

agenda

Ordinary Meeting of Council

NOTICE IS HEREBY GIVEN THAT THE NEXT
ORDINARY MEETING OF THE COUNCIL
OF THE CITY OF JOONDALUP WILL BE HELD IN
THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP

ON **TUESDAY 18 SEPTEMBER 2018**
COMMENCING AT **7.00pm**

DALE PAGE

Acting Chief Executive Officer
14 September 2018

www.joondalup.wa.gov.au

This document is available in alternate formats upon request

PUBLIC QUESTION TIME

Members of the public are
requested to lodge questions in
writing by 9.00am on
Monday 17 September 2018

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

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

PROCEDURES FOR PUBLIC QUESTION TIME

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

Where a meeting of a committee is open to the public the procedures for public question time and public statement time apply. In this regard these procedures are amended by substituting “Council” with “Committee” to provide proper context.

Questions asked verbally

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

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

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

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Questions asked at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 The City will accept a maximum of five written questions per City of Joondalup resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by 9.00am on the day immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at a Council meeting will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Council meeting.
- 8 A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the minutes of the Council meeting.

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

Written questions should be sent via email to council.questions@joondalup.wa.gov.au

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

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

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

CODE OF CONDUCT

Elected Members, Committee Members and City of Joondalup employees are to observe the City of Joondalup Code of Conduct including the principles and standards of behaviour that are established in the Code.

The following principles guide the behaviours of Elected Members, Committee Members and City of Joondalup employees while performing their role at the City:

- Act with reasonable care and diligence.
- Act with honesty and integrity.
- Act lawfully.
- Avoid damage to the reputation of the City.
- Be open and accountable to the public.
- Base decisions on relevant and factually correct information.
- Treat others with respect and fairness.
- Not be impaired by mind affecting substances.

Elected Members, Committee Members and employees must:

- (a) act, and be seen to act, properly and in accordance with the requirements of the law and the Code of Conduct
- (b) perform their duties impartially and in the best interests of the City uninfluenced by fear or favour
- (c) act in good faith in the interests of the City and the community
- (d) make no allegations which are improper or derogatory and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any person unwarranted offence or embarrassment
- (e) always act in accordance with their obligations to the City and in line with any relevant policies, protocols and procedures.

* *Any queries on the agenda, please contact Governance Support on 9400 4369.*

Civic Centre Emergency Procedures

The City of Joondalup values the health and safety of all visitors to City of Joondalup facilities. The following emergency procedures are in place to help make evacuation of the City of Joondalup Civic Centre safe and easy.

Alarms

The City of Joondalup emergency system has two alarm tones:

- Alert Tone (Beep... Beep... Beep)
- Evacuation Tone (Whoop...Whoop...Whoop)

On hearing the Alert Tone (Beep... Beep... Beep):

- DO NOT EVACUATE ON THIS TONE.
- Remain where you are.
- All designated Fire Wardens will respond and assess the immediate area for danger.
- Always follow instructions from the designated Fire Wardens.

On hearing the Evacuation Tone (Whoop...Whoop...Whoop):

- Evacuate the building immediately as directed by a Fire Warden or via the nearest safe exit.
- Do not use lifts.
- Remain calm and proceed to the designated Assembly Area (refer to site plan below).
- People with impaired mobility (those who cannot use the stairs unaided) should report to a Fire Warden who will arrange for their safe evacuation.
- Do not re-enter the building until authorised to do so by Emergency Services.



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LATE ITEMS / ADDITIONAL INFORMATION

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

[Additional Information180918.pdf](#)

CITY OF JOONDALUP

Notice is hereby given that a Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 18 September 2018** commencing at **7.00pm**.

DALE PAGE
Acting Chief Executive Officer
14 September 2018

Joondalup
Western Australia

VISION

“A global City: bold, creative and prosperous.”

PRIMARY VALUES

- Transparent.
- Accountable.
- Honest.
- Ethical.
- Respectful.
- Sustainable.
- Professional.

DISTINGUISHING VALUES

Bold

We will make courageous decisions for the benefit of our community and future generations.

Ambitious

We will lead with strength and conviction to achieve our vision for the City.

Innovative

We will learn and adapt for changing circumstances to ensure we are always one step ahead.

Enterprising

We will undertake ventures that forge new directions for business and the local community.

Prosperous

We will ensure our City benefits from a thriving economy built on local commercial success.

Compassionate

We will act with empathy and understanding of our community's needs and ambitions.

AGENDA

Note: Members of the public are advised that prior to the opening of the Council meeting, Mayor the Hon. Albert Jacob, JP will say a Prayer.

DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

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

Disclosures of Financial Interest

Nil.

Disclosures of interest affecting impartiality

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

Name/Position	Cr Kerry Hollywood.
Item No./Subject	CJ157-09/18 – Additional Land Use 'Place of Assembly' to Existing Educational Establishment at Lot 803 (15) Hocking Parade, Sorrento (Sacred Heart College).
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The Principal of Sacred Heart College, is known to Cr Hollywood.

Name/Position	Cr Christine Hamilton-Prime.
Item No./Subject	CJ157-09/18 – Additional Land Use 'Place of Assembly' to Existing Educational Establishment at Lot 803 (15) Hocking Parade, Sorrento (Sacred Heart College).
Nature of interest	Interest that may affect impartiality.
Extent of Interest	One of the people who gave a deputation at the Briefing Session is known to Cr Hamilton-Prime.

Name/Position	Mayor Hon. Albert Jacob, JP.
Item No./Subject	CJ164-09/18 – Invitation to Join Panel of Pre-Qualified Suppliers 012/18 for the Supply and Delivery of Tree Stock.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Jacob was previously employed by Benara Nurseries (Quito Unit Trust).

Name/Position	Ms Dale Page, Acting Chief Executive Officer.
Item No./Subject	CJ166-09/18 – Confidential – Chief Executive Officer Concluded Annual Performance Review.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Ms Page's employment relationship with the Chief Executive Officer.

Name/Position	Mr Mike Tidy, Director Corporate Services.
Item No./Subject	CJ166-09/18 – Confidential – Chief Executive Officer Concluded Annual Performance Review.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Tidy's employment relationship with the Chief Executive Officer.

Name/Position	Ms Dale Page, Acting Chief Executive Officer.
Item No./Subject	CJ167-09/18 – Confidential – Annual Salary Review – Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Ms Page's employment relationship with the Chief Executive Officer.

Name/Position	Mr Mike Tidy, Director Corporate Services.
Item No./Subject	CJ167-09/18 – Confidential – Annual Salary Review – Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Tidy's employment relationship with the Chief Executive Officer.

PUBLIC QUESTION TIME

PUBLIC STATEMENT TIME

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Sophie Dwyer	1 to 30 September 2018 inclusive;
Cr John Logan	22 to 28 September 2018 inclusive;
Mayor Albert Jacob, JP	28 September to 5 October 2018 inclusive.

CONFIRMATION OF MINUTES**MINUTES OF COUNCIL MEETING HELD ON 21 AUGUST 2018****RECOMMENDATION**

That the Minutes of the Council Meeting held on 21 August 2018 be confirmed as a true and correct record.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

- CJ166-09/18 - Confidential – Chief Executive Officer Concluded Annual Performance Review.
- CJ167-09/18 - Confidential – Annual Salary Review – Chief Executive Officer.

PETITIONS**PETITION REQUESTING A REVIEW OF DA18/0408 – CAR AND BUS BAYS NORTH SIDE OF DOVERIDGE DRIVE, DUNCRAIG – [07560, 05386]**

A 45 signature petition has been received from parents of St Stephens School requesting that Council review the proposal with respect to DA18/0408 – Car and Bus Bays north side of Doveridge Drive, Duncraig.

