize money

The Eisteddfod budget has been increased in previous years to allow for additional promotions and distribution however this did not lead to increased registrations. Prize money and major awards has also increased by \$7,787 since 2011, along with \$5,112 in promotions and advertising but this did not lead to increased participation. A new creative design was trialled in 2012 and 2016 to refresh the look and feel of the Eisteddfod to engage more young people. The change in promotion was not successful in attracting more participants.

Implementation of Eisteddfod specific program software

In 2013 the City implemented Eisteddfod specific software which is a web application designed specifically for performing arts competitions. The software streamlined the registration process for both the user and event administrator as well as reducing the administration time.

Issues and options considered

Below is a summary of the four main issues for the Eisteddfod including venue, program relevance, lack of competition and City of Joondalup participation levels.

Venue

Due to the lack of a City owned suitable venue in the City of Joondalup, the Eisteddfod has been held at: Craigie Leisure Centre; Edith Cowan University; Sacred Heart College and the Joondalup Civic Chamber. The most suitable venue was the Performing Arts Facility at Sacred Heart College, however due to an issue with planning permission this venue is currently not available for the City of Joondalup to hire. Planning permissions for local high schools to hire their venues externally continue to be problematic with Sacred Heart College, Prendiville Catholic College and Lake Joondalup Baptist College not having planning permission at the time of this review. Given the times required for the Eisteddfod (all day weekends) local church theatres are not available as a consideration. In 2017, survey feedback indicated that one in three people were dissatisfied with the venue being the Joondalup Civic Chambers.

One of the main objectives of the Eisteddfod is to give participants an opportunity to perform to an audience. Performing in a public hall and performing in a theatre are different experiences, with the latter providing a much more valuable experience in the professionalism and coordination of a live theatre venue. The lack of a dedicated performing arts facility to host the Eisteddfod limits the impact and proficiency of the event for both the audience and the performer.

The lack of venue has financial implications including: dismantling, re-building and tuning a piano every week; hiring of the significant infrastructure needed for the choirs and band sections; and hiring specific event staff including stage managers, ushers and front of house staff.

Being a competition means there is more scrutiny on the production values, including the quality of amplification, the acoustics of the performance space and the quality, sound and tuning of the piano provided. Within the controlled environment of a theatre it is much easier and cost effective to achieve quality sound production as opposed to retro fitting a venue not designed for live performance.

If the City engaged an external provider to coordinate the Joondalup Eisteddfod there are still no City owned facilities that are appropriate for a fine music competition. It is not anticipated that a school or parents and citizens committee would have the capacity to coordinate the competition. The Eisteddfod requires detailed knowledge about competitive performing and music theory. It should be noted there are currently numerous other performing arts competitions run through the Education Department and Catholic Education Department, some of which are free to participate.

Program Relevance

The performing arts environment in the City of Joondalup has changed significantly since the first Eisteddfod nearly 30 years ago. There are now several performing arts schools in the local area offering skills development for young performers. Edith Cowan University and North Metropolitan TAFE now offer courses within the discipline of arts and culture. Arts enthusiasts now have a number of options available locally to develop their skills.

Viewing for televised singing competitions has declined significantly recently, with some experts declaring music competition shows have run their course and viewers are looking for what is next. Given the decline in Eisteddfod participants over the last five years, even with the implemented changes by the City, it is safe to assume that music competitions are not as relevant in 2017 and audiences are looking for new ways to engage in the arts.

Lack of Competition

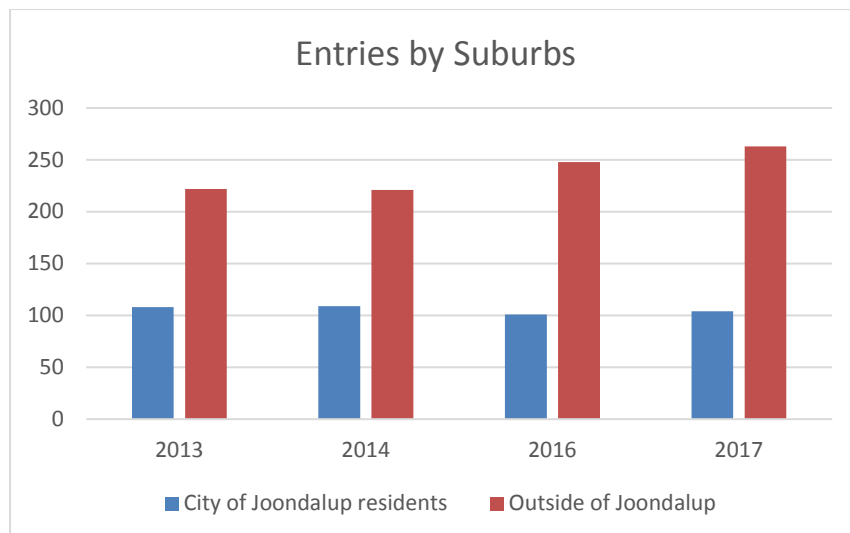
For equity, the Eisteddfod disciplines are based on age or grade of Australia Music Examination Board (AMEB). Competitors choose the appropriate section to enter within their chosen discipline in order for the adjudicator to compare performers and award winners.

At the 2017 Joondalup Eisteddfod of the 80 sections offered, 50% of those sections had fewer than three people competing. This meant there was not a lot of comparison and competition within sections. Particularly the areas of choir, strings, instrumental and woodwind are lacking in numbers, with the competition being mainly made up of pianists and singers.

The competition is one of the main reasons students are motivated to nominate for an Eisteddfod. Competition gives them an understanding of where they stand in the field and recognition should they place. Without the element of competition, the Eisteddfod is an expensive way to deliver feedback from an adjudicator based on a two-minute performance.

City of Joondalup Participation

Since the 2013 Joondalup Eisteddfod, City of Joondalup residents make up 30-40% of the competition. In 2017, 104 of the 367 entrants were from City of Joondalup suburbs.



Based on the above attendance and the annual budget this equates to \$131 per entrant.

Options

Options to be considered by Council include:

- continue to deliver the Eisteddfod
- discontinue the Eisteddfod immediately
or
- discontinue the Eisteddfod after the 30 year anniversary in 2018.

Legislation / Strategic Community Plan / policy implications

Legislation

Not applicable.

Strategic Community Plan

Key theme

Community Wellbeing.

Objective

Cultural development.

Strategic initiative

Promote local opportunities for arts development.

Policy

Not applicable.

Risk management considerations

It is anticipated that cancellation of the Eisteddfod would not attract substantial criticism. In the feedback survey for the 2017 Joondalup Eisteddfod, only 67% of participants were satisfied with the event and 72% participated regularly in performing arts competitions, of which there are still four in Western Australia, not including competitions coordinated by schools or the Catholic Education Department.

Financial / budget implications

Current financial year impact

Account no.	1 442 A4403 4007.
Budget Item	Joondalup Eisteddfod.
Budget amount	\$ 47,382
Amount spent to date	\$ 0
Proposed cost	\$ 0
Balance	\$ 47,382

Future financial year impact

Annual operating cost The annual operating cost for the Joondalup Eisteddfod is approximately \$50,000 per annum (2017-18 budget).

Estimated annual income The annual income for the Joondalup Eisteddfod is approximately \$11,300 per annum (2017-18 budget), based on 350 paid entries.

20 Year Strategic Financial Plan impact The Joondalup Eisteddfod has a net impact per year of approximately \$38,700. The total cash savings if it were discontinued up to 2036-37 is approximately \$1.5 million.

The City currently (2017-18 budget) has an operating deficit of \$6.7 million. The SFP currently projects that it will only achieve an operating surplus within target by 2026-27. If the Joondalup Eisteddfod is discontinued it will help to address the operating deficit, albeit a relatively minor impact. This is the type of review which the City needs to consider for other assets / services to address the overall operating deficit.

All amounts quoted in this report are exclusive of GST.

Regional significance

It is anticipated the cancellation of the Joondalup Eisteddfod would not have a major regional impact. Residents of the City of Joondalup are eligible to compete in nine other Western Australian performing arts competitions, including four north of the river competitions.

Sustainability implications

Not applicable.

Consultation

If Council agrees to option two or three then the communication to past Eisteddfod participants and volunteers will be made by a letter about the future of the Eisteddfod. Regular Eisteddfod attendees will be notified of the proposed changes through a final farewell and thank you email. There will also be notifications provided through the online newsletter *Arts in Focus*.

An acknowledgement will be given to the two long serving community members who have been affiliated with the Eisteddfod since its inception, Christopher Latham and Alison Major, to recognise their efforts.

COMMENT

Since 2011, participation in the Joondalup Eisteddfod has been steadily declining. Over the past six years there have been significant changes made to the event preparation and delivery to provide the highest quality service and experience for participants including the introduction of prize money, a significant marketing campaign, a change of date and streamlining of disciplines. Despite these interventions, participation levels have continued to decline as well as participant satisfaction levels with the event.

An obstacle to the delivery of the Eisteddfod is that the City does not currently have a suitable facility to hold the event, impacting the experience for both the audience and the performer. Seeking an external provider to facilitate the event does not resolve the current challenges. A school or parents and citizens committee is unlikely to run the event due to the vast administration load and expertise required.

The format of the Eisteddfod is believed to no longer be relevant and there are now various, more contemporary arts competitions for participants to enter throughout Western Australia. With less than a third of entrants being residents of the City of Joondalup it no longer engages the local community and does not represent a value for investment.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council:

- 1 AGREES to not proceed with any future Joondalup Eisteddfod competitions due to declining entrants and the lack of availability of a purpose-built facility;**
- 2 REQUESTS the Chief Executive Officer acknowledge the efforts of Alison Major and Christopher Latham and their contribution to the Joondalup Eisteddfod.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ210-12/17, page 178 refers.

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

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12brf171205.pdf](#)

CJ204-12/17 REQUEST FOR ADDITIONAL SUBSIDIES AND WAIVER OF FEES FOR TENNIS CLUBS

WARD	All
RESPONSIBLE ACTING DIRECTOR	Mr Mike Smith 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 consider applying additional subsidies and waiver of fees for the hire of City managed tennis courts and associated facilities in 2017 and 2018.

EXECUTIVE SUMMARY

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted the *Property Management Framework* which provides 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 in managing property and users of City facilities. The *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 requests further subsidisation or fee waiver, application must be made to the City with a report presented to Council for consideration.

The City has recently completed the bookings for use of tennis facilities for the 2017-18 booking period (1 October 2017 to 30 September 2018). Booking applications have been assessed against the policy and consequently, the following groups have sought further subsidies or waiver of fees:

- Kingsley Tennis Club (juniors).
- Ocean Ridge Tennis Club (juniors).
- Greenwood Tennis Club (juniors).

The Kingsley Tennis Club (juniors) and Ocean Ridge Tennis Club (juniors) have been assessed as eligible for a subsidy and are seeking an additional subsidy for hire fees. The Greenwood Tennis Club (juniors) has been assessed as ineligible for a subsidy and is seeking a waiver of hire fees.

It is therefore recommended that Council:

- 1 *AGREES to extend the 100% subsidised use for the Kingsley Tennis Club (juniors) for the use of the Timberlane Park tennis courts and other associated City facilities in 2017-18 to a maximum 53.5 hours average per week;*
- 2 *AGREES to extend the 100% subsidised use for the Ocean Ridge Tennis Club (juniors) for the use of the Heathridge Park tennis courts and other associated City facilities in 2017-18 to a maximum 20 hours average per week;*
- 3 *NOTES that the Greenwood Tennis Club (juniors) does not meet the eligibility for a subsidy under the Facility Hire Subsidy Policy;*
- 4 *DOES NOT AGREE to the request to waive 100% of the fees for the Greenwood Tennis Club (juniors) for the use of the Warwick tennis courts in 2017-18;*
- 5 *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.*

BACKGROUND

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted the *Property Management Framework* which is intended to provide a consistent and concise methodology to property management. Also at that meeting, Council adopted the *Facility Hire Subsidy Policy* which provides direction 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 and does not apply to individuals.

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: 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.

Those groups that have been classified as being eligible for a subsidy and meeting the requirements of being a "junior recreational or sporting group" are provided with a 100% subsidy for their facility (park, building and court hire). To better manage the overbooking of facilities as a result of this 100% subsidy, eligible groups are provided with a maximum number of hours for each week. This number is averaged out of the group's entire booking (12 months for annual users and six months for seasonal users). The table below shows the average number of hours per week eligible junior clubs are provided under the *Facility Hire Subsidy Policy*.

Number of members	Extent to which subsidy applies
Less than 100 members	10 hours per week
Between 100 and less than 300 members	35 hours per week
Between 300 and less than 500 members	65 hours per week
Between 500 and less than 700 members	85 hours per week
700 members or more	110 hours per week

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.”

DETAILS

The City has recently completed the booking process for use of tennis facilities for the 2017-18 booking period. The following groups have sought further subsidisation in accordance with the policy:

- Kingsley Tennis Club (juniors) – additional subsidised hours.
- Ocean Ridge Tennis Club (juniors) – additional subsidised hours.
- Greenwood Tennis Club (juniors) – waiver of fees.

Kingsley Tennis Club (juniors)

Classification within policy	Extent of subsidy	Hours booked per week	Hours exceeding subsidy per week
Junior recreational or sporting group	100% (10 hours per week)	53.5	43.5

The Kingsley Tennis Club is a not-for-profit club with both senior and junior members. The club books the Timberlane Park tennis courts and the adjacent Timberlane Park Clubrooms on a 12-monthly basis.

The junior section of the club has 75 members and is recognised as a junior sporting and recreational group receiving a 100% subsidy on its bookings for the courts and facility. Under the *Facility Hire Subsidy Policy*, the club is entitled to a maximum of 10 hours per week of 100% subsidised hire as it has less than 100 junior members.

The club has written to the City requesting the 10 hours per week of 100% subsidised use be extended to 53.5 hours per week to cover its junior bookings for the 2017-18 year. The club has reduced its booked hours significantly from 103 hours per week in 2016-17 to 53.5 hours per week in 2017-18.

It is noted that the hire of tennis courts is different to the hire of a park in that a typical junior sporting club can have a lot more participants on a park compared to one tennis court. Consequently, the total hours of court hire for a junior tennis club is comparatively higher than other clubs whose activity is conducted on a park.

At its meeting held on 18 July 2017 (CJ122-07/17 refers), Council resolved to extend the maximum subsidised hours for the Kingsley Tennis Club (juniors) to 103 hours per week for the 2016-17 booking period.

It is therefore recommended that Council consider extending the subsidised hours of hire for Kingsley Tennis Club (juniors) to 53.5 hours per week.

Total booking cost	Current		Requested		Recommended	
	Subsidy value	Club payment	Subsidy value	Club payment	Subsidy value	Club payment
\$8,506	\$1,850	\$6,656	\$8,506	\$0	\$8,506	\$0

Ocean Ridge Tennis Club (juniors)

Classification within policy	Extent of subsidy	Hours booked per week	Hours exceeding subsidy per week
Junior recreational or sporting group	100% (10 hours per week)	20	10

The Ocean Ridge Tennis Club is a not-for-profit group with both senior and junior members. The club books the Heathridge Park tennis courts and has a licence on the tennis clubroom section of the Guy Daniel Clubroom.

The junior section of the club has 75 members and is recognised as a junior sporting and recreational group receiving a 100% subsidy on its bookings for the courts. Under the *Facility Hire Subsidy Policy*, the club is entitled to a maximum of 10 hours per week of 100% subsidised hire as it has less than 100 junior members.

The club has written to the City requesting the 10 hours per week of 100% subsidised use be extended to 20 hours per week to cover its junior bookings for the 2017-18 year.

It is noted that the hire of tennis courts is different to the hire of a park in that a typical junior sporting club can have a lot more participants on a park compared to one tennis court. Consequently, the total hours of court hire for a junior tennis club is comparatively higher than other clubs whose activity is conducted on a park.

At its meeting held on 18 July 2017 (CJ122-07/17 refers), Council resolved to extend the maximum subsidised hours for the Ocean Ridge Tennis Club (juniors) to 15 hours per week for the 2016-17 booking period.

It is therefore recommended that Council consider extending the subsidised hours of hire for Ocean Ridge Tennis Club (juniors) to 20 hours per week for its 2017-18 bookings.

Total booking cost	Current		Requested		Recommended	
	Subsidy value	Club payment	Subsidy value	Club payment	Subsidy value	Club payment
\$1,229	\$461	\$768	\$1,229	\$0	\$1,229	\$0

Greenwood Tennis Club (juniors)

Classification within policy	Extent of subsidy	Hours booked per week	Hours exceeding subsidy per week
Junior recreational or sporting group	Not eligible	121	121

The Greenwood Tennis Club is a not-for-profit group with both senior and junior members. The club books the Warwick Open Space tennis courts and has a lease on the tennis clubroom section of the Warwick Sports Centre.

The junior section of the club has 50 members and books the courts on a 12-monthly basis. The club has previously been regarded as a junior sporting and recreational group and therefore received a 100% subsidy for bookings. In 2016, the club reported that it no longer met the requirement of having at least 50% of junior members being residents of the City of Joondalup and as such, the club was not eligible for a subsidy for its 2015-16 bookings. At its meeting held on 15 March 2016 (CJ041-03/16 refers), Council agreed to waive 75% of the club's junior fees with that waiver to reduce to 50% in 2016-17, 25% in 2017-18 and there being no waiver provided in 2018-19. At its meeting held on 18 July 2017 (CJ122-07/17 refers), Council agreed to waive 100% of the club's junior fees, up to a maximum of 177 hours per week, for its 2016-17 bookings.