The petitioners raise concerns in relation to safety of students, lack of parking bays for the number of vehicles involved in setting down, picking-up students or attending school functions, vehicle movements creating a gridlock, further endangering road users and pedestrians and emergency services requiring unrestricted access.

RECOMMENDATION

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 requesting that Council review the proposal with respect to DA18/0408 – Car and Bus Bays north side of Doveridge Drive, Duncraig.**

REPORTS**CJ156-09/18 DEVELOPMENT AND SUBDIVISION APPLICATIONS
– JULY 2018**

WARD	All			
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development			
FILE NUMBER	07032, 101515			
ATTACHMENT	Attachment 1	Monthly Development Determined – July 2018	Applications	
	Attachment 2	Monthly Subdivision Processed – July 2018	Applications	
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 July 2018.

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 July 2018 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during July 2018 (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 July 2018 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	9	46
Strata subdivision applications	16	10
TOTAL	25	56

Of the 25 subdivision referrals 16 were to subdivide in housing opportunity areas, with the potential for 29 additional lots.

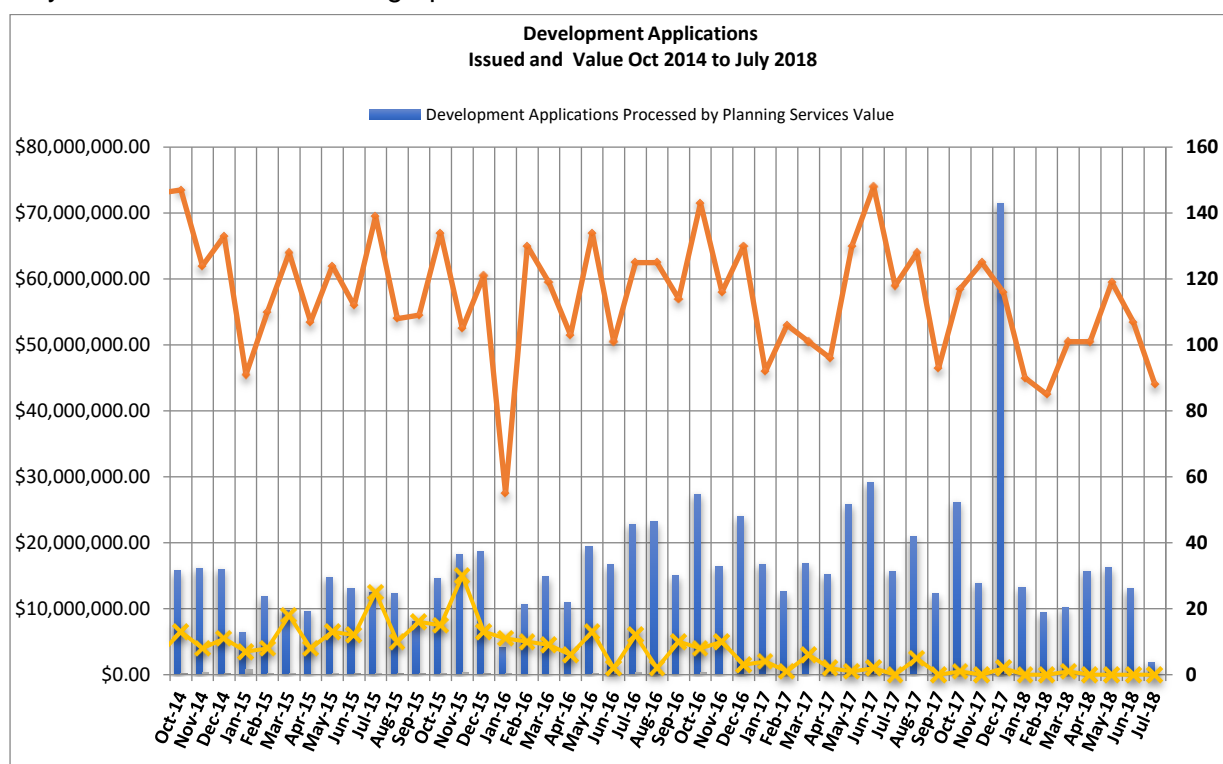
Development applications

The number of development applications determined under delegated authority during July 2018 is shown in the table below:

Type of development application	Number	Value (\$)
Development applications processed by Planning Services	88	\$ 19,094,522
Development applications processed by Building Services	0	0
TOTAL	88	\$ 19,094,522

Of the 88 development applications, 10 were for new dwelling developments in housing opportunity areas, proposing a total of 21 additional dwellings.

The total number and value of development applications determined between July 2014 and July 2018 is illustrated in the graph below:



The number of development applications received during July was 97. (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 July was 236. Of these, 42 were pending further information from applicants and 25 were being advertised for public comment.

In addition to the above, 233 building permits were issued during the month of June with an estimated construction value of \$23,989,897.

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.
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Objective	Quality built outcomes.
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Strategic initiative	Buildings and landscaping is suitable for the immediate environment and reflect community values.
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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.
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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 88 development applications were determined for the month of July with a total amount of \$59,187 received as application fees.

All figures quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Consultation may be required by the provisions of the R-Codes, any relevant policy and/or DPS2 and the Regulations.

COMMENT

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

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

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

- 1 development applications described in Attachment 1 to Report CJ156-09/18 during July 2018;**
- 2 subdivision applications described in Attachment 2 to Report CJ156-09/18 during July 2018.**

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf180911.pdf](#)

Disclosures of interest affecting impartiality

Name/Position	Cr Kerry Hollywood.
Item No./Subject	CJ157-09/18 – Additional Land Use ‘Place of Assembly’ to Existing Educational Establishment at Lot 803 (15) Hocking Parade, Sorrento (Sacred Heart College).
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The Principal of Sacred Heart College, is known to Cr Hollywood.

Name/Position	Cr Christine Hamilton-Prime.
Item No./Subject	CJ157-09/18 – Additional Land Use ‘Place of Assembly’ to Existing Educational Establishment at Lot 803 (15) Hocking Parade, Sorrento (Sacred Heart College).
Nature of interest	Interest that may affect impartiality.
Extent of Interest	One of the people who gave a deputation at the Briefing Session is known to Cr Hamilton-Prime.

CJ157-09/18 ADDITIONAL LAND USE ‘PLACE OF ASSEMBLY’ TO EXISTING EDUCATIONAL ESTABLISHMENT AT LOT 803 (15) HOCKING PARADE, SORRENTO (SACRED HEART COLLEGE)

WARD	South-West
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	06044, 101515
ATTACHMENT	Attachment 1 Location plan Attachment 2 Development plans Attachment 3 Event management plan
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 determine an application for an additional land use ‘Place of Assembly’ to the existing ‘Educational Establishment’ (Sacred Heart College) at Lot 803 (15) Hocking Parade, Sorrento.

EXECUTIVE SUMMARY

At its meeting held on 13 May 2008 (CJ081-05/08 refers), Council approved an application for an auditorium and classroom additions at the subject site. Condition (d) of that approval stipulates that:

The development shall not be used for non-college, non-community, or commercial purposes without the prior written approval from the City.

The Metro North-West Joint Development Assessment Panel (JDAP), at its meeting held on 22 January 2015, granted development approval for a new gymnasium at the subject site. Condition 4 of that approval stipulates that:

The development shall only be used for college, or school community purposes. It shall not be used for any other purposes, including commercial purposes without the prior planning approval of the City.

Both developments are now completed and form part of the existing 'Educational Establishment' use at the site.

The applicant now seeks approval for the additional land use 'Place of Assembly' to allow for selective hiring of the buildings to non-college third parties and non-immediate community parties outside of school hours, including weekends.

Under the City's *District Planning Scheme No. 2 (DPS2)*, the car parking standard for 'Place of Assembly' is one per four persons accommodated. Based on the maximum number of persons accommodated being 586, a total of 146.5 (147) car bays are required. The site currently has a total of 139 car bays. Excluding the 34 bays accessible from Bahama Close which are not intended to be used during non-college events, the total number of available bays is reduced to 105. This results in a 42 car bay shortfall (28.6%). As the shortfall is greater than 10%, the application is required to be determined by Council.

The City initially advertised the application to surrounding landowners for a period of 14 days from 3 July to 17 July 2017. A total of 75 submissions were received, being 75 objections. Following receipt of an Event Management Plan, the application was readvertised to a wider catchment for a period of 14 days from 3 August to 17 August 2018. A total of 114 submissions were received, being 94 objections and 20 non-objections.

Given the proposed management measures, proposed conditions of approval to manage issues of concern and given that overflow parking is available on the school oval, it is considered that the additional land use at the site can be accommodated without significant impacts on surrounding residents.

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

BACKGROUND

Suburb/Location	Lot 803 (15) Hocking Parade, Sorrento.
Applicant	Sacred Heart College.
Owner	Roman Catholic Archbishop of Western Australia.
Zoning	DPS Private Clubs/Recreation.
	MRS Urban.
Site area	7.947 hectares.
Structure plan	Not applicable.

The subject site is zoned 'Private Clubs/Recreation' under DPS2. Sacred Heart College is an existing secondary school, established in 1966.

The site is bound by West Coast Drive to the west with Sorrento Beach Park and associated car parking in close proximity. The Sorrento Sunset Estate development is located to the south and existing residential development is located to the north and east (Attachment 1 refers). The residential land surrounding the development site has a density code of R20.

In 2008 approval was granted for the performing arts building. In addition to accommodating an auditorium the building includes 10 general purpose classrooms and multiple dance and music practice rooms (CJ081-05/08 refers). As a condition of this approval the use of the auditorium was limited to college or college community use. It was not permitted to be used for commercial purposes without further approval from the City.

In 2013 approval was sought for a two-storey detached addition which included classrooms and a gymnasium. Due to the estimated cost of works the application was required to be determined by the North West Joint Development Assessment Panel (JDAP). Initially the proposal was not supported by the JDAP and the proposal was refused in June 2014 due to the height and location of the building and the impact on the landowners adjoining the northern boundary of the school.

A review of the JDAP decision was sought through the State Administrative Tribunal (SAT). Through the review, the proposal was modified and approval was granted in September 2014. A further review of the conditions of approval was sought through SAT and subsequent approval was granted in January 2015.

This approval also included a condition stating the gymnasium building could only be used for college or school community purposes, unless further planning approval was sought.

In 2017, the City was approached by the applicant to allow for selective hiring of the performing arts building and gymnasium to non-college third parties and non-immediate community groups outside of school hours, including weekends. A development application was subsequently lodged with the City for consideration. Under DPS2, the land use 'Place of Assembly' is a discretionary ("D") use within the 'Private Clubs/Recreation' zone.

At its meeting held on 27 June 2017 (CJ089-06/17 refers), after formal consideration and consultation, Council resolved to adopt *Local Planning Scheme No. 3* (LPS3) and refer it to the Western Australian Planning Commission (WAPC) for consideration. Under LPS3, the land use 'Place of Assembly' has been removed. The hiring of the auditorium and gymnasium for non-college purposes will now be captured under the use 'Community Purpose', which is a permitted ("P") use for the site under the zoning table.

At its meeting held on 18 April 2017 (CJ060-04/17 refers), Council resolved to proceed with the *Private Clubs, Institutions and Places of Worship Zone Local Planning Policy*. The policy comes into effect once published in the local newspaper, upon gazettal of LPS3. Under this policy the car parking standard for 'Community Purpose' is one bay per 50m². Based on this standard, the proposed use would require a total of 81.6 (82) bays, being 41.4 (42) bays for the performing arts building and 40.2 (41) bays for the gymnasium.

DETAILS

The applicant seeks approval for the additional land use 'Place of Assembly' to an existing 'Educational Establishment'. It is proposed that the 'Place of Assembly' will apply to the recently constructed gymnasium and the existing performing arts building only. It is not proposed to apply to any other part of the school.

It is intended that the facilities will be hired out to select groups outside of school hours, including weekends. The school anticipates that this may include hiring for dance schools, choirs, musical productions, speakers, art displays and sporting clubs. The intent is to operate the gymnasium and the auditorium in the performing arts building at separate times. Should both buildings be hired simultaneously a maximum number of 586 persons is proposed, effectively being 556 persons within the auditorium and an additional 30 persons in the gymnasium.

Land use

The land use 'Place of Assembly' is a discretionary ("D") use under DPS2 in the 'Private Clubs/Recreation' zone. Under clause 3.9 of DPS2, the 'Private Clubs/Recreation' zone aims to "accommodate uses such as private golf clubs, private educational, institutional and recreational activities."

While the development is located adjoining low density residential properties, the subject area is located within a well-established locale with Sorrento Surf Club, Hillarys Marina and Sorrento Plaza all within close proximity to the site. When considering the compatibility of the use in relation to adjoining land or land within the vicinity, and in the context of the subject site's existing function, the use is considered to be in keeping with the amenity of the locality. In addition, the land use is proposed to operate within buildings specifically designed for such activities.

Car parking

The following table sets out the car parking requirements based on how the applicant intends to operate the land use. Under DPS2, the car parking standard for 'Place of Assembly' is one per four persons accommodated:

	Maximum Persons accommodated	Car Parking Required	Car Parking Shortfall (total 105 bays)
Gymnasium	500	125 bays	20 bays (16%)
Performing Arts Building	556	139 bays	34 bays (24.5%)
Gymnasium and Performing Arts Building	586	146.5 (147) bays	42 bays (28.6%)

It is understood that the 'Place of Assembly' use will only occur outside of school hours. The school currently has 139 car bays, with 34 of those being within the car parks adjacent to the northern boundary, accessible from Bahama Close. The applicant proposes to exclude these bays to non-college events, reducing the overall number of available bays to 105.

The applicant has prepared an Events Management Plan (EMP) (Attachment 3 refers) to support the proposed development, which sets out how the school will manage the 'Place of Assembly' use at the site. To ensure sufficient parking is provided to cater for non-college events, where full capacity is likely, the school proposes to allow for overflow parking on the school oval grounds with parking attendants to be provided by the school to direct traffic where necessary. Parking within the adjoining public car parks on West Coast Drive is not encouraged by the school, however, the City notes that a 26 car bay public car park does adjoin the western boundary of the college. Given the ability to easily access additional parking on the oval and within adjoining public car parks if required, it is considered that there is adequate parking to support the proposed additional use.

Furthermore, it is noted that under draft LPS3, the use would require a total of 81.6 (82) bays for both buildings based on the car parking standard of one bay per 50m² NLA as contained within the draft *Private Clubs, Institutions and Places of Worship Zone Local Planning Policy*. This would result in a surplus of 23 bays, excluding those bays accessible from Bahama Close.

Traffic

Concerns have been raised from residents within the vicinity of the school that events such as those proposed have in the past generated a large volume of traffic on the nearby road network. Residents have expressed concerns that a recent event held out of school hours resulted in parking and traffic issues in nearby streets.

The applicant has engaged the services of a traffic consultant who has provided a statement evaluating the potential impact on the road network based on the maximum numbers proposed. The statement indicates that the road network can accommodate the 'Place of Assembly' with minimal disruption. The traffic statement does however recommend that where events are expected to reach capacity, a Travel Management Plan (TMP) be implemented. The statement advises that the TMP should encourage alternative modes of transport, use of the West Coast Drive entry point, traffic wardens, overflow parking on the playing fields, directing cars leaving via West Coast Drive and Hocking Parade to exit via a left-turn, signage and distribution of the TMP to patrons prior to the event.