For the club's 2017-18 booking, it has stated that only 20% (10 out of 50) of junior members are City of Joondalup residents. Therefore, the club is considered ineligible for a subsidy for 2017-18 bookings.

The club has written to the City requesting a 100% waiver of fees be provided to reduce court hire fees for the 2017-18 year.

It is noted that this club is based in the south-eastern corner of the City, with very few clubs servicing the area to the east and south of the club's location. Therefore, it can be expected that the club will attract participants from the neighbouring local governments. Similarly, the club is surrounded to the west by the Sorrento Tennis Club and to the north by the Kingsley Tennis Club which both compete for members from the Greenwood Tennis Club's catchment area within the City of Joondalup. In addition, the hire of tennis courts is different to the hire of a park in that a typical junior sporting club can have a lot more participants on a park compared to one tennis court. Consequently, the total hours of court hire for a junior tennis club is comparatively higher than other clubs whose activity is conducted on a park. It should also be noted that the Greenwood Tennis Club has reviewed and significantly reduced its booked hours from 2016-17 to bring them closer to the subsidised allocation.

As the club does not meet the eligibility as listed within the *Facility Hire Subsidy Policy*, it is not recommended that Council approve the request from the Greenwood Tennis Club (juniors) to waive hire fees for up to 121 hours per week for their 2017-18 bookings.

Total booking cost	Current		Requested		Recommended	
	Subsidy value	Club payment	Subsidy value	Club payment	Subsidy value	Club payment
\$9,755	\$0	\$9,755	\$9,755	\$0	\$0	\$9,755

Issues and options considered

Council may agree or not agree to each of the requests for additional subsidies and waiver of fees 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 arise 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.
- Making exceptions for groups may set a precedent and cause complications when determining subsidies for other groups.

Financial / budget implications

The cost to the City across all levels of subsidised use of City managed community facilities is approximately \$1.18 million.

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 \$2,311 in income for 2017-18 tennis club bookings.

All amounts quoted in this report are exclusive of GST.

The City currently has a \$6.7 million per annum operating deficit with it paying significant amounts in grants and contributions, while also waiving/subsidising a large amount of City fees for use of reserves and facilities. Continuing to approve fee waivers or increased subsidies for groups that do not meet the criteria of the policy will not assist the City in managing its ongoing operating deficit.

Regional significance

Not applicable.

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* is to achieve more equitable and greater use of City facilities. It is important that the classification of groups within the policy for levels of subsidisation remains consistent. However, if a group requires further consideration relating to fees, Council has the option to waive those fees.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 AGREES to extend the 100% subsidised use for the Kingsley Tennis Club (juniors) for the use of the Timberlane Park tennis courts and other associated City facilities in 2017-18 to a maximum 53.5 hours average per week;
- 2 AGREES to extend the 100% subsidised use for the Ocean Ridge Tennis Club (juniors) for the use of the Heathridge Park tennis courts and other associated City facilities in 2017-18 to a maximum 20 hours average per week;
- 3 NOTES that the Greenwood Tennis Club (juniors) does not meet the eligibility for a subsidy under the Facility Hire Subsidy Policy;
- 4 DOES NOT AGREE to the request to waive 100% of the fees for the Greenwood Tennis Club (juniors) for the use of the Warwick tennis courts in 2017-18;
- 5 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.

It was requested that Part 4 of the Motion be Put separately. Mayor Jacob stated that he would Put Parts 1, 2, 3 and 5 followed by Part 4 separately.

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

- 1 **AGREES to extend the 100% subsidised use for the Kingsley Tennis Club (juniors) for the use of the Timberlane Park tennis courts and other associated City facilities in 2017-18 to a maximum 53.5 hours average per week;**
- 2 **AGREES to extend the 100% subsidised use for the Ocean Ridge Tennis Club (juniors) for the use of the Heathridge Park tennis courts and other associated City facilities in 2017-18 to a maximum 20 hours average per week;**

- 3** **NOTES that the Greenwood Tennis Club (juniors) does not meet the eligibility for a subsidy under the Facility Hire Subsidy Policy;**
- 5** **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.**

The Motion was Put and

CARRIED (11/1)

In favour of the Motion: Mayor Jacob, Crs Dwyer, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Norman, Poliwka and Taylor.

Against the Motion: Cr Chester.

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

- 4** **AGREES to waive 100% of the fees that would apply to the Greenwood Tennis Club (Juniors) for the use of the Warwick Tennis Courts in 2017-18 up to a maximum of 121 hours average per week (to a maximum value of \$9,755).**

The Motion was Put and

LOST (4/8)

In favour of the Motion: Crs Chester, Dwyer, Logan and Taylor.

Against the Motion: Mayor Jacob, Crs Hamilton-Prime, Hollywood, Jones, May, McLean, Norman and Poliwka.

MOVED Mayor Jacob, SECONDED Cr Hollywood that Council:

- 4** **DOES NOT AGREE to the request to waive 100% of the fees for the Greenwood Tennis Club (juniors) for the use of the Warwick tennis courts in 2017-18;**

The Foreshadowed Motion was Put and

CARRIED (12/0)

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

CJ205-12/17 2017 ACTIVE RESERVE AND COMMUNITY FACILITY REVIEW

WARD	All
RESPONSIBLE ACTING DIRECTOR	Mr Mike Smith Corporate Services
FILE NUMBER	29110, 13010, 101515
ATTACHMENTS	Attachment 1 2017 Active reserve and community facility review report Attachment 2 2009 Endorsed masterplan process Attachment 3 2017 Proposed masterplan process
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 2017 active reserve and community facility review report and the recommendations made on the future provision of community and sporting facilities and infrastructure across the City of Joondalup.

EXECUTIVE SUMMARY

The City undertakes a review of active reserves and community facilities every three years. A review was undertaken in 2011 and 2014 and aimed to provide a strategic approach to the future provision of community and sporting facilities and infrastructure across the City of Joondalup.

The 2017 report has made recommendations to improve the infrastructure provision at active reserves to meet the increasing demand for parks and improve the distribution of sporting club usage. Each recommendation has been given a priority based on the trends in growth of individual sports; facilities within the catchment area of the different sporting clubs; distribution and allocation of grounds; surrounding reserve infrastructure; and current utilisation rates.

A number of the City's community facilities have been identified as requiring refurbishment works to improve the functionality and aesthetics. If refurbishment works are not undertaken, functionality will be limited and facilities will continue to age making them potentially unsuitable for use as the condition deteriorates. For community facilities, the recommendations are separated into facility refurbishment projects and facility redevelopment projects.

It is therefore recommended that Council NOTES:

- 1 *the 2017 active reserve and community facility review report and the recommendations made on the future provision of community and sporting facilities and infrastructure;*
- 2 *that the recommended priority for future project works as outlined in this Report will be used in the development of the City's future Five Year Capital Works Program and 20 Year Strategic Financial Plan and the recommended projects will be subject to further reports allocating construction years and capital budgets.*

BACKGROUND

The City undertakes a review of active reserves and community facilities every three years. A review was undertaken in 2011 and 2014 and aimed to provide a strategic approach to the future provision of community and sporting facilities and infrastructure across the City of Joondalup. The review aims to achieve the following outcomes:

- Evaluate the City's active reserve utilisation.
- Identify the sports infrastructure needs on active reserves to make better use of the City's parks and service the needs of the community.
- Review the hierarchy for community facilities and standard level of provision in these facilities.
- Outline future projects for consideration in the City's *Five Year Capital Works Program* and *20 Year Strategic Financial Plan*.
- Outline estimated construction or installation costs to undertake works as recommended.

At its meeting held on 17 February 2009 (CJ031-02/09 refers), Council endorsed the City's masterplan process. The masterplan process was developed to provide clear direction for the City in undertaking masterplan projects including details of when information is collected, how Elected Members and the community are engaged and the timelines estimated for each stage. A seven-stage process was endorsed (Attachment 2 refers).

DETAILS

The review has looked at current and future population data in the City of Joondalup and demographic and sporting trends. Information on the City's active reserves and community facilities has also been collected and reviewed against the City's community facility hierarchy and standard level of provision. Usage of facilities has been considered and workshops have been held with internal stakeholders to develop the recommendations for future works.

The report collates all of this data and is separated into two main sections – active reserves and community facilities, and proposes a priority order for future projects (Attachment 1 refers).

Active reserves

The City has 51 active reserves with varying demand based on the level of infrastructure provided on them. As the popularity for individual sports and club membership numbers increase, so does the demand for active reserves with adequate infrastructure. As the City has limited ability to create additional reserves on new land, it is important to implement a strategic approach to the ongoing management of reserves and provision of infrastructure.

Usage of an active reserve is impacted by a number of factors including size, location and the level of infrastructure provided. This review has identified that 13 playing fields are above the industry guideline for usage of 25 hours per week in winter, which is known to lead to overuse and have a detrimental impact to the playing surface.

The report has made recommendations to improve the infrastructure provision at reserves which aims to meet the increasing demand for parks and improve the distribution of sporting club usage. Each recommendation has been given a priority based on the trends in growth of individual sports; facilities within the catchment area of the different sporting clubs; distribution and allocation of grounds; surrounding reserve infrastructure; and current utilisation rates.

Sports floodlighting

The City aims to provide adequate floodlighting on its active reserves that meets the Australian Standard for football (all codes) (AS2560.2.3) and the control of obtrusive effects of outdoor lighting (AS4282). Adequate floodlighting allows clubs to utilise more of the playing surface of a reserve and help to reduce wear and tear issues. It also reduces safety issues arising from lack of visibility and can allow night competition games to be played when lighting is provided to that level required.

Currently the City's floodlighting projects do not include the use of LED lighting as this technology in sports floodlighting is still developing and as yet the lighting units are not comparable in terms of cost, weight and reliability. The City is however, keeping up to date with LED technology and when suitable will consider using for floodlighting projects.

Based on the review, the following is a summary of reserves that have been identified in priority order for new or an upgrade in floodlighting from next financial year onwards. It is proposed that for future years of the City's *Five Year Capital Works Program* (CWP), floodlighting projects will be scheduled in line with the lighting program based on overall City priorities, the *Lighting Asset Management Plan* and the need for the City to reduce the operating deficit. The following projects may be listed for consideration within the next five years of the City's CWP.

Priority	Proposed project	Estimated capital cost	Estimated additional annual operating cost	Estimated cost per resident and per residential rateable property (capital cost)
1	Kingsley Park, Kingsley – six poles	\$480,000	\$17,250	\$2.97/resident; \$7.95/residential rateable property
2	Ellersdale Park, Warwick – four poles	\$320,000	\$11,500	\$1.98/resident; \$5.30/ residential rateable property
3	Emerald Park, Edgewater – four poles	\$320,000	\$11,500	\$1.98/resident; \$5.30/ residential rateable property
4	MacDonald Park (South), Padbury – four poles	\$320,000	\$11,500	\$1.98/resident; \$5.30/ residential rateable property
5	Timberlane Park, Woodvale – four poles	\$320,000	\$11,500	\$1.98/resident; \$5.30/ residential rateable property

At its meeting held on 21 April 2015 (CJ061-04/15 refers), Council agreed that the existing floodlighting at Percy Doyle Reserve to the two soccer pitches and the AFL oval be upgraded as they do not currently meet the Australian Standards. This project is currently listed for consideration in 2020-21 in the City's CWP and this is not proposed to be amended as part of the review.

Sports infrastructure

Most sports that utilise active reserves require standard supporting infrastructure that the City provides, for example; goal posts, cricket nets / wickets. Some sports require more unique infrastructure and the priorities for replacement or new infrastructure for those sports have been identified in the following table. It is proposed that for future years of the City's CWP, sports infrastructure projects will be scheduled in line with the parks equipment program based on overall City priorities and the need for the City to reduce the operating deficit. The following projects may be listed for consideration within the next five years of the City's CWP.

Priority	Proposed project	Estimated capital cost	Estimated additional annual operating cost	Estimated cost per resident and per residential rateable property (capital cost)
1	Mirror Park, Ocean Reef -Cricket practice nets (four)	\$80,000	\$6,000	\$0.49/resident; \$1.32/residential rateable property
2	Chichester Park (South), Woodvale - Long jump pit; Athletics throwing circles (two)	\$10,000	\$1,100	\$0.06/resident; \$0.17/residential rateable property
3	Percy Doyle Reserve (Football/Tee-ball oval), Duncraig - Cricket practice nets (four)	\$80,000	\$6,000	\$0.49/resident; \$1.32/residential rateable property
4	MacDonald Park, Padbury - Replacement of basketball/ netball courts	\$18,000	\$5,000	\$0.11/resident; \$0.30/residential rateable property

Toilet/change rooms

Across the City there a number of toilet / change rooms that support both active and passive park users. These facilities typically include a small space for changing, showers, toilets, a kiosk and may also incorporate storage. The following table is a summary that details the City's priorities for refurbishment or development of new toilet / change rooms based on the review. The majority of recommended works are at reserves that are currently secondary training/game venues for sporting clubs and are therefore not considered a high priority. It is proposed that for future years of the CWP, toilet / change rooms projects will be scheduled in line with the building construction program based on overall City priorities, the Buildings Asset Management Plan and the need for the City to reduce the operating deficit. The following projects may be listed for consideration within the next five years of the City's CWP.

Priority	Proposed project	Estimated capital cost	Estimated additional annual operating cost	Estimated cost per resident / per residential rateable property (capital cost)
1	Falkland Park, Kinross Refurbishment and extension of toilet/change room (75m ²); storage area (25m ²); and new kiosk (10m ²) - total 110m ²	\$320,000	\$23,100	\$1.98/resident; \$5.30/residential rateable property
2	Ocean Reef Park, Ocean Reef Refurbishment and extension of toilet/change room (75m ²)	\$240,000	\$21,100	\$1.48/resident; \$3.97/residential rateable property

Priority	Proposed project	Estimated capital cost	Estimated additional annual operating cost	Estimated cost per resident / per residential rateable property (capital cost)
3	Chichester Park (North), Woodvale New toilets (35m ²); storage area (25m ²) – total 60m ²	\$155,000	\$12,550	\$0.96/resident; \$2.57/residential rateable property
4	Carlton Park, Currambine New toilets (35m ²); new kiosk (10m ²); and storage area (25m ²) – total 70m ²	\$190,000	\$23,100	\$1.17/resident; \$3.15/residential rateable property
5	Christchurch Park, Currambine Refurbishment of toilet/change rooms; new kiosk (10m ²); and new storage area (25m ²) – total 35m ²	\$320,000	\$23,100	\$1.98/resident; \$5.30/residential rateable property

Car parking

Across the City there are a number of active reserves with limited or no formal car parking provided. The following are the City's priorities for additional car parking bays based on the review. The majority of recommended works are at reserves that are currently secondary training / game venues for sporting clubs and are therefore not considered a high priority. It is proposed that for future years of the City's CWP, car parking projects will be scheduled in line with the parking facilities program based on overall City priorities and the need for the City to reduce the operating deficit. New car parking bays are estimated to cost up to \$7,000 per bay.

- Ocean Reef Park, Ocean Reef.
- Ellersdale Park, Warwick.
- Hillarys Park, Hillarys.
- Christchurch Park, Currambine.
- Juniper Park, Duncraig.

Community facilities

The City has 34 community facilities that can be hired on a regular or casual basis and a number of community facilities that are leased to organised groups. These facilities are located across the City and vary in size and function. They support and assist to facilitate a wide range of uses including community and sporting group meetings, formal activities and social functions.

The City's community facility hierarchy classifies community facilities into five categories: toilet / change rooms; small sporting facilities; small community facilities; large sporting facilities; and large community facilities. These categories align with the City's existing strategies, plans and frameworks. Also developed is a standard of provision and fit-out specification for each classification.

Facility redevelopment and refurbishment projects aim to improve the functionality and aesthetics of a facility. As a general guideline, community facilities have a life cycle of 100 years, and should have a major refurbishment after 40 years. Short life services such as heating / cooling systems have a life cycle of 20 years. Projects have been identified for future works based on elements such as existing and potential future usage; age of the facility; results of the functionality audit; and levels of provision as determined in the community facility hierarchy.

Refurbishment projects typically include repainting; new floor coverings; small storeroom extensions; updating kitchen and/or toilet areas; improvements to heating and cooling systems; and upgrading security. Redevelopment projects are considered larger in nature than a refurbishment project and generally involve major structural changes to a facility or demolition and construction of a new facility.

Facility refurbishments

The following projects have been considered by Council and/or planning and stakeholder consultation has been undertaken, so no change to the priority order or year of works is proposed.

Facility	Estimated capital cost	Years listed in budget
Duncraig Leisure Centre, Duncraig	\$402,400	2017-18 / 2018-19
Sorrento Bowling Clubroom, Duncraig	\$205,100	2017-18 / 2018-19
Windermere Park Clubroom, Joondalup	\$335,000	2017-18 / 2018-19
Mildenhall, Duncraig	\$369,000	2018-19 / 2019-20
Duncraig Community Centre, Duncraig	\$232,900	2018-19 / 2019-20
Greenwood Tennis Clubroom, Warwick	\$349,000	2018-19 / 2019-20
Warwick Bowling Clubroom, Warwick	\$754,000	2018-19 / 2019-20

The following is a summary of the City's priorities for facility refurbishment projects based on the review. It is proposed that for future years of the CWP and *20 Year Strategic Financial Plan*, refurbishment projects will be scheduled in line with the building construction program based on overall City priorities, the *Buildings Asset Management Plan* and the need for the City to reduce the operating deficit. The priority order of the following projects can be reviewed annually to ensure factors have not changed that would impact the priority of the projects.