Given the nature of the locality, it is considered that the TMP be approved by the City prior to any further non-college events being held within the buildings where the number of persons is expected to exceed 420, being the maximum number of persons a 105-bay carpark can accommodate (under the DPS2 car parking standard).

Hours of operation

Appendix 5 of the EMP sets out the hours both facilities will be available for hire for non-college events. The below table summarises the proposed hours:

	Monday- Friday School term	Monday – Friday School holidays	Saturday - Sunday
Gymnasium	4.30pm – 8.00	9.00am – 8.00pm	9.00am – 8.00pm
Performing Arts Building	4.30pm – 9:30	9.00am – 9.30pm	9.00am – 9.30pm

A number of concerns have been raised from adjoining and nearby properties that the proposed hours of operation, in particular on weekends, is excessive and does not factor in the residential nature of the area adjoining the site. The hours proposed are not intended to provide for bookings every evening and weekend, but to provide the college with flexibility for those looking to hire out the facilities. The school has advised that given first priority is given to school events, hiring of the buildings for capacity events is unlikely to occur more than 25 times per year.

Noting that the subject site does adjoin residential properties, the City has considered the proposed hours of operation in the context of compatibility with the surrounding area. To this effect and to ensure residential amenity is not unduly impacted, it is recommended that, in the instance of approval, a condition be imposed requiring that the use of both buildings cease by 5.00pm on Sundays. The City considers that it is not unreasonable to allow the buildings to operate within all other hours proposed given the ability for parking, traffic and noise to be appropriately managed.

Noise

Recent complaints have been received by the City regarding noise from an after-hours event held by the school within the gymnasium. It is noted that the gymnasium, if hired for large events other than sporting purposes, currently may not be able to comply with the relevant *Environmental Protection (Noise) Regulations 1997* (noise regulations) for larger non-sporting events. The performing arts building has been designed to sufficiently attenuate sound and the City is not aware of any noise complaints in the ten years since its approval.

In order to ensure compliance and minimal disruption to adjoining and nearby residential properties, should the application be approved, it is recommended that a condition of approval require the submission of an acoustic report for the gymnasium only. The report shall demonstrate that all functions and activities within the building will comply with the relevant noise regulations prior to any non-college event being held. The findings and recommendations of the acoustic report shall be implemented and adhered to prior to such an event taking place.

Liquor Licencing

The nature of the proposed land use and the potential for liquor licences to be obtained from the Department of Racing, Gaming and Liquor for non-college events has also raised concerns with adjoining land owners. Wary of the implications of liquor being made available and concerns that such events may result in antisocial behaviour in the area, many submitters have objected to alcohol being present.

The EMP sets out that no alcohol is permitted into the venues without the prior approval of the school and where approved, the appropriate liquor licences being sought. The Department of Racing, Gaming and Liquor will assess any applications made for a liquor licence and event organisers will be responsible for ensuring that the conditions of the approval are met.

Issues and options considered

Council may determine an application for development approval by:

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

Legislation / Strategic Community Plan / policy implications

Legislation *City of Joondalup District Planning Scheme No.2 (DPS2). Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

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

Policy Draft *Private Clubs, Institutions and Places of Worship Zone Local Planning Policy*.

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

Clause 3.9 of DPS2 sets out the objective for development within the 'Private Clubs/Recreation' zone:

3.9 THE PRIVATE CLUBS/RECREATION ZONE

The objective of the Private Clubs/Recreation Zone is to accommodate uses such as private golf clubs, private educational, institutional and recreational activities.

Clause 4.5 of DPS2 allows for certain standards and requirements of the scheme to be varied by Council:

4.5 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

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

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

- (a) *consult the affected parties by following one or more of the provisions for advertising uses pursuant to clause 64 of the deemed provisions and*
- (b) *have regard to any expressed views prior to making its decision to grant the variation.*

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

- (a) *approval of the proposed development would be appropriate having regard to the criteria set out in Clause 67 of the deemed provisions; and*
- (b) *the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

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

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

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

- (a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*

- (b) *the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or. any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) *any approved State planning policy;*
- (d) *any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) *any policy of the Commission;*
- (f) *any policy of the State;*
- (g) *any local planning policy for the Scheme area;*
- (h) *any structure plan, activity centre plan or local development plan that relates to the development;*
- (i) *any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*
- (j) *in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (k) *the built heritage conservation of any place that is of cultural significance;*
- (l) *the effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following -*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality;*
 - (iii) *social impacts of the development;*
- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*

- (s) *the adequacy of -*
 - (i) *the proposed means of access to and egress from the site; and*
 - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *the availability and adequacy for the development of the following -*
 - (i) *public transport services;*
 - (ii) *public utility services;*
 - (iii) *storage, management and collection of waste;*
 - (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
 - (v) *access by older people and people with disability;*
- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*
- (w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate.*

Risk management considerations

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

Financial / budget implications

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

Regional significance

Not applicable.

Sustainability implications

Not applicable.

As the development is for a change of use only, that involves no external additions, the City's *Environmentally Sustainable Design Checklist* was not required to be completed by the applicant.

It is noted however that there are advantages to having the college facilities available for use by other community groups or organisations rather than having these facilities underutilised or duplicated elsewhere.

Consultation

The application was advertised for 14 days concluding 17 July 2017 by way of letters to nearby owners and occupiers.

75 submissions were received being 75 letters of objection.

The comments received in objection to the development are summarised as follows:

- The proposed use is not appropriate for a residential area and there are plenty of other facilities elsewhere in the area to accommodate these events.
- Parking and traffic is already unbearable during normal school periods and on evenings and weekends when events are held. This will only make the situation worse and it will occur seven days a week.
- Currently experiencing antisocial behaviour from visitors to the school for events including verbal abuse and burnouts.
- The school leases the buildings for use but does not supervise the events or control parking or traffic.
- Events are currently held until 10.30pm on week nights and weekends with noise from the music and the PA as well as from people leaving the events.
- The increase in the number and frequency of the events and the number of patrons will impact on the residential amenity and affect the health and wellbeing of the residents.

Following consultation, the City relayed a summary of the concerns raised to the applicant. To assist in alleviating these issues, an EMP was prepared by the College.

It was also identified, from some submissions received, that some submitters were concerned that the extent of consultation undertaken by the City on this proposal was not adequate.

Subsequently, the application was readvertised for a period of 14 days, concluding on 17 August 2018, by way of letters to 288 nearby owners and occupiers. 227 of these were not included in the initial consultation. The development plans and EMP were also made available on the City's website.

One hundred and fourteen (114) submissions were received during this consultation, being 94 objections and 20 submissions of non-objection. Three submissions were received outside of the consultation period but have been included in the overall count and comments taken into consideration.

The comments received during this period were consistent with the initial comments summarised, with the following additional concerns noted:

- The EMP does not provide any reassurance that the use will not detrimentally impact the neighbourhood, it will not be adhered to and may become lost in time as staff change both at the City and at the college.
- There should be a respite period from the traffic, parking and associated noise of the school.
- Recent non-college events held at the site resulted in traffic chaos and parking on surrounding streets and footpaths.

- A review of the EMP and the use after 24 months is too long.
- Light spill from the gymnasium is still a problem.

Those who provided a submission in favour of the proposal commented that:

- extending the use to include non-college events was a positive community minded step
- it makes good business sense to not duplicate facilities elsewhere
- it allows local groups to avail themselves to local state of the art facilities.

The City's response to the concerns raised are summarised below:

- *The proposed use is not appropriate for a residential area and there are plenty of other facilities elsewhere in the area to accommodate these events.*

While the adjoining properties to the north, south and east are zoned residential, the subject site is zoned 'Private Clubs/Recreation'. Commercial and recreational land uses are located within close proximity to the site, as such the land use is not out of context with the immediate locality.

The City is not aware of any other facilities within the locality or outside of a school site, that provide for large scale auditoriums that can hold events such as those proposed (dance concerts, choirs and the like). Further, the Minister for Sport and Recreation - March 2018 sector briefing outlined one of the priorities of the Cabinet was to allow for greater community access to sporting facilities in schools, out of hours.

- *Parking and traffic is already unbearable during normal school periods and on evenings and weekends when events are held. This will only make the situation worse and it will occur seven days a week.*

The applicant has had the proposal reviewed by a traffic consultant. In order to ensure that traffic and parking is appropriately managed, it is recommended that a TMP be prepared and approved by the City for events where overflow parking will be required. The applicant has, in addition, indicated that given that first priority is given to school events and that large scale events are unlikely to occur at a frequency greater than 25 per year.

Rangers will continue to monitor parking during peak school periods as requested.

- *Currently experiencing antisocial behaviour from visitors to the school for events including verbal abuse and burnouts.*

The EMP indicates that prior to the external hire an informed assessment of all possible risks will be undertaken. This assessment will inform the type and level of security required and possible security concerns. Events subject to a liquor licence will be required to ensure they comply with the responsible service of alcohol requirements.

- *The school leases the buildings for use but does not supervise the events or control parking or traffic.*

The EMP is considered to suitably address the management of the events. Meetings to be held at the planning stage of the events, immediately prior and after will all assist in ensuring minimal disruption to adjoining properties. The school proposes to provide parking attendants for larger events to ensure parking and traffic is appropriately managed.

- *Events are currently held until 10.30pm on week nights and weekends with noise from the music and the PA as well as from people leaving the events.*

The applicant proposes for evening events to run to 8.00pm within the gymnasium and 9.30pm within the performing arts building. The auditorium has been designed to attenuate sound and as such the City would not expect any noise concerns to arise from the use of this building. As outlined within the details section of this report, should the application be supported, a condition of approval is recommended requiring the submission of an acoustic report that demonstrates both buildings are able to comply with the noise regulations.

The City understands that for a short period of time noise from people leaving events may be experienced. However, it is unlikely that such noise would result in non-compliance with the noise regulations.

- *The increase in the number and frequency of the events and the number of patrons will impact on the residential amenity and affect the health and wellbeing of the residents.*

Non-college events are required to be scheduled around school events and, as such, the frequency of large scale external events will be minimal. The number of patrons proposed by the applicant is less than the building capacity allows for and sufficient parking has been demonstrated as being able to be provided for the use.

- *The EMP does not provide any reassurance that the use will not detrimentally impact neighbourhood, it will not be adhered to and may become lost in time as staff change both at the City and at the college.*

The EMP has been designed to ensure that non-college events held outside of school hours are appropriately managed. The applicant will be required to comply with the provisions of the EMP and additional conditions of approval will assist in ensuring the impact of the use is mitigated. A condition of approval requiring a review of the EMP and further approval in 24 months will allow sufficient time for both the applicant and the City to determine and consider amenity impacts and any modifications required to the EMP, if the use is to be further approved.

- *The EMP does not provide any reassurance that the use will not detrimentally impact neighbourhood, it will not be adhered to and may become lost in time as staff change both at the City and at the college.*

A condition of approval would require compliance with the main elements of the EMP, with no changes permitted without prior approval from the City. A condition of approval remains applicable for the lifetime of that approval unless an application is submitted seeking to vary or remove that condition.

- *There should be a respite period from the traffic, parking and associated noise of the school.*

The applicant has indicated that larger events are likely to occur at a frequency of 25 times per year. It is not the intent of the applicant to hire out the facilities to large events every weekend and evening and as such there is likely to be periods of respite. The City does however recommend that the use of both facilities cease by 5.00pm on Sundays.

- *Recent non-college events held at the site resulted in traffic chaos and parking on surrounding streets and footpaths.*

The City is aware of a recent non-college event held at the school that resulted in complaints being made to the City. The complaints largely related to noise and traffic. It is considered that the EMP will assist in better management of these events including the need for a travel management plan. A condition requiring the submission of and compliance with an acoustic report should ensure that noise complaints are resolved.

- *A review of the EMP and the use after 24 months is too long.*

In considering an appropriate amount of time for approval, the City took into account the statutory timeframes of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). It is likely that a further application would be the subject of a 90-day assessment period. Should the City apply a 12-month approval of the use, the applicant would be required to lodge a new application for consideration by the City in nine months. A nine-month timeframe is not considered a sufficient amount of time to allow both the College and the City to monitor any impacts or issues from the operation of the use. A period of 24 months will allow the College to address relevant conditions of approval and resolve any early issues as they arise.

- *Light spill from the gymnasium is still a problem.*

In late 2017, the City liaised with the College in relation to complaints received regarding light spill from the gymnasium. The College was able to modify the lighting to reduce the amount of light spill. The City is satisfied that the College addressed the concerns raised, with no further complaints received.

COMMENT

As outlined above, it is considered that the proposed additional land use 'Place of Assembly' meets the objectives and requirements of the *District Planning Scheme No. 2* and Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The City is satisfied that through the EMP and conditions of approval, the development will be able to be appropriately managed to ensure impacts on adjoining properties is minimised.

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

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 16 May 2017 submitted by Sacred Heart College, for a Place of Assembly to the existing Educational Establishment at Lot 803 (15) Hocking Parade, Sorrento, subject to the following conditions:

- 1 this approval is for 'Place of Assembly' as defined under the *City of Joondalup District Planning Scheme No. 2* and relates only to the performing arts building and gymnasium;
- 2 the development shall be carried out in accordance with the Sacred Heart College Policy for Non College Use of Theatre and Gymnasium (Event Management Plan) dated July 2018. The following parts of the Event Management Plan shall not be altered without further approval from the City of Joondalup:
 - 2.1 4.4 Transport;
 - 2.2 4.9 Entry and Exit Details;
 - 2.3 Appendix 5 – Schedule of potential start and finish times, days and maximum numbers,and modifications to other parts of the Event Management Plan do not require further approval from the City;
- 3 Appendix 5 of the Event Management Plan shall be modified to ensure that events within the performing arts building and gymnasium cease by 5.00pm on Sundays;
- 4 further to condition 3, the maximum number of persons accommodated and hours of use within the performing arts building and gymnasium shall be in accordance with Appendix 5 of the Event Management Plan;
- 5 delivery and collection of equipment associated with non-college events within the performing arts building shall cease by 10.30pm and by 9.00pm within the gymnasium;
- 6 the applicant is required to submit an acoustic report, demonstrating that all functions and activities within the gymnasium will comply with the provisions of the *Environmental Protection (Noise) Regulations 1997*. The acoustic report shall consider the installation of sound equipment to manage noise, restrictions on sound equipment supplied by external users and preventing breakout noise;
- 7 a travel management plan shall be submitted to and approved by the City prior to the first non-college event exceeding 420 persons;
- 8 the gates to the car park located at the northern boundary of the site and accessible from Bahama Close shall be closed for the duration of non-school events with no parking for non-school events permitted within this car park;
- 9 the approval period for the 'Place of Assembly' is limited to 24 months from the date of this decision in accordance with clause 72 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf180911.pdf](#)

CJ158-09/18 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Acting Chief Executive Officer
FILE NUMBER	15876, 101515
ATTACHMENT	Attachment 1 Documents executed by affixing the Common Seal during the period 7 August to 28 August 2018
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 7 August 2018 to 28 August 2018.