Priority	Facility/Background	Estimated total cost	Estimated additional annual operating cost	Estimated cost per resident / per residential rateable property (capital cost)
1	<p>Ellersdale Park Clubrooms, Warwick</p> <p>Year built: 1970 (toilets and change rooms); 1979 (meeting room areas). Previous works: 2007-08 (kitchen refurbishment, toilets and painting); 2010-11 (verandah joining the two buildings was replaced); 2017-18 (storage extension, minor change room refurbishment jointly funded by the City and Warwick Greenwood Junior Football Club). User groups: three sporting clubs (597 members); two community groups (40 members).</p>	\$850,000	\$58,750	\$5.25/resident; \$14.08/residential rateable property
2	<p>Warrandyte Park Clubrooms, Craigie</p> <p>Year built: 1982 Previous works: 2010-11 (kitchen refurbishment, toilet upgrade, painting, change room upgrade, external render and small storage extension); 2017-18 (new heating/cooling system, security screens replaced, main hall flooring replaced and new alarm*). <i>*Note: Budget permitting, additional works may be undertaken in 2017-18 which may result in a change in the priority order and scope of works for the future refurbishment project.</i> User groups: three sporting clubs (477 members); two community groups (56 members).</p>	\$430,000	\$35,650	\$2.66/resident; \$7.12/residential rateable property

Priority	Facility/Background	Estimated total cost	Estimated additional annual operating cost	Estimated cost per resident / per residential rateable property (capital cost)
3	<p>Emerald Park Clubrooms, Edgewater</p> <p>Year built: 1984 Previous works: 2009-10 (kitchen refurbishment, toilet refurbishment, new flooring and new heating / cooling system in the playgroup room).</p> <p>User groups: two sporting clubs (300 members); three community groups including a commercial child care provider and playgroup (240 members/participants).</p>	\$340,000	\$23,100	\$2.10/resident; \$5.63/residential rateable property
4	<p>MacNaughton Park Clubrooms, Kinross</p> <p>Year built: 1995 Previous works: 2009-10 (storage extension).</p> <p>User groups: two sporting clubs (used as a secondary ground - 828 members); five community groups (246 members / participants).</p>	\$850,000	\$12,550	\$5.25/resident; \$14.08/residential rateable property

Planning for refurbishment projects commences two years prior to construction and therefore it is estimated that the Ellersdale Park Clubroom and Warrandyte Park Clubroom refurbishment projects (priority number one and two) may be listed for consideration within the next five years of the City's CWP.

The MacNaughton Park Clubroom refurbishment project was previously listed for consideration in 2020-21 and the Ellersdale Park Clubroom refurbishment project was previously listed for consideration in 2021-22. As a result of the large junior football club (415 members) recently making Ellersdale Park their 'primary ground', and the limited functionality of the existing clubroom facility, based on the review, it is proposed that this project is the next refurbishment project to be undertaken and it is amended to be listed for consideration in 2020-21. MacNaughton Park Clubrooms are used predominantly as a 'secondary ground' for sporting groups due to the size of the change rooms and anti-social behaviour reported around the facility, and based on the review, this project has been listed as priority number four and will therefore not be listed for consideration in 2020-21.

Facility redevelopments

Given the scale and cost of facility redevelopments, careful consideration must be made when identifying future projects. Facility redevelopments may also take into consideration the surrounding landscaping and sporting infrastructure if located on an active reserve.

A Craigie Leisure Centre major refurbishment/redevelopment project is currently listed from 2017-18 to 2019-20 of the CWP with an indicative budget of \$2,382,000. This project proposes an extension to the gym, creche and group fitness areas and refurbishment of other areas of the centre including the 'dry side' change rooms and offices. Currently \$3,000,000 is listed from 2018-19 to 2020-21 of the CWP for the redevelopment of Chichester Park, Woodvale. This project proposes to construct a new community sporting facility and will investigate additional parking and drainage issues of the southern playing field. At its meeting held on 15 August 2017 (CJ140-08/17), Council approved a redevelopment of Prince Regent Park, Heathridge in 2017-18 and 2018-19 at an estimated capital cost of \$3,070,000. This project proposes to construct a new community sporting facility, additional parking and upgrade the existing sporting infrastructure.

The Calectasia Hall / Greenwood Scout and Guide Hall project is the City's next priority for a facility redevelopment project based on the review. An indicative figure of \$5,000,000 is currently included in the *20 Year Strategic Financial Plan* for the redevelopment project.

Masterplan process

Following completion of the Bramston Park redevelopment and Warwick Hockey Centre projects, a review was conducted of the City's masterplan process. The review was undertaken in light of what has been learnt to date through these recent projects and a better understanding has been gained on the most effective process for managing projects. The City's recently updated project management framework and documentation for priority projects has also been included in the revised masterplan process.

The key changes to the process have been summarised and are detailed in Attachment 3:

- Stage 1 (project initiation and planning) has been amended and now includes the development of a business case or philosophies and parameters report (where applicable).
- Parts of Stage 2 (site and needs analysis) and Stage 4 (feasibility analysis) have been combined in Stage 1 (project planning, feasibility and planning).
- Two Council actions are also now required in Stage 2 (consultation) to approve community consultation commencing, and following consultation to note the results and endorse the project proceeding to the next stage of concept design.
- Stage 3 (concept design) now includes an additional Council action to ensure the estimated costs of the proposed concept design are taken into consideration when assessing the feasibility for a project.
- New management actions have been added to Stage 6 (operations and review) to capture the official opening ceremony proceedings and user group orientations/inductions that now take place once construction has been completed.

The amendments to the process will ensure that the integrity of the masterplan process remains, with improvements based on lessons learnt through recent projects.

Issues and options considered

Not applicable.

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

The City has an active community with high involvement in sport and recreation clubs, a limited number of active reserves and no ability to create additional reserves on new land. It is becoming increasingly difficult to satisfy the City's existing summer and winter sporting club requirements, and to accommodate new sporting clubs with the limited number of active reserves with adequate infrastructure. Passive recreation (such as walking) also places additional pressure on active reserves, particularly during peak periods.

A number of the City's community facilities have been identified as requiring improvement works. If improvements are not undertaken, facilities will continue to age making them potentially unsafe and unsuitable for use as their condition further deteriorates.

Financial / budget implications

Project cost estimates are based on a series of assumptions including:

- \$1,800/m² for storage areas.
- \$3,200/m² for toilet/change rooms / kiosks.
- \$3,000/m² for function/meeting / activity rooms.
- \$80,000 per pole for sports floodlighting.

Some of the projects are yet to have concept designs and cost estimates undertaken. For these projects, a preliminary estimate has been determined based on similar recent developments that have been completed. It is important to note that the cost estimates are indicative and are not based on any project scoping, concept plans or cost estimates. No allowance for escalation has been made so when allocating budget funds, an appropriate amount should be added depending on the year.

For where works are anticipated to increase operating expenses, an estimate has also been included.

Current financial year impact

In 2016-17, the City's community facilities generated approximately \$630,845 in income. The operating expenses over this period were \$2,267,518 (including depreciation), resulting in an operating deficit of \$1,636,673.

In 2016-17, the City's active reserves generated approximately \$86,931 in income. The operating expenses over this period were \$5,725,749 (including depreciation), resulting in an operating deficit of \$5,638,818.

Future financial year impact

The projects considered as part of the review will be subject to separate financial evaluation as part of the City's standard project approval processes. The comments included in this report are therefore limited to the overall impacts that the recommended projects may have on the City's operating deficit.

The overall capital expenditure of all recommended projects in the review is approximately \$11.5 million, of which over \$5 million may be new capital expenditure. New capital expenditure may result in additional depreciation and additional operating expenses and this could worsen the City's operating deficit.

Operating costs

An estimate has been prepared of the additional depreciation and additional operating expenses (including maintenance and utilities) that the recommended projects would have on the City's operating deficit once they are fully implemented. It is estimated that there may be an additional annual cost of approximately \$400,000 once all projects are implemented. This comprises of an additional \$100,000 new depreciation per year and an increase of \$300,000 operating expenses per year.

As the exact scope of works and year of completion is not confirmed some of the assumptions are indicative.

Operating deficit

The City is budgeting for an operating deficit of \$6.7 million in 2017-18 and therefore the \$400,000 impacts of the recommended projects would increase the operating deficit to \$7.1 million once all projects are implemented. There are also many other factors that may influence the operating deficit in future years.

Estimated economic life of assets

In addition to the costs that new capital expenditure brings to the City, there are also impacts of renewing assets earlier than their estimated economic life.

The City allocates a useful life to each individual asset as part of asset management plans. The useful life is used to estimate the depreciation charge per year, and this is charged as an expense to the operating statement.

If assets are renewed before they reach the end of their useful life then there will be a value of the asset that will need to be written-off which could worsen the City's operating deficit. If the recommended projects were implemented in similar timescales to previous programs, it could result in assets being replaced before the end of their useful life.

An estimate of \$1 million of write-offs has been prepared based on all of the projects, however this would depend on the nature of works undertaken and the timescales. This is a one-off cost only and is distinct from the additional \$400,000 recurring impact of new expenditure. Below are the estimated write-off values and an indication of the type of works proposed (new, renewal or upgrade) for each recommended project. New works are those which a new asset / area are added to a park or facility (for example new floodlights); renewal works are those that replace or repair an existing asset with a like-for-like asset (for example a toilet refurbishment); upgrade works are those that improve an existing asset (for example a storage extension).

Floodlighting projects

Active reserve	New, renewal or upgrade project	Estimated write-off value
Kingsley Park, Kingsley	Renewal	\$38,000
Ellersdale Park, Warwick	Renewal	\$18,000
Emerald Park, Edgewater	Renewal	\$33,000
MacDonald Park (South), Padbury	Renewal	\$96,000
Timberlane Park, Woodvale	New	N/A
Christchurch Park, Currambine	New	N/A
Chichester Park (North), Woodvale	Renewal	\$86,000
Windermere Park, Joondalup	Renewal	\$28,000
Beldon Park, Beldon	New	N/A
Moolanda Park, Kingsley	New	N/A
Santiago Park, Ocean Reef	New	N/A
Hawker Park, Warwick	Renewal	\$5,000
MacNaughton Park, Kinross	Renewal	\$8,000

Sports infrastructure projects

Active reserve	New, renewal or upgrade project	Estimated write-off value
Mirror Park, Ocean Reef - Cricket practice nets (four)	New	N/A
Chichester Park (South), Woodvale - Long jump pit; Athletics throwing circles (two)	New	N/A
Percy Doyle Reserve (Football/Tee-ball oval), Duncraig - Cricket practice nets (four)	New	N/A
MacDonald Park, Padbury - Replacement of basketball/ netball courts	Renewal	\$30,000 (estimate based on Penistone Park)

Toilet/Change room projects

Active reserve	New, renewal or upgrade project	Estimated write-off value
Falkland Park, Kinross	Renewal/ new	\$40,000
Ocean Reef Park, Ocean Reef	Renewal/ new	\$45,000
Chichester Park (North), Woodvale	New	N/A
Carlton Park, Currambine	New	N/A
Christchurch Park, Currambine	Renewal/ upgrade	\$40,000
Littorina Park, Heathridge	New	N/A
Santiago Park, Ocean Reef	Renewal/ upgrade / new	\$45,000
Parkside Park, Woodvale	New	N/A
Callander Park, Kinross	New	N/A

Facility refurbishment projects

Community facility	New, renewal or upgrade project	Estimated write-off value
Ellersdale Park Clubroom, Warwick	Renewal/ upgrade / new	\$106,250
Warrandyte Park Clubrooms, Craigie	Renewal/ upgrade / new	\$26,875
Emerald Park Clubrooms, Edgewater	Renewal / new	\$42,500
MacNaughton Park Clubroom, Kinross	Renewal/ upgrade / new	\$106,250
Woodvale Community Care Centre, Woodvale	Renewal / new	\$39,375
Padbury Hall, Padbury	Upgrade / new	N/A
Whitford Senior Citizens Centre, Hillarys	Renewal / new	\$23,750
Rob Baddock Community Hall, Kallaroo	Renewal / new	\$21,250
Forrest Park Community Sporting Facility, Padbury	New	N/A
Admiral Park Community Sporting Facility, Heathridge	Renewal / new	\$7,500
Connolly Community Centre, Connolly	Renewal	\$32,500
Flinders Park Community Centre, Hillarys	Renewal	\$80,000
Fleur Freame Pavilion, Padbury	Renewal / new	\$15,000
Beaumaris Community Centre, Ocean Reef	New	N/A

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implicationsEnvironmental

Any developments 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 where possible within the project budget.

Social

All major projects will include community consultation with residents and/or current user groups of the existing facilities to ensure that feedback received represents the diverse needs of the City's community. Any developments will consider access and inclusion principles and will aim to enhance the amenity of the public space.

Economic

One of the main principles of the masterplan process is the development of 'shared' and 'multi-purpose' facilities to avoid their duplication, and to reduce the ongoing maintenance and future capital expenditure requirements.

Consultation

Community consultation with residents and/or current user groups of the existing facilities is undertaken on all refurbishment, redevelopment and floodlighting projects to ensure that feedback received represents the diverse needs of the City's community. Consultation is completed in accordance with the City's *Community Consultation and Engagement Policy and Protocol*.

COMMENT

It is important for the City to have a strategic approach to the provision of active reserves and community facilities to ensure that user groups and the wider community are provided with facilities that are multi-purpose, accessible, sustainable and of a good quality.

The City has an active community with high involvement in sport and recreation clubs, a limited number of active reserves and no ability to create additional reserves on new land. It is becoming increasingly difficult to satisfy the City's existing summer and winter sporting club requirements, and to accommodate new sporting clubs with the limited number of active reserves with adequate infrastructure. Passive recreation (such as walking) also places additional pressure on active reserves, particularly during peak periods.

There is currently a high demand for reserves with adequate infrastructure and a low demand for reserves with little infrastructure. This has resulted in an uneven distribution of the City's sporting clubs and difficulty maintaining good quality playing surfaces on reserves with high demand. Based on the calculated percentage of usage in peak times, the review has identified that 13 active reserves are above the industry guideline in winter for usage of 25 hours per week, which is known to lead to overuse and have a detrimental impact to the playing surface.

If infrastructure improvements are not undertaken over the coming years, demand for those reserves with adequate infrastructure will continue to rise making them increasingly difficult to maintain to a safe level suitable for sport. The report has made recommendations to improve the infrastructure provision at reserves to better support the needs of the sporting community.

Over the last nine years, the City has completed 17 facility refurbishment projects and eight facility redevelopment projects. Refurbishment projects identified in the report are for the remaining facilities that have not recently been refurbished or for those that no longer meet the requirements of the user groups and community.

A number of the City's community facilities have been identified as requiring improvement works. The report has made recommendations for future facility redevelopment projects and some larger scale redevelopments of multiple facilities.

VOTING REQUIREMENTS

Simple Majority.

Cr McLean left the Chamber at 8.54pm and entered the Chamber at 8.56pm.

MOVED Cr Norman, SECONDED Cr Dwyer that Council:

- 1** **NOTES the 2017 active reserve and community facility review report and the recommendations made on the future provision of community and sporting facilities and infrastructure;**
- 2** **NOTES that the recommended priority for future project works as outlined in this Report will be used in the development of the City's future *Five Year Capital Works Program* and *20 Year Strategic Financial Plan* and the recommended projects will be subject to further reports allocating construction years and capital budgets.**

The Motion was Put and

CARRIED (12/0)

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

Appendix 13 refers

To access this attachment on electronic document, click here: [Attach13brf171205.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Cr Philippa Taylor.
Item No./Subject	CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Residents in Heathridge (both for and against) are known to Cr Taylor.

Name/Position	Mr Brad Sillence, Manager Governance.
Item No./Subject	CJ206-12/17 - Prince Regent Park, Heathridge - Community Sporting Facility.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	As a Heathridge resident, Mr Sillence made a submission as part of the community consultation process.

CJ206-12/17 PRINCE REGENT PARK, HEATHRIDGE - COMMUNITY SPORTING FACILITY

WARD	North Central
RESPONSIBLE ACTING DIRECTOR	Mr Mike Smith Corporate Services
FILE NUMBER	13174, 29086, 101515
ATTACHMENTS	Attachment 1 Prince Regent Park aerial map Attachment 2 Prince Regent Park proposed site plan Attachment 3 Prince Regent Park proposed concept plan Attachment 4 Community consultation report of findings
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 results of the community consultation undertaken for the proposed redevelopment of Prince Regent Park, Heathridge and to seek endorsement to progress to the detailed design stage of the project.

EXECUTIVE SUMMARY

Prince Regent Park is bound by Marmion Avenue and Prince Regent Drive, Heathridge, and is classified as a 'Local Park' within the City's existing *Parks and Public Open Spaces Classification Framework*. It comprises an active reserve (one full size cricket pitch / two rectangular playing fields), sports floodlights, cricket training nets, cricket wicket, toilet facility and approximately 35 car parking bays.

A commercial fitness operator hires the park on an annual basis and there are four sporting clubs (Joondalup United Football Club; Ocean Ridge Cricket Club; Ocean Ridge Junior Cricket Club; and Pirates Softball Club) that currently use the park on a seasonal basis (approximately 809 members/participants).

As part of the City's *Active Reserve and Community Facility Review* that was undertaken in 2014, Prince Regent Park was identified for a facility redevelopment and as a result was included in the City's *20 Year Strategic Financial Plan*.

At its meeting held on 15 August 2017 (CJ140-08/17 refers), Council considered concept plans and estimated capital costs for the proposed redevelopment of Prince Regent Park and requested that community consultation be undertaken to determine the level of support. It was also noted that a further report would be presented outlining the results of the consultation and seek direction on progressing the project.

At its meeting held on 19 September 2017 (CJ156-09/17 refers), Council agreed to submit an application for external funding for the redevelopment project through the State Government's Community Sporting and Recreation Facilities Fund (CSRFF) program. As a requirement of the grant fund the City needs to notify the State Government in December 2017 of the outcome of the community consultation and Council's decision on progressing the project.

Community consultation was conducted from Monday 9 October to Monday 30 October 2017. The City received 331 valid responses during the consultation period, of which 73% were from City of Joondalup residents and 52.2% of respondents were affiliated with Joondalup United Football Club (of which approximately 57% were City of Joondalup residents). Respondents were asked to indicate their level of support for the following redevelopment works:

- Construction of a new community sporting facility (67.4% support, 30.8% oppose and 1.8% unsure / not applicable / no response).
- Car park extension (68.0% support, 24.5% oppose and 7.5% unsure / not applicable / no response).
- Relocation of the existing cricket infrastructure on the site (55.3% support, 23.3% oppose and 21.4% unsure / not applicable / no response).
- Floodlighting upgrade (64.4% support, 26.9% oppose and 8.7% unsure / not applicable / no response).
- New BBQ (72.2% support, 13.6% oppose and 14.2% unsure / not applicable / no response).
- New drink fountain (81.3% support, 9.7% oppose and 9% unsure / not applicable / no response).

There are approximately 2,600 households in Heathridge and 343 residents / home-owners living within 200 metres of Prince Regent Park were directly consulted with by the City during the consultation period. Of the 343 residents / home-owners directly consulted with, 63 submissions were received (280 residents / home-owners did not respond). This equates to approximately 18% of those directly consulted with, and 19% of the total number of submissions received during the consultation period.

The consultation results of those respondents that live within 200 metres of the park indicated that 77.7% (49 respondents) were opposed to the construction of a new multi-purpose community sporting facility. The extension of the car parking facilities was opposed to by 58.7% (37 respondents) and the relocation of existing cricket infrastructure was opposed to by 60.3% (38 respondents). The upgrade of the floodlighting infrastructure was opposed to by 68.3% (43 respondents).

A further 19 submissions were received from respondents that live within Heathridge, outside of the 200 metre radius of the park. This equates to approximately 6% of the total number of submissions received during the consultation period. The consultation results of these respondents indicated that 72.0% were opposed to the construction of a new multi-purpose community sporting facility. The extension of the car parking facilities and the relocation of existing cricket infrastructure were both opposed to by 53.7%. The upgrade of the floodlighting infrastructure was opposed to by 62.2%.

The total number of residents within the suburb of Heathridge that made a submission during the formal consultation process was 82, being 3% of the total households within the suburb.

Given the results of the community consultation process, it is proposed to progress to the next stage of the project which is to develop detailed designs and tender documentation.

It is therefore recommended that Council:

- 1 *NOTES the findings of the community consultation undertaken for the proposed redevelopment of Prince Regent Park, Heathridge;*
- 2 *REQUESTS the Chief Executive Officer to arrange the detailed design and tender documentation for the proposed redevelopment of Prince Regent Park, Heathridge including the following:*
 - 2.1 *Construction of a new community sporting facility;*
 - 2.2 *Car park extension;*
 - 2.3 *Relocation of the existing cricket infrastructure on the site;*
 - 2.4 *Floodlighting upgrade;*
 - 2.5 *New BBQ;*
 - 2.6 *New drink fountain;*
- 3 *NOTES that the detailed design will give consideration to the comments from the community consultation;*
- 4 *AGREES to name the facility to be constructed at Prince Regent Park, Heathridge, 'Prince Regent Park Community Sporting Facility' in accordance with the Naming of Public Facilities Policy;*
- 5 *NOTES its decision of 15 August 2017 (CJ140-08/17 refers) that the proposed facility at Prince Regent Park, Heathridge is not to be used for senior National Premier League games;*
- 6 *REQUESTS the Chief Executive Officer notifies the Department of Local Government, Sport and Cultural Industries of the outcome of the community consultation and decision on progressing the project;*
- 7 *REQUESTS the Chief Executive Officer notifies the lead petitioners opposing the redevelopment of Prince Regent Park, Heathridge of its decision.*

BACKGROUND

Suburb/Location	Prince Regent Park 22 Prince Regent Drive Heathridge WA 6027.
Applicant	City of Joondalup.
Owner	Crown Land – City of Joondalup Management Order.
Zoning	DPS Parks and Recreation.
	MRS Urban.

Site area	44,957m ² .
Structure plan	Not applicable.

Prince Regent Park is bound by Marmion Avenue and Prince Regent Drive, Heathridge, (Attachment 1 refers) and is classified as a 'Local Park' within the City's existing *Parks and Public Open Spaces Classification Framework*. It comprises an active reserve (one full size cricket pitch / two rectangular playing fields), sports floodlights, cricket training nets, cricket wicket, toilet facility and approximately 35 car parking bays. In 2011-12 the cricket training nets were replaced and relocated on the site and in 2013-14 the sports floodlighting infrastructure was upgraded to meet the relevant Australian Standards for large ball sports training. The upgrade of the floodlights was a joint project between the City and the Westside Football Club (a previous user of the park), through the State Government's CSRFF program. The existing playground is scheduled to be replaced in 2017-2018.

A commercial fitness operator hires the park on an annual basis and there are four sporting clubs that currently use the park on a seasonal basis including the following:

- Joondalup United Football Club –191 senior members; 195 junior members.
- Ocean Ridge Cricket Club – 105 members.
- Ocean Ridge Junior Cricket Club – 227 members.
- Pirates Softball Club – 91 members.

At its meeting held on 13 December 2016 (CJ236-12/16 refers), Council considered several possible home grounds for Joondalup United Football Club, subject to refurbishment or redevelopment of a clubroom facility and requested a report detailing proposed upgrades of the football (soccer) facilities at Beldon Park, Beldon. At its meeting held on 21 March 2017 (CJ034-03/17 refers), Council considered a possible redevelopment of Beldon Park and did not agree to proceed and requested that the Chief Executive Officer continue to work with the club to find a suitable location.

At its meeting held on 15 August 2017 (CJ140-08/17 refers), Council considered concept plans (Attachment 2 refers) and estimated capital costs for the proposed redevelopment of Prince Regent Park and requested that community consultation be undertaken to determine the level of support. It was also noted that a further report would be presented outlining the results of the consultation and seek direction on progressing the project.

At its meeting held on 19 September 2017 (CJ156-09/17 refers), Council agreed to submit an application for external funding for the redevelopment project through the State Government's CSRFF program. As a requirement of the grant fund the City needs to notify the State Government in December 2017 of the outcome of the community consultation and Council's decision on progressing the project. Assessment of the City's application for funding will be finalised in December 2017.

As part of the City's *Active Reserve and Community Facility Review* that was undertaken in 2014, Prince Regent Park was identified for a facility redevelopment and as a result was included in the City's *20 Year Strategic Financial Plan*.

At its meeting held on 13 December 2016 (CJ236-12/16 refers), Council requested Percy Doyle Reserve, Duncraig be designated as a regional National Premier League (NPL) stadium site. The facility would be available for City of Joondalup soccer clubs to use for NPL matches. The proposed Prince Regent Park redevelopment is intended to be available for hire by sporting clubs, schools, community groups and individuals in accordance with the City's existing hiring process. As a public open space, the area would continue to be accessible by the local community.

This report presents the findings of the community consultation.

DETAILS

Community consultation for the proposed redevelopment of Prince Regent Park was undertaken from Monday 9 October to Monday 30 October 2017. The results of the community consultation have been provided in the consultation section of this Report.

Petitions

Prior to community consultation commencing, at its meeting held on 19 September 2017 (C65-09/17 refers), a petition was received containing 398 signatures and at its meeting held on 10 October 2017 (C74-10/17 refers), an additional petition was received containing 149 signatures requesting that Council does not proceed with the redevelopment of Prince Regent Park, Heathridge. Of the total signatures, 337 residents reside in Heathridge.

Issues and options considered

It is considered that Council has two options, to either agree or not to agree to progress the project. If Council agrees to progress the project, the City will develop detailed designs and tender documentation. If Council chooses not to progress the project, Prince Regent Park user groups will continue to operate at the park within the existing toilet facility.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Quality facilities.

Strategic initiative

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

Policy *Community Consultation and Engagement Policy.*
Requests for New or Capital Upgrades to Existing Community Buildings Policy.

Risk management considerations

If the project does not progress, the sporting clubs that use Prince Regent Park will continue to operate with only the existing toilet facility and any new community groups and individuals would not have the opportunity to hire the proposed new facility for meetings, activities and functions. Based on the utilisation of the playing fields and inadequate existing facilities, a redevelopment is required to better service the sporting clubs and local wider community's needs.

Financial / budget implications

The following amounts are currently listed in the City's *Five Year Capital Works Program* for the Prince Regent Park redevelopment project:

- \$100,000 (municipal funds) in 2017-18 for detailed design of the redevelopment project.
- \$2,970,000 (\$100,000 Joondalup United Football Club contribution; \$615,116 CSRFF grant; \$500,000 reserve funds; \$1,754,884 loan funds) in 2018-19 for construction of the redevelopment project.

If the project is not endorsed to progress, the City will withdraw its funding application with the CSRFF program and the Joondalup United Football Club will not make a financial contribution towards the project.

Future financial year impact

Annual operating cost	The ongoing annual operating expenditure based on similar City facilities is approximately \$44,000. This is the impact of the estimated new operating expenses of \$54,000 less the existing operating expenses at Prince Regent Park of \$10,000.
Estimated annual income	The ongoing annual income based on similar City facilities is approximately \$10,000. The net operating deficit of the new facility is therefore estimated as \$34,000 (\$44,000 operating expenses less \$10,000 operating income).
Write-off	As the project proposes to demolish the existing toilet block, the written down value (approximately \$125,000) would impact on the City's operating deficit.
Capital replacement	Based on the City's <i>Building Asset Management Plan</i> it is estimated that 4% of the capital costs would require replacement after 16 years, at a cost of approximately \$100,000.
20 Year Strategic Financial Plan impact	<p>The <i>20 Year Strategic Financial Plan</i> does not have any impact included for the increased operating costs and therefore the operating deficit of \$44,000 per year would be an additional cost.</p> <p>The total cash impact of the project on the <i>20 Year Strategic Financial Plan</i>, including capital costs, funding and operating costs is estimated at \$100,000.</p>
Impact year	For the purposes of calculating the impact on the <i>20 Year Strategic Financial Plan</i> , an assumption has been made that the construction costs would be incurred in 2018-19, and the increase in operating expenses from 2019-20. This is a modelling assumption only and the detailed project timeline, and consideration of other project timelines will be subject to further review.
Operating deficit	<p>The City has an operating deficit of \$6.7 million (2017-18 budget). One of the primary causes of the operating deficit has been the increase in new infrastructure which has caused new maintenance, operational and depreciation expenses which are not matched by increases in new income.</p> <p>If the City constructs the proposed facility at Prince Regent Park, rather than retain the existing toilet facility, this would worsen the operating deficit by approximately \$100,000 per year (new depreciation and new maintenance costs).</p>

The *20 Year Strategic Financial Plan* currently projects that the City will only achieve an operating surplus within target by 2026-27, and the inclusion of new projects such as this make it more difficult to address the operating deficit.

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 existing user groups and the local wider community to ensure that feedback received represents their diverse needs. Furthermore, any development at the site will consider access and inclusion principles and will aim to enhance the amenity of the public space.

Economic

One of the main principles of the City's *Masterplan Framework* is the development of 'shared' and 'multi-purpose' facilities to avoid duplication, and to reduce the ongoing maintenance and future capital expenditure requirements.

Consultation

Community consultation was conducted from Monday 9 October to Monday 30 October 2017 in accordance with the City's *Community Consultation and Engagement Policy and Protocol*. Targeted consultation was undertaken with residents living within 200 metres of Prince Regent Park and other key stakeholders including the local resident's association and sporting clubs using the park. In addition, consultation documentation was available on the City's website for any other interested community members to make comment. The consultation was advertised through the following methods:

- Direct mail out – cover letter and frequently asked questions sheet was sent to the identified stakeholders (343 residents / home-owners). Comment forms were also sent to residents that requested hard copies.
- Site signage – three signs were placed at the park during the consultation period.
- City's website – frequently asked questions sheet and online comment form were available on the City's website during the consultation period.
- Newspaper – two advertisements were published in the *Joondalup Weekender* during the consultation period.
- Community forum – City representatives presented information on the project at a forum hosted by the Heathridge Residents Association during the consultation period.

The aim of the community consultation was to determine the level of support for the following components of the proposed development:

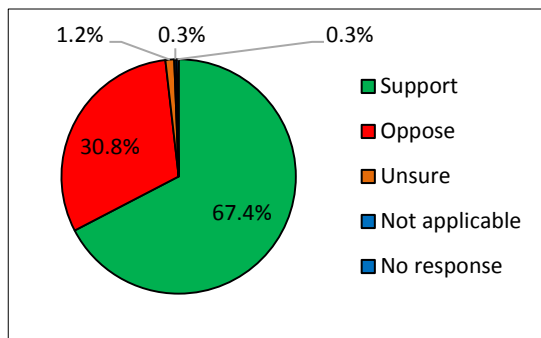
- Construction of a new community sporting facility.
- Car park extension.
- Relocation of the existing cricket infrastructure on the site.
- Floodlighting upgrade.
- New BBQ and drink fountain.

The City received 331 valid responses during the consultation period (Attachment 3 refers). A summary of some of the demographic data is as follows:

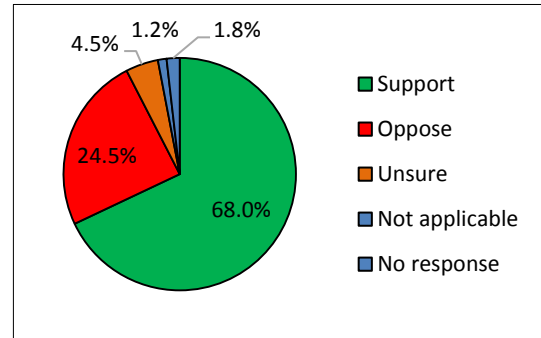
- Majority of respondents were aged 35-49 (40.2%), 25-34 (19.9%) and 50-59 (16.3%).
- Majority of respondents were City of Joondalup residents (73%).
- 46.2% used Prince Regent Park for organised sport or recreation; 32% for informal sport or recreation; while 18.7% did not use the park but were interested in the project.
- 52.2% of respondents were affiliated with Joondalup United Football Club (of which approximately 57% were City of Joondalup residents).

Respondents were asked to provide their level of support for each proposed component of the project. The following charts summarise the responses received:

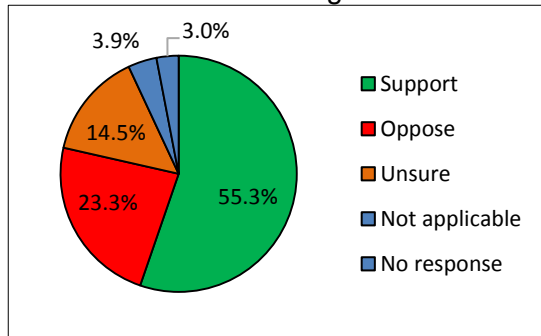
New community sporting facility



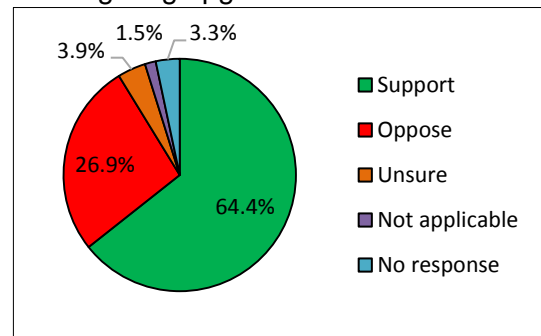
Car park extension



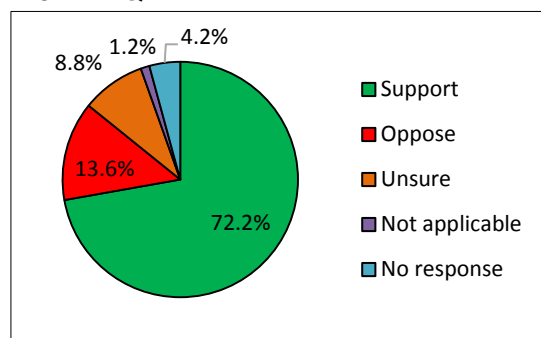
Relocation of the existing cricket infrastructure



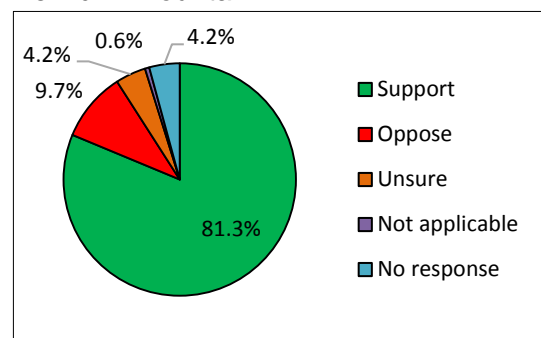
Floodlighting upgrade



New BBQ



New drink fountain



Key stakeholders

The Joondalup United Football Club and Bee on Top Bootcamp (commercial fitness operator) submitted a comment form during the consultation period and strongly supported all proposed components of the redevelopment project (new community sporting facility; car park extension; relocation of existing cricket infrastructure; floodlighting upgrade; new BBQ; and new drink fountain).