EXECUTIVE SUMMARY

The City enters into various agreements by affixing its Common Seal. The *Local Government Act 1995* states that the City is a body corporate with perpetual succession and a Common Seal. Those documents that are to be executed by affixing the Common Seal or signed by the Mayor and the Chief Executive Officer are reported to Council for information on a regular basis.

It is therefore recommended that Council NOTES the Schedule of Documents executed by means of affixing the Common seal for the period 7 August 2018 to 28 August 2018, as detailed in Attachment 1 to Report CJ158-09/18.

BACKGROUND

For the period 7 August 2018 to 28 August 2018, six documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Caveat	1
Local Planning Scheme No. 3	1
Section 70A Notification	2
Waste Amendment Local Law 2018	1
Withdrawal of Caveat	1

DETAILS

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 implicationsCurrent financial year impact

Not applicable.

Future financial year impact

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 7 August 2018 to 28 August 2018, as detailed in Attachment 1 to Report CJ158-09/18.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf180911.pdf](#)

CJ159-09/18 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 August 2018
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 August 2018, 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.

RECOMMENDATION**That Council NOTES:**

- 1 the status of outstanding petitions submitted to Council during the period 16 August 2016 to 21 August 2018, forming Attachment 1 to Report CJ159-09/18;**
- 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* that will commence once *Local Planning Scheme No. 3* has been endorsed by the Western Australian Planning Commission;**
- 3 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:**

- 3.1** 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;
- 3.2** establish safe, secure and accessible equipment storage for groups along with a dedicated, City supplied, equipment library to supply (free of charge) key equipment;
- 3.3** the City of Joondalup to have a professional Performing Arts and Cultural team that will:
 - 3.3.1** act as the production and support for all suburbs with activities being centralised;
 - 3.3.2** support all groups with fundraising applications, professional PR and memberships;
 - 3.3.3** 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;
 - 3.3.4** raise cross-cultural understanding and accessibility for families / disadvantaged groups;
- 3.4** 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 after Council has considered the outcome of the review of the Joondalup Performing Arts and Cultural Facility project;

- 4** in relation to the petition requesting permission from the State Administrative Tribunal to advertise any amended proposal in regards to the proposed multiple dwelling development at 1 and 3 Chipala Court, Edgewater for public comment prior to the City of Joondalup establishing a position on the proposed revision, a report was presented to Council at its meeting held on 21 August 2018 (CJ130-08/18 refers);
- 5** in relation to the petition requesting a skate park facility be built at Chichester Park, Woodvale, the City is currently investigating suitable locations in parallel to the development of an overall skate strategy for the City of Joondalup, it is anticipated that a draft strategy report will be tabled at a future Council meeting outlining priorities for future BMX locations and provision. A skate park at Chichester Park will be considered in the context of the overall strategy;
- 6** in relation to the petition requesting an upgrade to Sycamore Park, Duncraig covering the following:
 - 6.1** a new integrated playground / nature play space concept focusing on the play needs of children aged 0-12 years (medium size combination play unit, double swing set, senior and junior seats and other play equipment);

6.2 the needs of their parents and caregivers when visiting the park / playground;

6.3 a path system connecting the park to the amenities, as well as upgraded turf and flora maintenance to reduce the water wastage (natural mulch, native underplanting and turf improvement),

it is anticipated that a report will be presented to Council at its meeting to be held on 18 September 2018;

7 in relation to the petition requesting that Council protects and retains the residential amenity of the housing opportunity area of Edgewater by reinstating the residential coding decision made by Council at its meeting held on 15 February 2011 which was recommended by the City's planning staff and the planning consultant engaged to undertake the housing opportunity area review, a report was presented to Council at its meeting held on 26 June 2018 (CJ091-06/18 refers);

8 in relation to the petition requesting the waiver of fees of \$9,754 for the Greenwood Tennis Club 2017-18 junior member court fees, a report was presented to Council at its meeting held on 17 July 2018 (CJ123-07/18 refers);

9 in relation to the petition requesting the waiver of hall hire fees of \$10,000 for the Fitness 50 Club located at Fleur Freame Pavilion, a report was presented to Council at its meeting held on 17 July 2018 (CJ123-07/18 refers);

10 in relation to the petition requesting that Council changes the designation of Central Park (which currently prohibits dogs whether on or off the lead) to allow for dogs on leads to be allowed to enter the park within the active areas and along its pathways, it is anticipated that a report will be presented to Council at its meeting to be held on 16 October 2018;

11 in relation to the petition requesting an interim measure/amendment for Housing Opportunity Area No. 8 to be zoned as R20/R30 and limited to a maximum duplex and triplex development consistent with the zoning and provisions as originally consulted upon in 2010 immediately:

11.1 Council, at its meeting held on 26 June 2018 (CJ091-06/18 refers), resolved to advise the Minister for Planning that no new ad hoc scheme amendments for Housing Opportunity Areas or parts of Housing Opportunity Areas will be initiated by Council, as Council has decided to pursue a more strategic approach to implementing and managing density across all its Housing Opportunity Areas;

11.2 the lead petitioner will be advised accordingly;

12 in relation to the petition requesting an interim measure/amendment for Housing Opportunity Area No. 5 (the area bounded by Dampier and Whitfords Avenue, Castlecrag Drive and Northwood Way, also known as Northshore, Kallaroo) to be zoned as R20/R30 and limited to a maximum duplex and triplex development consistent with the zoning and provisions as originally consulted upon in 2010 immediately:

- 12.1 Council, at its meeting held on 26 June 2018 (CJ091-06/18 refers) resolved to advise the Minister for Planning that no new ad hoc scheme amendments for Housing Opportunity Areas or parts of Housing Opportunity Areas will be initiated by Council, as Council has decided to pursue a more strategic approach to implementing and managing density across all its Housing Opportunity Areas;**
- 12.2 the lead petitioner will be advised accordingly;**
- 13 in relation to the petition requesting the refusal of the planning application for a proposed Child Care Centre at Lot 703 (50) Marri Road, Duncraig, the City is currently assessing a revised proposal and a report will be presented to a future Council meeting;**
- 14 in relation to the petition requesting that Council amends the terms of reference of the Edgewater Quarry Community Reference Group (EQCRG) to permit at least one ratepayer or resident of Jasper Way, Edgewater to be included in the membership of the EQCRG:**
- 14.1 Council, at its meeting held on 15 May 2018 (CJ075-05/18 refers) appointed 20 community members to the Edgewater Quarry Community Reference Group following a community expressions of interest process;**
- 14.2 the lead petitioner be advised accordingly;**
- 15 in relation to the petition requesting that Council installs a ‘No Standing Zone’ on the village side of Beddi Road for 15 metres either side of the centre point of the driveway to Trinity Village in an attempt to facilitate safer egress from the village, it is anticipated that a report will be presented to Council at its meeting to be held on 16 October 2018;**
- 16 in relation to the petition requesting the installation of a BMX dirt track at Kallaroo Park, it is anticipated that a draft strategy report will be tabled at a future Council meeting outlining priorities for future BMX locations and provision. A BMX track at Kallaroo Park will be considered in the context of the overall strategy.**

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf180911.pdf](#)

CJ160-09/18 MINUTES OF EXTERNAL COMMITTEES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	00033, 101515
ATTACHMENT	Attachment 1 Minutes of WALGA Annual General Meeting held on 1 August 2018 Attachment 2 Minutes of the Tamala Park Regional Council Ordinary Meeting of Council held on 16 August 2018
	<i>(Please note: These minutes are only available electronically).</i>
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the minutes of various bodies on which the City has current representation.

EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of WALGA Annual General Meeting held on 1 August 2018.
- Minutes of Tamala Park Regional Council Ordinary Meeting of Council held on 16 August 2018.

DETAILS

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

WALGA Annual General Meeting – 1 August 2018

The Annual General Meeting of WALGA was held on 1 August 2018.