While no formal submissions were received from the Ocean Ridge junior and senior cricket clubs or Pirates Softball Club committees, a number of club members did submit comment forms during the consultation period.

Respondents living within 200 metres of Prince Regent Park

There are approximately 2,600 house-holds in Heathridge and 343 residents / home-owners living within 200 metres of Prince Regent Park were directly consulted with by the City during the consultation period. Of the 343 residents / home-owners directly consulted with, 63 submissions were received (280 residents / home-owners did not respond). This equates to approximately 18% of those directly consulted with, and 19% of the total number of submissions received during the consultation period.

The following summarises the responses received:

- 17.5% (11 respondents) supported the construction of a new multi-purpose community sporting facility; 77.7% (49 respondents) were opposed; and 4.8% (3 respondents) were unsure / not applicable / provided no response.
- 25.4% (16 respondents) supported the extension of the car parking facilities; 58.7% (37 respondents) were opposed; and 15.9% (10 respondents) were unsure / not applicable / provided no response.
- 12.7% (8 respondents) supported the relocation of existing cricket infrastructure; 60.3% (38 respondents) were opposed; and 27.0% (17 respondents) were unsure / not applicable / provided no response.
- 15.9% (10 respondents) supported the upgrade of the floodlighting infrastructure; 68.3% (43 respondents) were opposed; 15.9% (10 respondents) were unsure / not applicable / provided no response.
- 38.1% (24 respondents) supported the installation of a new BBQ; 39.6% (25 respondents) were opposed; 22.2% (14 respondents) were unsure / not applicable / provided no response.
- 61.9% (39 respondents) supported the installation of a new drinking fountain; 28.5% (18 respondents) were opposed; 9.5% (6 respondents) were unsure / not applicable / provided no response.

A further 19 submissions were received from respondents that live within Heathridge, outside of the 200 metre radius of the park. This equates to approximately 6% of the total number of submissions received during the consultation period. The consultation results of these respondents indicated that 72.0% were opposed to the construction of a new multi-purpose community sporting facility. The extension of the car parking facilities and the relocation of existing cricket infrastructure were both opposed to by 53.7%. The upgrade of the floodlighting infrastructure was opposed to by 62.2%. A total of 82 (3%) submissions from households within the suburb of Heathridge were received during the consultation period.

Additional Comments

Respondents that did not support the proposed components of the project were asked to provide further feedback. A summary of the concerns raised by respondents and the number of comments received have been included in the following table with a comment response.

Comments	Responses
Concerned in regard to impact on access to the park by the local community and other park users (approximately 63 comments)	<ul style="list-style-type: none"> A commercial fitness operator hires the park on an annual basis and there are four sporting clubs that currently use the park on a seasonal basis. The City expects that future usage of the park during peak periods (primarily weekday evening and weekends) will be similar to now. As a public open space, the area will continue to be accessible by the local community. The park is zoned 'Parks and Recreation' and the proposed infrastructure is consistent with the overall purpose of the reserve. The City is planning to upgrade the existing playground in 2017-18 and may consider a new BBQ and drink fountain as part of the redevelopment project. 'Dog walker' LED lighting will be included as part of the floodlighting upgrade to increase visibility around the park at night for residents (when the sports floodlighting is not turned on).
Concerned that the facility will be used for National Premier League (NPL) games (approximately 14 comments)	<ul style="list-style-type: none"> It was agreed by Council at its meeting held on 15 August 2017 meeting that senior NPL games will not be played at Prince Regent Park. For something different to occur a report would need to be presented to Council to amend this resolution. A feasibility study is being undertaken on Percy Doyle Reserve, Duncraig being designated as a regional NPL stadium site that Joondalup United Football Club and other City of Joondalup soccer clubs could use for NPL matches. Joondalup United Football Club currently has non-NPL senior teams training and playing games at the park and it is expected that this will continue. Junior NPL games can be played at venues that do not meet the NPL facility requirements and Council has not excluded these games from taking place at Prince Regent Park.
Concerned about Joondalup United Football Club having exclusive use of the clubroom facility (approximately 21 comments)	<ul style="list-style-type: none"> The current management order for the park does not allow for the City to lease any portion of the park and approval would need to be sought from the Department of Planning, Lands and Heritage to amend the management order. In line with the City's <i>Property Management Framework</i>, the City does not intend to lease the clubroom facility to Joondalup United Football Club or another community / sporting group. The proposed new facility would be managed by the City, and be available for hire by sporting clubs, schools, community groups and individuals in accordance with the City's existing hiring process.
Concerned about increase in parking around the park (approximately 91 comments)	<ul style="list-style-type: none"> A car park extension off Fortescue Loop with 39 bays 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.

Comments	Responses
	<ul style="list-style-type: none"> If the development proceeds, the maximum capacity of the clubroom facility will be approximately 130 patrons.
Concerned about increase in traffic (approximately 96 comments)	<ul style="list-style-type: none"> A car park extension off Fortescue Loop has been proposed as part of the project to reduce the impact of parking along the verge on Prince Regent Drive on local traffic. Traffic management may be further investigated as part of the detailed design stage of the project (if the project proceeds).
Concerned about impact on nearby residences from new sports floodlighting (approximately 72 comments)	<ul style="list-style-type: none"> The park already has sports floodlighting and the proposed floodlighting upgrade would continue to be controlled by the City in line with park bookings. The floodlight upgrade would provide adequate lighting to the park while minimising the obtrusive light to surrounding residents by taking into account the natural topography of the area. 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.
Concerned about cost to the rate payer of the development (approximately 78 comments)	<ul style="list-style-type: none"> Operating and maintenance costs of the proposed redevelopment would be funded through the City's operating budget. No special area rates are proposed for this development to proceed and operate. The City has applied for external funding from the State Government to contribute to the project. The Joondalup United Football Club has confirmed that they will contribute \$100,000 towards the project.
Concerned about increase in noise (approximately 76 comments)	<ul style="list-style-type: none"> Given the proximity of residents to the site, the impact of the redevelopment is expected to be minimal. Noise reduction strategies for the facility will be included within the detailed design stage of the project (if the project proceeds). The City has discretion over whether it approves a function or event at any of its properties and would not support any bookings where it anticipated anti-social behaviour or excessive noise.
Concerned about increased sale and consumption of alcohol (approximately 19 comments)	<ul style="list-style-type: none"> All park facility users are bound by the City's <i>Terms and Conditions of Hire</i> and <i>Alcohol Management Policy</i> 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>. The issuing of such licences is not under the jurisdiction of the City.
Concerned about increase in anti-social behaviour/ rubbish (approximately 28 comments)	<ul style="list-style-type: none"> The facility has been designed in accordance with 'Designing Out Crime' principles by keeping clear sightlines and passive surveillance opportunities. Closed-circuit television (CCTV) has also been considered as part of the project. Higher activation of the area generally creates additional passive surveillance by players and spectators. The City has discretion over whether it approves a function or event at any of its properties and would not support any bookings where it anticipated anti-social behaviour.
Concerned about impact on trees and plants	<ul style="list-style-type: none"> Approximately four eucalyptus trees (Utilis) and one mature eucalyptus tree (Tuart) would need to be removed to allow for the proposed clubroom facility.

Comments	Responses
(approximately 19 comments)	<ul style="list-style-type: none"> To compensate for the loss of these trees, new trees are proposed to be planted on the site in various locations.
Concerned about the community consultation process (approximately 10 comments)	<ul style="list-style-type: none"> Consultation for this project was conducted in accordance with the City's approved <i>Community Consultation and Engagement Policy</i> and <i>Protocol</i>. Targeted consultation was undertaken with residents living within 200 metres of Prince Regent Park and other key stakeholders including the local resident's association and sporting clubs using the park. Consultation documentation was available on the City's website for any other interested community members to make comment. The consultation was also advertised through site signage and newspaper advertisements.
Concerned about negative impact on property values (approximately seven comments)	<ul style="list-style-type: none"> Nearby available community facilities are known to increase property prices as those looking to purchase generally seek access to local facilities.

Passive recreation space

To provide additional passive recreation space, the City investigated upgrading the existing drainage sump in the north-west corner of the park during the concept design stage of the project. This could provide approximately 3,000m² of additional passive recreation space and is estimated to cost approximately \$800,000. These works are not currently included in the proposed redevelopment project.

Traffic

Prince Regent Drive is classified as a local distributor road, according to the Main Roads WA hierarchy, which are designed to carry up to 6,000 vehicles per day. Traffic counts on Prince Regent Drive were undertaken in October 2015 and recorded an average of 1,734 vehicles per day, east of Marmion Avenue, and an average of 2,020 vehicles per day, west of Poseidon Road, which are within the acceptable limits for a road of this classification. The additional traffic estimated to be generated by the project is unlikely to result in daily traffic volumes exceeding the design capacities of the surrounding road network.

Parking

A car park extension off Fortescue Loop has been proposed as part of the project and is the City's preferred option for providing additional parking at the park. It is estimated that the increased number of vehicles that would access the extended car park off Fortescue Loop would still be within the acceptable limits for a road of this classification.

Following concerns raised by residents from Fortescue Loop about the impact of additional vehicle movements along this road, the City investigated constructing an alternate new car park in the north-west corner of the park with access off Prince Regent Drive. This location is not recommended due to the traffic safety issues expected as a result of the car park access being in close proximity to Marmion Avenue. In addition, construction of a car park at this location would require a significant amount of site works and retaining due to the contours of the site.

During the existing peak periods at the park a number of vehicles park informally on the verge on Prince Regent Drive, Fortescue Loop and neighbouring streets. The City has investigated formalising car bays along Fortescue Loop and an estimated 18 parallel parking bays could be constructed at an estimated cost of \$150,000. These works would require the removal of trees along the road, the relocation of the existing footpath and additional site works and are not currently included in the proposed redevelopment project. Works to improve safety and reduce traffic issues for vehicles parking informally along the Prince Regent Drive verge could also be further investigated and may require relocation of the footpath and bollards closer to the park. These works are not currently included in the proposed redevelopment project.

Floodlighting

The proposed sports floodlighting upgrade would meet the Australian Standards for football (all codes) (AS2560.2.3) and the control of obtrusive effects of outdoor lighting (AS4282). The exact details of the floodlighting upgrade would be finalised in the detailed design stage (if the project proceeds), however it has been confirmed that the height of five of the six existing floodlight poles will not be increased.

One of the existing floodlight poles is proposed to be relocated behind the new clubroom facility and as a result may need to increase from 25 metres in height up to 35 metres, in order to meet the Australian Standards. The remaining five floodlighting poles would have new light fittings installed and likely remain in the same locations.

The expected light spill from the upgraded lights has been investigated and it has been confirmed that the maximum lighting level estimated at less than five neighbouring properties would be eight lux (with the lights on at 100 lux) and four lux (with the lights on at 50 lux), which are within the acceptable levels for obtrusive light spill. Lighting levels of 100 lux would likely be used for weekend soccer games and lighting levels of 50 lux would likely be used for weekday soccer training during the winter sporting season.

COMMENT

The City has investigated a number of parks that could provide Joondalup United Football Club with a suitable home venue and due to the clubs existing usage of Prince Regent Park, the size and existing infrastructure at the park, this location is deemed to be the most suitable for the club's community-based operations. The club has also confirmed that it will contribute \$100,000 towards the redevelopment project, to support the inclusion of four change rooms in the clubroom facility.

At its meeting held on 13 December 2016 (CJ236-12/16 refers), Council requested Percy Doyle Reserve, Duncraig be designated as a regional National Premier League (NPL) stadium site. That facility would be available for City of Joondalup soccer clubs to use for NPL matches.

The project does not propose to fence any of the playing fields at Prince Regent Park and as a public open space, the area will continue to be accessible by the local community. The existing toilet facility is considered poor and inadequate to service the sporting clubs and wider local community needs. Anecdotally the City is seeing an increase in soccer players throughout the City of Joondalup and increased demand from local clubs for unisex facilities. The proposed Prince Regent Park facility is intended to be available for hire by sporting clubs, schools, community groups and individuals in accordance with the City's existing hiring process.

As part of the City's *Active Reserve and Community Facility Review* that was undertaken in 2014, Prince Regent Park was identified for a facility redevelopment and as a result was included in the City's *20 Year Strategic Financial Plan* in 2031-32. While the proposed redevelopment is earlier than previously scheduled, the proposed works are in line with what would have been proposed for development at the park in 2031-32.

The consultation results show community support for the redevelopment, however have identified a number of concerns that the City could further explore during the detailed design stage.

If the project is endorsed to progress, the detailed designs will consider the additional feedback / comments received as part of the community consultation in conjunction with the proposed scope; the City's *Parks and Public Open Spaces Classification Framework*; environmentally sustainable design features (where possible); access and inclusion principles; and 'Designing Out Crime' planning guidelines.

If the project is not endorsed to progress, the City will withdraw its funding application with the CSRFF program and the user groups will continue to use the existing facilities at Prince Regent Park.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the findings of the community consultation undertaken for the proposed redevelopment of Prince Regent Park, Heathridge;
- 2 REQUESTS the Chief Executive Officer to arrange the detailed design and tender documentation for the proposed redevelopment of Prince Regent Park, Heathridge including the following:
 - 2.1 Construction of a new community sporting facility;
 - 2.2 Car park extension;
 - 2.3 Relocation of the existing cricket infrastructure on the site;
 - 2.4 Floodlighting upgrade;
 - 2.5 New BBQ;
 - 2.6 New drink fountain;
- 3 NOTES that the detailed design will give consideration to the comments from the community consultation;
- 4 AGREES to name the facility to be constructed at Prince Regent Park, Heathridge, 'Prince Regent Park Community Sporting Facility' in accordance with the *'Naming of Public Facilities Policy'*;
- 5 NOTES its decision of 15 August 2017 (CJ140-08/17 refers) that the proposed facility at Prince Regent Park, Heathridge is not to be used for senior National Premier League games;

- 6 REQUESTS the Chief Executive Officer notifies the Department of Local Government, Sport and Cultural Industries of the outcome of the community consultation and decision on progressing the project;
- 7 REQUESTS the Chief Executive Officer notifies the lead petitioners opposing the redevelopment of Prince Regent Park, Heathridge of its decision.

CALL FOR ONE-THIRD SUPPORT

Regulation 10 of the *Local Government (Administration) Regulations 1996* prescribes the following procedure for dealing with revoking or changing decisions made at Council or Committee Meetings:

"If a decision has been made at a Council meeting, then any motion to revoke or change the decision must be supported by at least one-third of the number of offices (whether vacant or not) of members of the Council.

If supported by one-third of the members, then any decision to revoke a resolution of the Council is required to be passed by an Absolute Majority."

Mayor Jacob called for support from one-third of the members of Council. Support to revoke Council's resolution in relation to Item CJ206-12/17 was given by Councillors Chester, Jones, Logan, May, Norman, Poliwka and Taylor.

MOVED Cr Taylor, SECONDED Cr Jones that Council:

- 1 **NOTES** the findings of the community consultation undertaken for the proposed redevelopment of Prince Regent Park, Heathridge;
- 2 **BY AN ABSOLUTE MAJORITY REVOKES** parts 2, 3 and 4 of its 15 August 2017 decision (CJ140-08/17 refers) as follows:
 - "2 **APPROVES** the proposed redevelopment project including demolition and site works, construction of a new community sporting facility, floodlighting upgrade, relocation of cricket infrastructure and car park extension at Prince Regent Park, Heathridge as included in option three (four change rooms) and detailed Report CJ140-08/17 at a project cost estimate of \$3,070,000, conditional upon:
 - 2.1 the facility not being used for senior NPL games;
 - 2.2 Joondalup United Football Club contributing \$100,000 towards the project as per an agreed payment plan approved by the Chief Executive Officer;
 - 3 **Subject to approval of Part 2 above, NOTES** that \$2,100,000 which is currently listed in the City's 20 Year Strategic Financial Plan in 2031-32 for a facility redevelopment at Prince Regent Park, Heathridge will be removed as part of the next annual 20 Year Strategic Financial Plan review in 2018;

- 4** ***LISTS FOR CONSIDERATION a revised budget of \$2,970,000 (\$615,116 CSRFF; \$500,000 reserve funds \$1,754,884 loan funds) in 2018-19 for construction within the City's Five Year Capital Works Program for the development of a clubroom facility for the Joondalup United Football Club (\$100,000 club contribution; addition of \$1,254,884 City contribution);"***
- 3** **DOES NOT PROCEED** with the redevelopment of the Prince Regent Park Community Sporting Facility;
- 4** **ADVISES** the Joondalup United Football Club that the City does not require a \$100,000 contribution for the redevelopment of a Community Sporting Facility at Prince Regent Park, Heathridge;
- 5** **AGREES** to withdraw its application dated 26 September 2017, to the Department of Local Government, Sport and Cultural Industries' Community Sporting and Recreation Facilities Fund program for \$615,116 (excluding GST) to part fund the redevelopment of Prince Regent Park, Heathridge;
- 6** **REQUESTS** the Chief Executive Officer to notify the Department of Local Government, Sport and Cultural industries of the results of the community consultation on the Prince Regent Park Community Sporting Facility and its decision to withdraw its application for funding;
- 7** **APPROVES** the installation of a water fountain and dog water bowl at Prince Regent Park;
- 8** **LISTS** for consideration the installation of the water fountain and dog water bowl in the *2018-19 Capital Works Program*;
- 9** **ADVISES** the lead petitioners of its decision.

The Motion was Put and

CARRIED (7/5)

In favour of the Motion: Crs Chester, Jones, Logan, May, Norman, Poliwka and Taylor.

Against the Motion: Mayor Jacob, Crs Dwyer, Hamilton-Prime, Hollywood and McLean.

Reason for departure from Officer's recommendation

In accordance with Regulation 11(da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the administration recommended is because this facility is not suitable for a local park.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf171205.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Cr Mike Norman.
Item No./Subject	CJ207-12/17 - Mullaloo Coastal Foreshore Reserve Management Plan 2018-2022.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Norman is the Treasurer of Joondalup Community Coast Care Forum of which the Mullaloo Beach Community Group is a member.

CJ207-12/17 MULLALOO COASTAL FORESHORE RESERVE MANAGEMENT PLAN 2018 - 2022

WARD	North Central
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	04048, 101515
ATTACHMENTS	Attachment 1 Draft Mullaloo Coastal Foreshore Reserve Management Plan 2018 - 2022
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to endorse the draft *Mullaloo Coastal Foreshore Reserve Management Plan 2018 - 2022*.

EXECUTIVE SUMMARY

At its meeting held on 21 October 2014 (CJ193-10/14 refers), Council endorsed the *Coastal Foreshore Management Plan 2014 - 2024*. This document forms the basis for strategic planning and broader operational management of the coastal foreshore reserves for a period of 10 years.

The *Coastal Foreshore Management Plan 2014 - 2024* is a management guide for the natural areas contained within the City's coastal foreshore reserves. The plan was designed as an overarching document, aimed to broadly define management actions. It is intended that individual management action plans will be produced for discrete sections of the City's coastal foreshore.

The individual management action plans will set out specific operational tasks for localised areas. The draft *Mullaloo Coastal Foreshore Reserve Management Plan 2018 - 2022* (the plan), is the fourth coastal management plan to be produced to manage local areas of the City of Joondalup foreshore (Attachment 1 refers). The *Marmion Coastal Foreshore Reserve Management Plan 2014 - 2019*, *Hillarys - Kallaroo Coastal Foreshore Management Plan 2016 - 2021* and the *Sorrento Coastal Management Plan 2015 - 2020* have previously been adopted.

It is proposed that two additional individual management plans will be produced for the following areas:

- Ocean Reef – Iluka Foreshore Reserve.
- Burns Beach Foreshore Reserve.

A local plan is in place for the northern section of the Burns Beach Foreshore and will require revision in the future.

The City's coastal foreshore reserves are an important regional resource. The reserves receive many visitors who access coastal locations on a daily basis. The foreshore reserves are under constant environmental threat. These threats are expected to increase in future years with the rise in the population of the Swan Coastal Plain. The plan identifies these environmental threats and makes recommendations to lessen their impact.

It is therefore recommended that Council ENDORSES the draft Mullaloo Coastal Foreshore Reserve Management Plan 2018 - 2022 forming Attachment 1 to Report CJ207-12/17.

BACKGROUND

The City began developing *Natural Area Management Plans* for its natural areas according to the individual priority ranking of the reserve, as part of the City's participation in the Perth Biodiversity Project. Management plans are being developed for the majority of the City's natural areas and will vary in detail and content depending on whether the area is classified as a:

- major conservation or coastal area
- high priority area
- medium priority area
- generic wetland area.

The City's coastal foreshore reserves are a major conservation area within this classification model. The Mullaloo Foreshore Reserve forms part of the Bush Forever Reserve protected under State Government regulation. All natural bushland in the coastal reserve extending from Hillarys to the northern Burns Beach boundary (with the City of Wanneroo) is included in the Bush Forever legislation.

The study for the draft plan comprises 14.8 hectares of coastal vegetation. Prior to the writing of the draft plan, an extensive flora and fauna study was undertaken in September - October 2016. An additional portion south of the Mullaloo Surf Club adjacent to Merrifield Way was added to the plan and surveyed during 2017. This portion was not previously included in the 2016 flora and fauna survey.

The study concluded that the majority of the vegetation was in very good to excellent condition. A range of mammal, bird and reptile species were observed or trapped and recorded. The range and diversity of species indicated a healthy ecological community within the reserve.

DETAILS

The City manages approximately 206 hectares of bushland within coastal foreshore reserves. The reserves extend from Burns Beach in the north to the suburb of Marmion which forms the southern boundary. The study area included in the plan extends from Merrifield Place in the south to West View Boulevard in the north.

The objectives and purpose of the plan are to:

- establish a baseline description of the environment to guide future environmental planning and recommended management actions
- outline key environmental threats and management strategies to minimise impact and protect conservation and recreation values
- outline management issues apparent at various locations of the foreshore and suggest management strategies to manage those in the short to medium term
- outline management actions to address key threats including monitoring and reporting
- identify areas within the foreshore that are considered to have the highest conservation values, giving consideration to natural features including landform, flora and fauna, along with cultural values
- identify current best practice management practices that can be implemented by the City
- guide the future development of the City's *Capital Works Program*
- increase opportunities for grant funding by having a detailed schedule of projects provide guidance to City employees, contractors and Friends' Groups operating within the coastal foreshore reserve.

Issues and options considered

The endorsement and implementation of the plan will help retain and improve upon the current biodiversity values of the bushland.

It is considered that without active management the bushland within the Mullaloo foreshore will degrade with the subsequent loss of biodiversity and considerable loss of amenity to visitors and residents of the City of Joondalup.

Legislation / Strategic Community Plan / policy implications

Legislation

Planning and Development Act 2005.
Environmental Protection Act 1986.

Strategic Community Plan

Key theme

The Natural Environment.

Objective

Environmental resilience.

Strategic initiative

- Identify and respond to environmental risks and vulnerabilities.
- Understand the local environmental context.
- Demonstrate current best practice in environmental management for local water, waste, biodiversity and energy resources.

Policy

The objectives of the plan are consistent with the City's *Sustainability Policy*.

Risk management considerations

Without sound strategic and operational planning the City's valuable coastal bushland will degrade. This in turn can add to the risk of considerable loss of amenity for the City and the residents and visitors who enjoy the coastline.

Financial / budget implications

The plan was developed using internal and external resources. The implementation of the plan will have budget implications relating to the delivery of management actions and will be subject to the City's annual budget approval process.

Regional significance

A large section of native vegetation managed by the City is contained within the City's coastal foreshore reserves. This bushland has been recognised as having regional significance and is included in bushland protected under the State Government's Bush Forever policy. The City's foreshore reserves are an amenity utilised and enjoyed by a much wider catchment than local residents, giving them a regional significance.

Sustainability implicationsEnvironmental

Environmental threats have the potential to degrade natural areas and reduce biodiversity values. The development and implementation of the plan will ensure that measures are taken to address threats within natural area reserves, and provide strategies for ongoing long-term management which will result in protection of the City's coastal environment.

Consultation

A full community consultation was undertaken in June 2014 as part of the development of the *Coastal Foreshore Management Plan 2014 - 2024* which has guided the development of this specific plan.

The draft *Mullaloo Coastal Foreshore Reserve Management Plan 2018 - 2022* was developed with input and assistance from the Mullaloo Beach Community Group Inc.

COMMENT

The City's coastal foreshore reserves are an important regional resource. The reserves receive many visitors accessing various coastal locations on a daily basis. The reserves are under existing environmental threat. These threats are expected to increase with the rise in the population of the Swan Coastal Plain in future years. The plan identifies these environmental threats and makes recommendations to lessen their impact.

The plan will inform and prioritise broad scale maintenance activities and capital works programs over the forthcoming five year period. It will increase opportunities for the City to apply for grant funding and guide employees, contractors and Friends' Groups operating within the coastal bushland. The plan is acknowledged as a crucial step on the path to managing this important bushland to a standard deserving of its biodiversity values. Actions contained within the plan will be monitored with a review to be undertaken after five years.

The Mullaloo Beach Community Group Inc. have supported the City in maintaining the coastal reserve at Mullaloo for a number of years and to a high standard. The work of the group over this time is acknowledged by the City and their assistance and input into the draft plan is highly appreciated.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr Dwyer that Council:

- 1 ENDORSES the draft *Mullaloo Foreshore Reserve Management Plan 2018 – 2022* forming Attachment 1 to Report CJ207-12/17;**
- 2 NOTES the ongoing contribution of the Mullaloo Beach Community Group Inc in maintaining the Mullaloo foreshore reserve.**

AMENDMENT MOVED Cr Norman, SECONDED Cr Poliwka that in Part 2 of the Motion the word ‘significant’ be ADDED between the words ‘ongoing’ and ‘contribution’ and the word ‘maintaining’ be DELETED and REPLACED with the word ‘rehabilitating’, with the Motion to read as follows:

- “2 *NOTES the ongoing significant contribution of the Mullaloo Beach Community Group Inc in rehabilitating the Mullaloo foreshore reserve.*”**

The Amendment was Put and

CARRIED (12/0)

In favour of the Amendment: Mayor Jacob, Crs Chester, Dwyer, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Norman, Poliwka and Taylor.

The Original Motion as Amended, being:

That Council:

- 1 ENDORSES the draft Mullaloo Foreshore Reserve Management Plan 2018 – 2022 forming Attachment 1 to Report CJ207-12/17;**
- 2 NOTES the ongoing significant contribution of the Mullaloo Beach Community Group Inc in rehabilitating the Mullaloo foreshore reserve.**

Was Put and

CARRIED (12/0)

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

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15brf171205.pdf](#)

Disclosure of Proximity Interest

Name/Position	Cr Russell Poliwka.
Item No./Subject	CJ208-12/17 - Proposal for a Kingsley Commemorative Peace Precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley - Alternative Location Proposal.
Nature of interest	Proximity Interest.
Extent of Interest	Cr Poliwka owns property in proximity.

Disclosures of interest affecting impartiality

Name/Position	Cr John Chester.
Item No./Subject	CJ208-12/17 - Proposal for a Kingsley Commemorative Peace Precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley - Alternative Location Proposal.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Chester is a member of the Kingsley and Greenwood Residents Association.

Name/Position	Cr John Logan.
Item No./Subject	CJ208-12/17 - Proposal for a Kingsley Commemorative Peace Precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley - Alternative Location Proposal.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan is a member of the Kingsley and Greenwood Residents Association which supports the proponent's proposal and is known to a number of the stakeholders.

Cr Poliwka left the Chamber at 9.31pm.

CJ208-12/17 PROPOSAL FOR A KINGSLEY COMMEMORATIVE PEACE PRECINCT AT LOT 971 (52) CREANEY DRIVE, KINGSLEY AND KINGSLEY PARK, LOT 15031 (72) KINGSLEY DRIVE, KINGSLEY – ALTERNATIVE LOCATION PROPOSAL

WARD	South-East
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	11367, 00126, 101515
ATTACHMENTS	Attachment 1 Location Plan Attachment 2 Original Kingsley Commemorative Peace Precinct Proposal Attachment 3 City's Design Option 1 Attachment 4 City's Design Option 2 Attachment 5 Proposal with Alternative Locations Attachment 6 Overall Plinth and Flagpole Location Plan

AUTHORITY / DISCRETION

Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to reconsider a proposal for a commemorative peace precinct on Lot 971 (52) Creaney Drive, Kingsley (Lot 971) and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley where the proponents have provided alternative locations for two of the five proposed commemorative plinths.

EXECUTIVE SUMMARY

Lot 971 is a community purpose site of 10,000m² owned by the City in freehold. The site is zoned "Civic and Cultural" under *District Planning Scheme No. 2*. Lot 971 is unimproved except for a 600m² car park adjacent to Kingsley Tavern. Lot 971 has Kingsley Park on its southern boundary (Attachment 1 refers).

The City received a proposal from a Kingsley resident with the support of the Kingsley and Greenwood Residents Association (KAGRA) requesting that part of Lot 971 be used as a commemorative peace precinct (Attachment 2 refers). The proposal detailed that the concept arose from the proponent being approached with the suggestion that it would be advantageous to have a local more accessible memorial where older residents could pay their respects in quiet contemplation due to the aging demographic of citizens in Kingsley, Woodvale and Greenwood. Advice was that older residents have difficulty attending the traditional ANZAC and Remembrance Day ceremonies in the major venues in the metropolitan area.

The original proposal was considered by Council at its meeting held on 18 April 2017 (CJ050-04/17 refers) at which time the City presented two alternative options for the proponent's consideration (Attachments 3 and 4 refer). These options not only took advantage of the existing infrastructure within the bordering Kingsley Park, but also precluded any related memorial installations within the treed area, or the middle of Lot 971.

The reason for avoiding the treed area within Lot 971 was to ensure that the site is not wholly considered as a commemorative peace precinct but retains its option as a strategic community purpose asset.

Part of Council's resolution from its meeting held on 18 April 2017 (CJ050-04/17 refers), was for the Chief Executive Officer to negotiate with the proponent to install a number of small plinths on Lot 971, in addition to Options 1 and 2 as detailed in Attachments 3 and 4 to Report CJ050-04/17. Following a site meeting, an alternative location proposal for two of the memorial installations was submitted to the City (Attachment 5 refers).

The proposal for reconsideration by Council details that the project aim remains unchanged which is, *'To provide the residents of Kingsley and surrounding suburbs, with a place of tranquillity and quiet contemplation within a beautifully preserved, natural bushland setting.'* The proposal details that the main plinth and flagpole location being unchanged - shown as 1 on Attachment 6. The change positions of plinths 2 and 3 on Attachment 6 are now shown as being located within Kingsley Park rather than Lot 971. These plinths and flagpoles are considered to be in good locations taking advantage of existing park infrastructure, such as a continuous footpath from the Kingsley Park car parks and providing space around the proposed flagpoles for participants to the events.

While it is acknowledged that the proponent has reduced the number of plinths within Lot 971, the remaining two plinths – 4 and 5 shown on Attachment 6 have remained in the middle of the site. Irrespective of the size of the plinths, or they could be easily removed, once memorial infrastructure is associated with a location there is a high risk its symbolism will have an "in perpetuity" impact.

Lot 971 has considerable community value as its size of 10,000m² provides the City, or possibly not-for-profit community organisations, with significant development options. It has the potential to provide services and programs for residents over a greater area than just the adjacent suburbs. Using the middle of Lot 971 as a memorial precinct is highly likely to inhibit the site's potential of serving future community needs. Additionally, to include a land use now that could jeopardize the optimum selection of a building site on Lot 971 could be detrimental to maximising tree preservation on the site.

The spirit of the proposal is acknowledged and there is nothing preventing the local community enjoying the trees stands at this location currently, or if the northern most portion of Lot 971 is utilised as commemorative peace precinct. It is considered that this enjoyment does not need to be formalised by including memorial installations among the trees. A commemorative peace precinct could be supported subject to the necessary statutory approvals, however, relocation of the plinths shown as 4 and 5 to the northern most part of Lot 971 is recommended and indicated on Attachment 6.

It is therefore recommended that Council:

- 1 *NOTES the two alternative plinth locations relating to the development of a commemorative peace precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley as detailed in Attachment 5 to Report CJ208-12/17;*
- 2 *SUPPORTS the location of the plinth and flagpoles shown as 1 on Attachment 6 to Report CJ208-12/17, on the northern boundary of Lot 971 (52) Creaney Drive, Kingsley;*
- 3 *SUPPORTS the location of the plinths shown as 2 and 3 on the southern boundary of Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley shown as 2 and 3 on Attachment 6 to Report CJ208-12/17;*
- 4 *DOES NOT SUPPORT the proposed location of the plinths within Lot 971 (52) Creaney Drive, Kingsley shown as 4 and 5 on Attachment 6 to Report CJ208-12/17;*
- 5 *REQUESTS the relocation of the plinths shown as 4 and 5 on Attachment 6 to Report CJ208-12/17 to suitable areas on the northern-most boundary of Lot 971 (52) Creaney Drive, Kingsley;*
- 6 *REQUESTS the Chief Executive Officer to ADVISE the proponent that:*
 - 6.1 *Council's support is subject to the proponent obtaining any necessary statutory approvals which should be at no cost to the City;*
 - 6.2 *a management plan is required that details how matters such as maintenance and malicious damage to the memorial structures are proposed to be dealt with;*
 - 6.3 *the City does not have budget funds available for the installation of a commemorative peace precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley;*

- 6.4 *prior to obtaining any necessary statutory approvals, or prior to any proposed development on Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley would need to be in consultation with the City in the first instance.*

BACKGROUND

Suburb/Location	Lot 971 (52) Creaney Drive, Kingsley.
Owner	City of Joondalup.
Zoning	DPS2 Civic and Cultural.
	MRS Urban.
Site area	10,000m ² .

Lot 971 was acquired by the City in June 1982 from the developer of the area, Portuland Developments Pty Ltd. The site is unimproved except for a 600m² car park which involves a reciprocal access and car parking agreement with three other adjoining lots. This agreement relates to the development of the car park by the owners of the Kingsley Tavern in lieu of a shortfall of parking bays on the tavern site - Lot 972 (90) Kingsley Drive, Kingsley.