At the time of this meeting Cr Russ Fishwick JP and Cr Nige Jones were Council's representatives at the Annual General Meeting.

For the information of Council, the following matters of interest to the City of Joondalup were resolved at the Annual General Meeting:

2.0 Adoption of President's Annual Report

That the President's Annual Report for 2017/2018 be received.

CARRIED

3.0 WALGA 2017/2018 Financial Statements

That the WALGA Financial Statements for 2017/2018 be received.

CARRIED

4.0 Consideration of Executive and Member Motions

4.1 Proposal to Amend the Association Constitution

1. That Clause 18 and Clause 19 of the Association Constitution be amended as follows:

- I. Clause 18, sub-clause (1) be amended with the addition of the underlined words, as follows:

- (1) Following determination of the election of the President pursuant to clause 17 of this Constitution, the State Council shall elect a Deputy President from amongst its metropolitan and country representatives, provided the Deputy President represents the alternate constituency to the President elected pursuant to clause 17.

- II. Clause 19 be amended with the addition of the underlined words and the deletion of the strikethrough words, as follows:

- (1) If the office of the President becomes vacant or if for any other reason the President is unable to take or hold office at a period which exceeds six months from the date of the next scheduled election for that office, then the State Council shall meet to elect from among their number a President who, subject to this Constitution shall hold the office of President for the balance of the term of the President replaced.

- (2) Where a vacancy occurs in the office of President at a period which is six months or less from the date of the next scheduled election for that office, the State Council may convene a meeting to elect from among their number a President who, subject to this Constitution, shall hold the office of President for the balance of the term of the President replaced, or the State Council may in its discretion, determine that the vacancy be filled by the Deputy President until the date of the next scheduled election.

- (3) An election pursuant to sub-clause 19(1) or sub-clause 19(2) shall cause the office of Deputy President to be declared vacant immediately prior to the conduct of the election.

~~(4)~~ Following an election pursuant to sub-clause 19(1) or sub-clause 19(2) an election pursuant to Clause 19(5) will be conducted for the office of Deputy President from amongst representatives of the alternate constituency to that of the President just elected.

~~(3)~~(5) If the office of Deputy President becomes vacant or if for any other reason the Deputy President is unable to take or hold office, then the State Council shall meet to elect from among their number a Deputy President who shall hold the office for the balance of the term of the Deputy President replaced, provided the Deputy President represents the alternate constituency to that of the President.

~~(4)~~(6) A State Council representative elected to fill a vacancy of President or Deputy President pursuant to clause 48 19 shall still be eligible for election to a subsequent two (2) full consecutive terms.

2. That Clause 17A – Rotation of Presidency be added to the Association Constitution, as follows:

17A – Rotation of Presidency

1. At an election for the position of President conducted under sub-clause 17(2), only the incumbent President, subject to complying with sub-clause 17(5), or State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.
2. At an election for the position of President conducted under Clause 19, only State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.
3. That Clause 20 of the Association Constitution be amended with the addition of the underlined words as follows:

A person shall cease or be disqualified from being a representative or deputy representative on the State Council, or from being President or Deputy President of the Association, or from attending State Council in an ex-officio capacity, if that person:
4. That sub-clause 20(j) of the Association Constitution be amended with the addition of the underlined words and the deletion of the strikethrough words as follows:

(j) Is a Councillor that has been suspended by the Minister for Local Government under Part 8 of an Ordinary Member that has been ~~peremptorily suspended under Section 8.15C(2) of the Local Government Act 1995.~~
5. That sub-clause 10(2) of the Association Constitution be amended with the addition of the underlined words as follows:

- (2) Each representative on the State Council shall be entitled to exercise one (1) deliberative vote on any matter considered by the State Council provided that this clause shall not apply to any ex-officio members of the State Council. The President shall exercise a casting vote only, in the event of there being an equality of votes in respect of a matter considered by the State Council but excluding an election held in accordance with Clause 16 in which the President is entitled to a deliberative vote only.
6. That sub-clauses 2(1), 5(7)(a), 9(1)(d), and 31(4)(b) be amended as follows:
- I. That the following strikethrough words be replaced with the following underlined words in sub-clause 2(1):
- ~~“Local Government Managers Australia” means the Western Australian Division of the Local Government Managers Australia (LGMA), which body is incorporated under the Victorian Companies Act 1961.~~
- “Local Government Professionals Australia WA” means the Western Australian Division of Local Government Professionals Australia.
- II. That sub-clause 5(7)(a) of the Association Constitution relating to Associate Members of WALGA be amended with the words “Local Government Managers Australia (LGMA)” to be replaced with the words “Local Government Professionals Australia WA”.
- III. That sub-clause 9(1)(a) of the Association Constitution relating to ex-officio members of State Council be amended to replace the words “Local Government Managers Australia (LGMA)” with the words “Local Government Professionals Australia WA”.
- IV. That sub-clause 31(4)(b) of the Association Constitution relating to a dispute resolution panel be amended by replacing the word “LGMA” with the words “Local Government Professionals Australia WA”.
7. That sub-clause 14(4a)(h) be amended with the addition of the underlined words and the deletion of the strike through words as follows:
- (h) Is a Councillor that has been suspended by the Minister for Local Government under part 8 of an Ordinary Member that has been ~~peremptorily suspended under Section 8.15C(2)(c) of the Local Government Act 1995.~~

CARRIED BY SPECIAL MAJORITY

4.2 Roadside Vegetation – Regulatory Amendments

That the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* be amended to permit clearing or reduction of vegetation:

1. Within 30 metres of all farm driveways/gates/entrances; and

2. On road bends and intersections obstructing 'line of sight', be cleared.

CARRIED

4.3 GST Revenue Distribution Share for WA

That WALGA adopts a policy and position as the representative of the WA Local Government section to persistently seek and advocate for an increase of the GST distribution share back to Western Australia.

CARRIED

4.4 Rural, Regional and Remote Community State Government Funding Cuts

That WALGA express its deep concern to the W.A State Government regarding the continued attack on rural, regional and remote communities in W.A through reducing funding to critical services and infrastructure programs, cuts that disproportionately discriminate against already disadvantaged communities across W.A.

CARRIED

4.4A Matter of Special Urgent Business: Proposed Amendments to *Planning and Development (Local Planning Schemes) Regulations 2015*

That the members agree that the following item of Special Urgent Business relating to Proposed Amendments to *Planning and Development (Local Planning Schemes) Regulations 2015* be considered.

CARRIED BY ABSOLUTE MAJORITY

4.4B Proposed Amendment to *Planning and Development (Local Planning Schemes) Regulations 2015*

That the Western Australian Local Government Association (WALGA) advocate to amend:

1. Schedule 2, Part 7, Clause 61 (e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* to allow Local Governments to remove reference to 'a single house' from the exemption of requiring development approval; and
2. The *Planning and Development (Local Planning Schemes) Regulations 2015* to permit Local Governments to introduce a requirement into their local planning scheme to require development approval to be issued prior to a development application for demolition of a single house being determined.

LOST

Tamala Park Regional Council – Ordinary Meeting of Council – 16 August 2018

A meeting of the Tamala Park Regional Council was held on 16 August 2018.

At the time of this meeting Cr Nige Jones and Cr John Chester were Council's representative and Mr Garry Hunt, Chief Executive Officer was in attendance at the Ordinary Meeting of Council.

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

9.1 BUSINESS REPORT – PERIOD ENDING 1 AUGUST 2018

That the Council RECEIVES the Business Report to 1 August 2018.

CARRIED

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF MAY & JUNE 2018

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:

- 31 May 2018; and
- 30 June 2018.