Commencing from March 2011, Lot 971 was examined for potential rezoning and disposal with a number of confidential reports being submitted to the former Strategic Financial Management Committee and Council on this subject.

At its meeting held on 11 October 2011 (C49-10/11 refers), Council received a 602-signature petition requesting the City retain Lot 971 in its natural state with only minor modifications to develop it into a sculpture park. At its meeting held on 20 March 2012 (CJ040-03/12 refers) Council resolved to take no further action regarding this petition.

At its meeting held on 24 June 2014 (CJ103-06/14 refers), Council resolved among other matters to take no further action in relation to the sale of any portion of Lot 971. The decision was based on the City's receipt of a 1,977 signature petition indicating a lack of local community support for the site being sold and developed.

Original Proposal

At its meeting held on 17 May 2016 (C24-05/16 refers), Council considered a Notice of Motion and resolved that a report would be prepared on the following:

"That Council REQUESTS the Chief Executive Officer to prepare a report on the establishment of a "peace and reflection precinct" on Lot 971 (52) Creaney Drive Kingsley."

The motion was detailed as being a community-driven initiative that envisaged Lot 971 providing a quiet place of contemplation for local residents to have the opportunity to reflect on a range of tragic events. It was stated that the proponent would appreciate the City investigating the concept, costing and funding options associated with installing a number of generic plaques along a walk-through, taking into consideration access for the elderly and infirm members of the community.

The proponent acknowledged that the proposed project need not impinge on The Returned and Services League (RSL) events and activities in the City of Joondalup. Rather, the site would provide a simple yet unique opportunity for local people to reflect on matters close to the heart.

At its meeting held on 18 April 2017 (CJ050-04/17 refers), Council resolved the following:

- “1 *NOTES the proposal submitted relating to the development of a commemorative peace precinct at Lot 971 (52) Creaney Drive, Kingsley;*
- 2 *REQUESTS the Chief Executive Officer to negotiate with the proponent to install a number of small plinths on Lot 971 (52) Creaney Drive, Kingsley as a commemorative peace precinct, as well as Options 1 and 2 as detailed in Attachments 3 and 4 to Report CJ050-04/17;*
- 3 *NOTES that the City does not have budget funds available for the installation of a commemorative peace precinct at Lot 971 (52) Creaney Drive, Kingsley as detailed in Part 2 above.”*

DETAILS

The project aim is described as being:

“To provide the residents of Kingsley and surrounding suburbs with a place of tranquillity and quiet contemplation within a beautifully preserved natural bushland setting.”

The proposal stated that on discussions with other groups, it was suggested that for suburbs that also have an aging demographic, this proposal could be an example for many more of these types of precincts. The proposed peace precinct could also be a place of reflection for the broader community to commemorate the injuries and loss of life in maritime, airborne, natural and man-made disasters.

In the original proposal, it is stated that the intent is to transform Lot 971 at no, or minimal cost to the City, into a commemorative peace precinct by way of a new name, wheelchair and pram-friendly pathways and bench seating. There would be a main ceremonial site and a number of commemorative plinths in designated areas within the proposed precinct.

It is stated that the proposal does not have the involvement of any RSL body.

The proposal acknowledges that no reference to the word “memorial” will be used concerning any name associated with the proposal out of respect for the Kingsley Football Club’s memorial in Kingsley Park.

Attachment 2 provides the full details including the level of support from stakeholders and members of the local community and also includes a letter of support from Greenwood College. Part of the letter states the College would be delighted to be involved in any commemorative activity associated with the bushland islands in Kingsley Park.

Issues and options considered

Alternative Locations

With regard to Part 2 of Council’s resolution at its meeting held on 18 April 2017 (CJ050-04/17 refers) City officers, the two Ward Councillors, the proponent and other community members including representatives of KAGRA met on site to examine alternative locations for the proposed plinths and the flagpoles.

The meeting resulted in the City receiving an updated proposal (Attachment 5 refers) in that it referenced two alternative locations to the original proposal. The locations overall are shown on Attachment 6.

Based on Council's resolution at its meeting held on 18 April 2017, Council has potentially provided its in-principle support to the concept of a peace and reflection precinct at the subject location. In line with Part 2 of Council's resolution, the proponent, supporters from the community and the Ward Councillors have provided suitable and practical alternative locations for the plinths and flagpoles that for the most part take advantage of the existing park infrastructure.

Plinths and flagpoles indicated as 1, 2 and 3 on Attachment 6 to this Report are considered to be in suitable locations. Plinths at these locations are accessible via the pathway from the two car parks that service Kingsley Park, utilise existing park infrastructure such as existing benches, have space for congregation and are flat underfoot in consideration that many attendees to proposed events being will be older members of our community. Additionally, the location of the plinths offers public surveillance.

The proposed locations of plinths 4 and 5 shown on Attachment 6 to this Report are in the middle of Lot 971 among the trees. Memorial installations at these locations could jeopardise the best overall location for a future community facility, or have the effect that Lot 971 becomes a "memorial park". The consequence of supporting plinths at these locations is that the option of developing a community facility by the City, or a not-for-profit organisation, is likely to be lost.

Any formal or informal use of the site for memorials may design out the opportunity for the land to be used advantageously for the benefit of a wider section of the community in the future. In the future, a facility on Lot 971 could be used for the purposes of health, seniors, children, families, youth, community hubs, learning, cultural spaces, or services to meet the needs of disadvantaged or marginalised groups.

To safeguard the future community development options for this site, the relocation of the plinths to the northern boundary of Lot 971 could be considered and have been indicated on Attachment 6 to this Report. This will then provide the City with optimum options for a community facility location with tree retention being an important part of that selection.

Lot 971 is 10,000m² which equates to significant community value due to any proposed community facility developed on the site likely to be of a size to serve a broad area of the community beyond the site's adjoining suburbs. Any actions which could mean the potential loss of the site, or an overall change of use, should consider a wider-ranging community consultation process.

The fact that Lot 971 has a significant value on the City's asset register highlights the responsibility of Council's stewardship when deciding on the future of the site.

Should the commemorative peace precinct be supported, it is recommended that a management plan is provided to the City that deals with matters such as maintenance and malicious damage to any of the structures.

Bushland on Lot 971

The history to this site indicates that many local residents have a desire for Lot 971 to be a community asset only in terms of it being 'bushland' with building development being avoided and the large trees on the site preserved.

In September 2015, based on a request from KAGRA, the City installed fencing at certain locations within Lot 971 to protect the trees from unnecessary damage by mowing maintenance. The fencing installation is not considered a permanent fixture and will remain installed until reassessment is required in the event that future community demand necessitates development. In the interim, the current aesthetics of Lot 971 are there to be enjoyed.

It should be noted that the advantage of Lot 971 is that its size allows for sensitive building location options that could encourage the retention of many of the existing trees.

Strategic Community Plan / policy implications

Legislation Planning approval will be required should a commemorative peace precinct be supported at the subject locations.

Strategic Community Plan

Key theme Financial Sustainability.

Objective Financial diversity.

Strategic initiative Support new projects that balance identified financial risks against effective management approaches.

Policy *Asset Management Policy.*
Sustainability Policy.

Risk management considerations

Lot 971 is a community purpose site. Should memorial plinths be included in the middle of the site, it could have an irreversible effect on the site's ability to meet future community demand. Should the proposal be supported, be it within Lot 971 or Kingsley Park, it could set a precedent for other requests being received for commemorative peace precincts in City parks. This needs to be considered as a direction given the impact it may have on future use of Crown or community purpose land and on maintenance and replacement costs for associated infrastructure.

Financial / budget implications

Costings with regard to the two alternative options provided by the City have been provided to the proponent as a guide as there are no City funds available for a proposal at this location.

It needs to be taken into account that any inclusions within the proposed peace precinct have the potential to become the City's replacement and maintenance responsibility.

Should the development opportunity of this site be lost, it will impact on the site's value as an asset.

In the City's financial records (used for financial reporting purposes), this land asset had a recorded 'fair value' of over \$1.6 million as at 1 January 2013.

Regional significance

The inclusion of a peace precinct within Lot 971 may offer residents in the Cities of Wanneroo and Stirling an opportunity to attend services that are relatively local to them.

It could be argued that Lot 971 has regional significance based on it being a 10,000m² site. As an example, a multi-functional community facility developed on the site has the potential for wide-ranging community benefit.

Sustainability implications

Any proposed development of a community purpose facility on part of Lot 971 would have a sensitive environmental approach to the location of the building and its design principles.

The size and location of this site provides it with significant potential to promote social sustainability. Services and community group opportunities generated from a multi-purpose community facility could have a substantial positive effect across all generations and cohorts.

Consultation

The City has not undertaken any formal consultation with the community regarding the future of this site and should consultation take place, it would need to be conducted in accordance with the City's approved *Community Consultation and Engagement Policy* and *Community Engagement Protocol*.

Due to Lot 971 being 10,000m² and therefore the potential for any community development on the site to serve a broader area than the bordering suburbs, it is considered that a larger target area is considered as part of any community consultation.

COMMENT

Based on Council's resolution at its meeting held on 18 April 2017 (CJ050-04/17 refers), support in-principle for a peace and reflection precinct at the subject location has potentially been provided. Should the plinths shown as 4 and 5 on Attachment 6 to this Report be relocated to the northern edge of Lot 971 where there is space under the trees that could provide natural shade, Council may consider a commemorative peace precinct as being acceptable.

The fundamental risk of Council supporting the locations of the plinths shown as 4 and 5 on Attachment 6 to this Report is that such support could result in a substantially sized community purpose site not being developed for its intended purpose. This would be at a financial cost to the City due to the loss of an asset and to the community in terms of the programs and service provision that a facility on the site could offer.

The relocation to the northern edge of Lot 971 of plinths 4 and 5 does not mean the trees on the site cannot be enjoyed. Relocation serves to protect an important community asset being considered as a memorial park and implications that comes with such a sensitive use. Council requesting the relocation of plinths 4 and 5 as part of its support for this proposal constitutes a decision that is financially responsible, practical and serves the greater community good. It would also allow the proponent of the commemorative peace precinct to progress his proposal.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the two alternative plinth locations relating to the development of a commemorative peace precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley as detailed in Attachment 5 to Report CJ208-12/17;
- 2 SUPPORTS the location of the plinth and flagpoles shown as 1 on Attachment 6 to Report CJ208-12/17, on the northern boundary of Lot 971 (52) Creaney Drive, Kingsley;
- 3 SUPPORTS the location of the plinths shown as 2 and 3 on the southern boundary of Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley shown as 2 and 3 on Attachment 6 to Report CJ208-12/17;
- 4 DOES NOT SUPPORT the proposed location of the plinths within Lot 971 (52) Creaney Drive, Kingsley shown as 4 and 5 on Attachment 6 to Report CJ208-12/17;
- 5 REQUESTS the relocation of the plinths shown as 4 and 5 on Attachment 6 to Report CJ208-12/17 to suitable areas on the northern-most boundary of Lot 971 (52) Creaney Drive, Kingsley;
- 6 REQUESTS the Chief Executive Officer ADVISE the proponent that:
 - 6.1 Council's support is subject to the proponent obtaining any necessary statutory approvals which should be at no cost to the City;
 - 6.2 a management plan is required that details how matters such as maintenance and malicious damage to the memorial structures are proposed to be dealt with;
 - 6.3 the City does not have budget funds available for the installation of a commemorative peace precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley;
 - 6.4 prior to obtaining any necessary statutory approvals, or prior to any proposed development on Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive, Kingsley would need to be in consultation with the City in the first instance.

Cr Taylor left the Chamber at 9.32pm.

PROCEDURAL MOTION – ITEM BE REFERRED BACK TO THE CHIEF EXECUTIVE OFFICER

MOVED Cr Logan, **SECONDED** Cr Chester that Item CJ208-12/17 – Proposal for a Kingsley Commemorative Peace Precinct at Lot 971 (52) Creaney Drive, Kingsley and Kingsley Park, Lot 15031 (72) Kingsley Drive – Alternative Proposal **BE REFERRED BACK** to the Chief Executive Officer to allow further discussion with the proponent of the location of the suggested plinths in the precinct.

The Procedural Motion was Put and

CARRIED (10/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Dwyer, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean and Norman.

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16brf171205.pdf](#)

CJ209-12/17 ESTABLISHMENT OF AN EDGEWATER QUARRY COMMUNITY REFERENCE GROUP

WARD	North Central	
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO	
FILE NUMBER	37544, 101515	
ATTACHMENTS	Attachment 1	Location Plan
	Attachment 2	Proposed Nomination Form
	Attachment 3	Proposed Terms of Reference
	Attachment 4	Proposed Frequently Asked Questions
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 establishment of an Edgewater Quarry Community Reference Group and to approve calling for Expressions of Interest from the community for nomination.

EXECUTIVE SUMMARY

The Edgewater Quarry site covers an area of approximately 17.7 hectares. It is in a strategic location that through a master planning process has the potential to offer multiple benefits to the both the City and its community.

At its meeting held on 27 June 2017 (CJ090-06/17 refers), Council endorsed the *Draft Joondalup Activity Centre Plan* (JACP). The JACP indicates a location within the site adjacent to Joondalup Drive as having development potential with the remaining land uses being public open space and conservation. Attachment 1 provides property related information and land areas.

At its meeting held on 15 August 2017 (C62-08/17 refers), Council requested a report be prepared on the establishment of an Edgewater Quarry Community Reference Group (EQCRG). It was considered that a community reference group could assist with the development of a concept design for the site, in addition to acting as a conduit to disseminate information and give feedback to and from the wider community.

Through a proposed Nomination Form (Attachment 2 refers), it is recommended that Expressions of Interest (EOI) are called from community members over a 30 day period. In addition to the Nomination Form and proposed Terms of Reference (Attachment 3 refers), other information such as 'Frequently Asked Questions' (Attachment 4 refers) outlining the EQCRG's role and expectations will be included on the City's website. Calling for EOI will be advertised in the community newspapers in addition to the City's website and Facebook page.

In accordance with the proposed EQCRG Terms of Reference, His Worship the Mayor and both North Central Ward Councillors will form part of the EQCRG and it is recommended that His Worship the Mayor becomes the Presiding Member. It is further recommended that the EQCRG consists of 20 community members with representation as follows:

- Six ratepayers or residents from the suburb of Edgewater.
- Five ratepayers or residents from other City suburbs.
- Nine members being nominated from community or special interest groups. For example:
 - community groups that have an interest in recreation pursuits that they consider are suitable for the Edgewater Quarry site including adventure, accessible and nature based play areas
 - residents' associations
 - regional representation due to the amenity value and therefore likely attraction by the broader community once the site is developed.

Once the nomination process has closed, City officers will assess the nominations and provide recommendations on the group's proposed membership in a subsequent report to Council.

It is therefore recommended that Council:

- 1 *APPROVES the establishment of the Edgewater Quarry Community Reference Group;*
- 2 *APPROVES His Worship the Mayor and both North Central Ward Councillors being members of the Edgewater Quarry Community Reference Group;*
- 3 *APPROVES His Worship the Mayor being the Presiding Member of the Edgewater Quarry Community Reference Group;*
- 4 *APPROVES up to 20 members from the community for the Edgewater Quarry Community Reference Group;*
- 5 *ENDORSES the Terms of Reference for the Edgewater Quarry Community Reference Group shown as Attachment 3 to Report CJ209-12/17;*
- 6 *SUPPORTS calling for Expressions of Interest for a 30-day period using the Nomination Form and Terms of Reference shown as Attachments 2 and 3 to Report CJ209-12/17;*
- 7 *APPROVES the Frequently Asked Questions related to the establishment of the Edgewater Quarry Community Reference Group shown as Attachment 4 to Report CJ209-12/17;*
- 8 *subsequent to the 30-day Expression of Interest advertising period and assessment of the nomination forms received, REQUESTS the Chief Executive Officer to prepare a report on the proposed community selection of the Edgewater Quarry Community Reference Group.*

BACKGROUND

The Edgewater Quarry site is bounded by residential housing, Regatta Drive, Treetop Avenue and Joondalup Drive, Edgewater. The site to be master planned comprises three reserves, an area of land owned in freehold by the City and land identified as Joondalup Drive (Joondalup Gate 1) Drainage Sump, Edgewater; approximately 17.7 hectares overall. (Attachment 1 refers).

Since the 1970s, there have been several proposals for more intensive development of the site and at its 19 May 2009 meeting, which followed community consultation during 2008, Council requested that draft concept designs be developed to include certain land uses.

Following Council's decision, draft concept plan options, commercial analysis and financial projections for the project were developed and presented at a number of Strategy Sessions. After a further presentation to the Strategy Session held on 16 March 2016, Elected Members requested further concept plans, in addition to examining a potential Crown land/freehold land exchange.

Draft Joondalup Activity Centre Plan (JACP) – Quarry Park

The City has prepared the draft JACP in accordance with *State Planning Policy 4.2: Activity Centres* (SPP 4.2). The activity centre boundary includes Edgewater Quarry which in the document is referred to as Quarry Park. SPP 4.2 identifies Joondalup as a Strategic Metropolitan Centre that as such, requires an activity centre plan to guide future development and retail expansion. Council endorsed the draft JACP at its meeting held on 27 June 2017 (CJ090-06/17 refers). The draft JACP identified an area of land east of Joondalup Drive within Quarry Park as being a suitable location for development.

In the report to Council on the draft JACP, the approval of a local planning policy prior to the commencement of any development east of Joondalup Drive was recommended. The proposed local planning policy will provide further guidance on planning matters such as access / parking location/s, servicing area/s and the interface with the adjacent open space. The local planning policy would require separate additional consultation as detailed in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The draft JACP depicts a "City – Lake Active Transport Link" through Quarry Park that is intended for use by pedestrians and cyclists but not for vehicles.

The final determination of the draft JACP now rests with the Western Australian Planning Commission.

Draft Perth and Peel Green Growth Plan for 3.5 Million

The Department of the Premier and Cabinet has released the draft *Perth and Peel Green Growth Plan for 3.5 Million* (GGP) which has gone through a public comment period that concluded on 13 May 2016. The draft GGP aims to secure approval under Part 10 of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* and deliver streamlined approvals processes under the *Western Australian Environmental Protection Act 1986* (EP Act) for certain types of development or 'classes of action'.

The City's Lot 998 (100) Treetop Avenue, Edgewater within Edgewater Quarry as shown on Attachment 1, is included in the GGP as land being required for *Broad Conservation Commitments*. The master planning of Edgewater Quarry will need to take this into account and it could be part of negotiations with the Department of Planning, Lands and Heritage from a potential land exchange perspective.

Notice of Motion

At its meeting held on 15 August 2017, a motion was moved that resulted in Council resolving as follows (C62-08/17 refers):

"That Council REQUESTS the Chief Executive Officer to prepare a report on the establishment of an Edgewater Quarry Community Reference Group with a view to:

- 1 examining the future options of the Edgewater Quarry site;*
- 2 identifying and discussing the issues and concerns of the community and stakeholders around the options of the Edgewater Quarry site;*

- 3 *representing the interests of the wider community;*
- 4 *acting as a conduit to disseminate information and feedback to and from the wider community;*
- 5 *liaising with extended networks and community groups to facilitate information sharing concerning the Edgewater Quarry;*
- 6 *appointing His Worship the Mayor, both North Central Ward Councillors and a maximum of 20 other members of the community that would be sought through expressions of interest."*

DETAILS

The reason for the above Notice of Motion was that the establishment of a community reference group could produce the same valuable contribution as did the Ocean Reef Marina Community Reference Group. This group was formed to assist the City to develop a concept design and structure plan for Ocean Reef Marina. Other reasons for the establishment of an EQCRG were given as providing a mechanism for the issues and concerns of the community being adequately represented and it would serve as a conduit to disseminate information and feedback.

Issues and options considered

For the reasons provided in the Notice of Motion, it is considered that the establishment of a community reference group is an effective next action to progress the master planning of the Edgewater Quarry site. The EQCRG will assist the City towards the development of a concept plan with the preferred design being submitted for Council's consideration and full community consultation.

Through an EOI process, interested community members and stakeholders can complete a Nomination Form (Attachment 2 refers) providing reasons why they consider their membership would be of benefit to the EQCRG. The Nomination Form also provides for prospective members of the EQCRG to agree to the associated Terms of Reference (Attachment 3 refers).

Expression of Interest

To progress the establishment of the EQCRG, it is recommended that the City will now call for Expressions of Interest from the community. This will be by way of public notices in *The West Australian* and community newspapers, the City's website and media outlets, public libraries and public notice boards.

As detailed in Council's resolution (C62-08/17 refers), His Worship the Mayor and both North Central Ward Councillors will form part of the EQCRG, and it is further recommended that His Worship the Mayor is the Presiding Member.

Nomination Forms will be available on the City's website, or via mail if required. 'Frequently Asked Questions' and the proposed Terms of Reference for the group will also be made available with the Nomination Forms. A period of 30 days will be allocated for the return of the completed Nomination Forms, after which they will be assessed against the Terms of Reference. A report will then be submitted for Council's consideration of the recommended selection.

To encourage a diverse membership base that ensures that community and stakeholder aspirations, issues and concerns on the future of Edgewater Quarry are accommodated, parameters to be included in the EQCRG's Terms of Reference could be as follows:

- For adequate representation from the suburb of Edgewater – six ratepayers or residents.
- Five ratepayers or residents from other City suburbs.
- Nine membership places will be for nominated representatives from community and special interest groups. For example:
 - community groups that have an interest in recreation pursuits that they consider are suitable for the Edgewater Quarry site including adventure, accessible and nature based play areas
 - residents' associations
 - regional representation due to the amenity value and therefore likely attraction by the broader community once the site is developed.

To allow potential members who work standard business hours the option to nominate for the EQCRG, scheduled meetings should be outside of these hours. It is considered that a meeting every two months would be an acceptable standard. It is proposed that the term of the group shall run until 31 October 2019, with a review on the group's effectiveness being reported to Council at its meeting to be held in September 2019.

A professional facilitator, external experts and City officers will be utilised as and when required.

Legislation / Strategic Community Plan / policy implications

Legislation	<i>Local Government Act 1995.</i>
Key theme	Governance and Leadership.
Objective	Active democracy.
Strategic initiative	<ul style="list-style-type: none"> • Fully integrate community consultation practices into City activities. • Optimise opportunities for the community to access and participate in decision-making processes. • Adapt to community preferences for engagement formats.

Policy	<i>Community Consultation and Engagement Policy.</i>
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Risk management considerations

A potential risk is a lack of interest across all cohorts of the community which could result in the EQCRG having minimal diversity and therefore not providing true representation of the overall community.

Financial / budget implications

There is an allocation of \$60,000 in the *2017-18 Budget* that can be utilised towards the related costs of establishing a community reference group. Any further necessary expenditure for the proposed initial two-year term of the EQCRG can be considered as part of the City's future budget review process.

As the master planning of the site progresses, a revised scope will be developed allowing the estimated cash flows in the 20-Year SFP to be revised with the updated assumptions. Amendments will also be considered for the *Five Year Capital Works Program*.

Regional significance

The size and therefore potential scale of the recreation and public open space opportunities within Edgewater Quarry is likely to attract community members outside of the City's boundaries.

Sustainability implications

Economic

The City will pursue sponsorship and funding opportunities concerning the proposed playground areas within the site.

Environmental

An environmental assessment identified significant vegetation on the southern portion of the site that will need to be considered in the master planning of the site. The Department of the Premier and Cabinet's draft GGP supports the significance of this vegetation.

Energy and water efficient opportunities can be identified in the eventual development of the site, including landscape design and the inclusion of passive and active recreation land uses.

Social

The public open space component of Edgewater Quarry has the potential to offer a variety of recreation pursuits for all members of the community.

Consultation

The proposed Edgewater Quarry Community Reference Group will serve as a mechanism for community engagement in conjunction with the City's approved *Community Consultation and Engagement Policy* and *Community Engagement Protocol*.

As part of the draft JACP, the City recommended that a local planning policy is in place prior to the commencement of any development east of Joondalup Drive within Edgewater Quarry. This will require separate statutory community consultation as detailed in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

COMMENT

For the reasons identified in Council's resolution from its meeting held on 15 August 2017 (C62-08/17 refers), it is considered that the establishment of an Edgewater Quarry Community Reference Group will assist in the progress of master planning the site. Inclusion of community feedback via the EQCRG will be a valuable form of community and stakeholder collaboration to inform a concept plan for the Edgewater Quarry site.

Calling for Expressions of Interest from interested residents and stakeholders in line with the Terms of Reference detailed in Attachment 2 is recommended.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Jones, SECONDED Cr McLean that Council:

- 1 APPROVES the establishment of the Edgewater Quarry Community Reference Group;**
- 2 APPROVES His Worship the Mayor and both North Central Ward Councillors being members of the Edgewater Quarry Community Reference Group;**
- 3 APPROVES His Worship the Mayor being the Presiding Member of the Edgewater Quarry Community Reference Group;**
- 4 APPROVES up to 20 members from the community for the Edgewater Quarry Community Reference Group;**
- 5 ENDORSES the Terms of Reference for the Edgewater Quarry Community Reference Group shown as Attachment 3 to Report CJ209-12/17;**
- 6 SUPPORTS calling for Expressions of Interest for a 30-day period using the Nomination Form and Terms of Reference shown as Attachments 2 and 3 to Report CJ209-12/17;**
- 7 APPROVES the Frequently Asked Questions related to the establishment of the Edgewater Quarry Community Reference Group shown as Attachment 4 to Report CJ209-12/17;**
- 8 subsequent to the 30 day Expression of Interest advertising period and assessment of the nomination forms received, REQUESTS the Chief Executive Officer to prepare a report on the proposed community selection of the Edgewater Quarry Community Reference Group.**

The Motion was Put and

CARRIED (10/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Dwyer, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean and Norman.

Appendix 17 refers

To access this attachment on electronic document, click here: [Attach17brf171205.pdf](#)

Disclosure of Financial Interest

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	CJ210-12/17 - Request for Leave - Chief Executive Officer.
Nature of interest	Financial Interest.
Extent of Interest	The Chief Executive Officer is requesting annual leave.

CJ210-12/17 REQUEST FOR LEAVE – CHIEF EXECUTIVE OFFICER

WARD	All
RESPONSIBLE ACTING DIRECTOR	Mr Mike Smith Corporate Services
FILE NUMBER	98394, 98394B, 101515
ATTACHMENTS	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

To give consideration to the request for annual leave submitted by the Chief Executive Officer (CEO).

EXECUTIVE SUMMARY

The CEO has requested annual leave for the periods 20 December to 22 December 2017 inclusive and 8 January to 24 January 2018 inclusive. The annual leave is within the CEO's entitlement under his contract of employment and he has sufficient accrued annual leave.

It is recommended that Council APPROVES the request from the Chief Executive Officer for annual leave for the periods 20 December to 22 December 2017 inclusive and 8 January to 24 January 2018 inclusive.

BACKGROUND

The CEO commenced his employment on 31 January 2005. In accordance with his current employment contract the CEO is entitled to 25 days leave per annum.

DETAILS

The CEO has requested annual leave from duties for the periods 20 December to 22 December 2017 inclusive and 8 January to 24 January 2018 inclusive for annual leave. The CEO has delegated authority to appoint an Acting CEO for periods where he is absent from work while on leave, where such periods are for less than 35 days.

Issues and options considered

During the employment of the CEO there will be periods of time where he will be absent from the City of Joondalup on annual leave.

The annual leave for the CEO is to be taken at a mutually convenient time subject to the operational requirements of the Council. It is recommended that Council approve the annual leave request.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Maintain a highly skilled and effective workforce.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Provision for the annual leave is included in the Budget for 2017-18.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The CEO has an entitlement in accordance with his employment contract for periods of annual leave. The dates requested are conducive to the operations of the City and are within his entitlements.

VOTING REQUIREMENTS

Simple Majority.

Cr Poliwka and Cr Taylor entered the Chamber at 9.34pm.

MOVED Cr Hollywood, SECONDED Cr Hamilton-Prime that Council APPROVES the request from the Chief Executive Officer for annual leave for the periods 20 to 22 December 2017 inclusive and 8 January to 24 January 2018 inclusive.

The Motion was Put and

CARRIED (12/0)

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

C94-12/17

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

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

CJ190-12/17, CJ191-12/17, CJ194-12/17, CJ195-12/17, CJ196-12/17, CJ197-12/17, CJ199-12/17, CJ200-12/17, CJ201-12/17, CJ202-12/17 and CJ203-12/17.

The Motion was Put and**CARRIED (12/0)**

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

URGENT BUSINESS

C95-12/17

MAYOR HON. ALBERT JACOB, JP – CONSIDERATION OF INCLUSION OF DUFFY HOUSE, LOT 69 (108) DUFFY TERRACE ON THE STATE REGISTER OF HERITAGE PLACES – [81629, 36873]

In accordance with Clause 4.7 of the *City of Joondalup Meeting Procedures Local Law 2013*, Mayor Jacob gave notice of his intention to move the following Motion as Urgent Business at the Council meeting held on Tuesday 12 December 2017:

“That Council calls on the Heritage Council of Western Australia to urgently consider the inclusion of Duffy House, located on Lot 69 (108) Duffy Terrace, on the State Register of Heritage Places to ensure the existing structure is protected from demolition and from falling into further disrepair.”

Reason for Urgent Business

The delay in referring the business to the next meeting could have adverse legal or financial implications for the local government.

Reason for Motion

The State Government or one of its agencies, the Western Australian Planning Commission / Department of Planning, Lands and Heritage may seek to demolish the building before the Council meeting to be held on 20 February 2018.

In accordance with Clause 4.7 of the *City of Joondalup Meeting Procedures Local Law 2013*, the following is a summary of the verbal report given by the Chief Executive Officer:

“The City has within its district a property known as Duffy House and is located at 108 Duffy Terrace, Woodvale. The site is reserved under the Metropolitan Region Scheme for the purposes of Parks and Recreation and is currently owned by the Western Australia Planning Commission (WAPC).

In 2009, the site was included on the City of Joondalup Heritage List but did not meet the threshold for entry on the State Register of Heritage Places.

The WAPC contacted the City in July 2015, advising the WAPC was considering doing some work on the building to prevent further deterioration. During that conversation with the City, dollar for dollar funding was requested from the City to do the works to the building. At that time, the City declined given the building is on land owned by the WAPC.

The WAPC is now seeking to demolish the building and has sought the City's feedback on the proposal. The City has advised it does not support the demolition of Duffy House. The WAPC has asked the City to reconsider its position.

The City intends to respond again to the WAPC to advise it does not support demolition of the building however it is uncertain whether the WAPC will proceed to demolition despite the City's recommendation not to."

MOVED Mayor Jacob, SECONDED Cr May that that Council calls on the Heritage Council of Western Australia to urgently consider the inclusion of Duffy House, located on Lot 69 (108) Duffy Terrace, on the State Register of Heritage Places to ensure the existing structure is protected from demolition and from falling into further disrepair.

The Motion was Put and

CARRIED (12/0)

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

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

C96-12/17

NOTICE OF MOTION – MAYOR ALBERT JACOB – STIMULATION OF HOSPITALITY AND TOURISM VENTURES – [45001]

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Mayor Jacob has given notice of his intention to move the following Motion at the Council meeting to be held on 12 December 2017:

"That Council REQUESTS the Chief Executive Officer to prepare a report that examines initiatives which can stimulate opportunities and employment in hospitality and tourism ventures within the City of Joondalup, with the examination of measures including, but not limited to:

- 1 possible changes to alfresco regulation and licensing including allowances or signage and verge / sidewalk alfresco structures to encourage greater alfresco hospitality provision within the City of Joondalup;***
- 2 greater facilitation of growers' markets and evening food markets throughout the City of Joondalup;***
- 3 parking provisions in strategic locations adjacent to hospitality business, including the provision of short term (less than an hour) free parking opportunities;***
- 4 investigating opportunities for greater City discretion to approve uses within Commercial and Industrial zones within the City of Joondalup, particularly for proponent initiatives which may have tourism potential."***

Reason for Motion

Recent feedback from local business has indicated a strong desire for the City to engage in initiatives which promote and encourage local tourism and hospitality.

This was also reflective of the feedback I received during the recent Joondalup Council campaign and commitments which I made to investigate possible reforms in these areas. The hospitality and tourism industry is one of the largest employment sectors in Western Australia, having an equivalent level of employment to the resources industry.

Measures which facilitate greater business investment in these industries can lead to greater local employment opportunities, particularly for younger people in our community.

MOVED Mayor Jacob, SECONDED Cr Poliwka that Council REQUESTS the Chief Executive Officer to prepare a report that examines initiatives which can stimulate opportunities and employment in hospitality and tourism ventures within the City of Joondalup, with the examination of measures including, but not limited to:

- 1 possible changes to alfresco regulation and licensing including allowances or signage and verge / sidewalk alfresco structures to encourage greater alfresco hospitality provision within the City of Joondalup;**
- 2 greater facilitation of growers' markets and evening food markets throughout the City of Joondalup;**
- 3 parking provisions in strategic locations adjacent to hospitality business, including the provision of short term (less than an hour) free parking opportunities;**
- 4 investigating opportunities for greater City discretion to approve uses within Commercial and Industrial zones within the City of Joondalup, particularly for proponent initiatives which may have tourism potential.**

The Motion was Put and

CARRIED (12/0)

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

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**NOTICE OF MOTION – CR NIGE JONES – STRATEGIC APPROACH TO THE NEEDS OF SOCCER CLUBS WITHIN THE CITY OF JOONDALUP – [00523]**

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Jones has given notice of his intention to move the following Motion at the Council meeting to be held on 20 February 2018:

“That Council REQUESTS the Chief Executive Officer to prepare a report for Council’s consideration in 2018 which, in recognition of the success and growth of soccer in the northern corridor, considers the needs of all soccer clubs within the City of Joondalup and determines the most strategic approach whereby these needs can be met into the future which should include, but is not limited to:

- 1 the identification, in consultation with the local community, of future locations which could possibly host senior NPL as well as the full range of training and junior facility needs;***
- 2 engaging with Football West around a suitable home for Soccer within the northern corridor.”***

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 9.47pm the following Elected Members being present at that time:

MAYOR HON. ALBERT JACOB, JP
CR KERRY HOLLYWOOD
CR TOM MCLEAN, JP
CR PHILIPPA TAYLOR
CR NIGE JONES
CR CHRISTOPHER MAY
CR RUSSELL POLIWKA
CR CHRISTINE HAMILTON-PRIME
CR MIKE NORMAN
CR JOHN CHESTER
CR JOHN LOGAN
CR SOPHIE DWYER