CARRIED

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF MAY & JUNE 2018

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of March and April 2018:

- Month ending 31 May 2018 (Total \$1,234,196.02)
- Month ending 30 June 2018 (Total \$3,311,291.64)
- Total Paid - \$4,545,487.66

CARRIED

9.4 PROJECT FINANCIAL REPORT – JUNE 2018

That the Council RECEIVES the Project Financial Report (June 2018) submitted by the Satterley Property Group.

CARRIED

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 1 AUGUST 2018

That the Management Committee RECEIVES the Sales and Settlement Report to 1 August 2018.

CARRIED

9.6 PROJECT BUDGET FYE 2019

That the Council:

1. APPROVES the Project Budget FYE 2019 (July 2018), submitted by the Satterley Property Group, as the basis of financial planning for the TPRC Budget FYE 2019.
2. RECEIVES the Budget Forecast FYE 2020 (July 2018), submitted by the Satterley Property Group.
3. ACCEPTS that the Satterley Property Group has achieved Key Performance Indicator KPI 4.4 requiring the preparation of a Project Budget on an annual basis by March each year.

CARRIED

9.7 TPRC DRAFT BUDGET FOR FYE 2019

That the Council:

1. ADOPTS the Budget for the Tamala Park Regional Council for the year ending 30 June 2019, incorporating the following statements:
 - a. Statement of Comprehensive Income, indicating an operating deficit of \$322,047.
 - b. Statement of Financial Activity, showing surplus at end of year position of \$34,345,153.
 - c. Rate Setting Statement, indicating no rates levied.
2. ADOPTS a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2018/2019 financial year, in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*.

CARRIED

9.8 SALES AND LOT RELEASE STRATEGY FYE 2019 (JULY 2018)

That the Council:

At the request of Council, the Chairman put the Recommendations separately.

1. APPROVES the Sales and Lot Release Strategy FYE 2019 (July 2018), submitted by the Satterley Property Group, as the basis of sales and marketing planning for FYE 2019.
2. DELEGATES to the CEO authority to approve changes to the Sales and Lot Release Strategy FYE 2019 (July 2018) relating to stage sizes and timing of stage releases, subject to a supporting recommendation from the Satterley Property Group and not having a negative impact on the TPRC Budget.

CARRIED

CARRIED BY ABSOLUTE MAJORITY

9.9 AUDIT COMMITTEE AUDIT CHARTER & ANNUAL AUDIT PLAN REVIEW

That the Council:

1. APPROVES the TPRC Audit Charter (July 2018).
2. ADOPTS the Audit Plan 2018/2019.

CARRIED

9.10 PAYMENT OF ACCOUNTS & SECURITY OF PAYMENT INSTRUMENTS POLICY REVIEW

That the Council APPROVES the Payment of Accounts & Security of Payment Instruments Policy (July 2018).

CARRIED

9.11 INVESTMENT POLICY REVIEW

That the Council:

1. APPROVES the Investment Policy (July 2018).
2. NOTES that the review of the Investment Policy for 2019 should take into account the findings of the Banking Royal Commission.

An additional Recommendation 3

3. NOTES that the next review of the Investment Policy is to include a social and environmental responsibility profile of institutions stating, "When exercising the power of investment preference is to be given to investments with institutions that have been assessed to have a higher rating of demonstrated social and environmental responsibility, providing that doing so will secure a rate of return that is at least equal to alternatives offered by other institutions".

LOST

[The recommendation in the agenda]

That the Council:

1. APPROVES the Investment Policy (July 2018).
2. NOTES that the review of the Investment Policy for 2019 should take into account the findings of the Banking Royal Commission.

CARRIED

9.17 SALES AND MARKETING - SPRING CAMPAIGN PROPOSAL

That the Council:

1. RECEIVES the Satterley Property Group correspondence (dated 9 August 2018) regarding a Sales and Marketing - Spring Campaign proposal.
2. APPROVES participation in the Sales and Marketing - Spring Campaign to provide a \$20,000 discount on selected house and land packages at Catalina Estate as detailed in the Satterley Property Group advice, commencing 5 September 2018 to 30 November 2018, subject to a minimum of 10 builders participating in the Spring Campaign.

3. Subject to recommendation 2 above APPROVES the following for the duration of the Sales and Marketing – Spring Campaign:
 - 3.1 A discount of \$10,000 applying to all lots in Catalina;
 - 3.2 The deletion of the Early Construction Rebate from all lots;
 - 3.3 The use of a \$2,000 referral fee to the Builder's Sales Representative for providing a qualified sales lead that results in the settlement of a lot at Catalina and that this fee be paid directly by the TPRC.

At the request of Council, Recommendations 1 – 3.2 and Recommendation 3.3 were put separately.

1. RECEIVES the Satterley Property Group correspondence (dated 9 August 2018) regarding a Sales and Marketing - Spring Campaign proposal.
2. APPROVES participation in the Sales and Marketing - Spring Campaign to provide a \$20,000 discount on selected house and land packages at Catalina Estate as detailed in the Satterley Property Group advice, commencing 5 September 2018 to 30 November 2018, subject to a minimum of 10 builders participating in the Spring Campaign.
3. Subject to recommendation 2 above APPROVES the following for the duration of the Sales and Marketing – Spring Campaign:
 - 3.1 A discount of \$10,000 applying to all lots in Catalina;
 - 3.2 The deletion of the Early Construction Rebate from all lots;

Recommendation 1 – 3.2 were put and declared CARRIED

- 3.3 The use of a \$2,000 referral fee to the Builder's Sales Representative for providing a qualified sales lead that results in the settlement of a lot at Catalina and that this fee be paid directly by the TPRC.

Recommendation 3.3 was put and declared CARRIED

9.15 ANNUAL PLAN FYE 2019 - CONFIDENTIAL

That the Council:

1. APPROVES the Annual Plan FYE 2019, prepared by the Satterley Property Group and that it be used as the basis of planning and inputs to the TPRC Budget FYE 2019.
2. ACCEPTS that the Satterley Property Group has achieved Key Performance Indicator 2.6 requiring the preparation of a Project Annual Plan.

CARRIED

9.16 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE – CONFIDENTIAL

That the Council resolves to APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement:

Name of Person	Position
Kim Lawrance	General Manager – Development (WA)
Name of Replacement Person	Position
Brenton Downing	General Manager – Development (WA)

CARRIED

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

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

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the minutes of the:

- 1 WALGA Annual General Meeting held on 1 August 2018 forming Attachment 1 to Report CJ160-09/18;**
- 2 Tamala Park Regional Council - Ordinary Meeting of Council held on 16 August 2018 forming Attachment 2 to Report CJ160-09/18.**

To access this attachment on electronic document, click here: [Externalminutes180911.pdf](#)

CJ161-09/18 LIST OF PAYMENTS DURING THE MONTH OF JULY 2018

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENTS	<p>Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of July 2018</p> <p>Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of July 2018</p> <p>Attachment 3 Municipal and Trust Fund Vouchers for the month of July 2018</p>
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 July 2018.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of July 2018 totalling \$16,745,278.23.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for July 2018 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 CJ161-09/18, totalling \$16,745,278.23.

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 July 2018. Lists detailing the payments made are appended as Attachments 1 and 2 to this report.

The vouchers for the month are appended as Attachment 3 to this report.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 106864 - 106994 & EF071995 – EF072591 Net of cancelled payments.	\$9,607,946.56
	Vouchers 2285A – 2289A & 2291A – 2303A	\$7,120,984.07
Trust Account	Trust Cheques & EFT Payments 207300 - 207309 & TEF001555 – TEF001570 Net of cancelled payments.	\$16,347.60
Total		\$16,745,278.23

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 *2018-19 Annual Budget* as adopted by Council at its meeting held on 26 June 2018 (CJ114-06/18 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Chief Executive Officer's list of accounts for July 2018 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 CJ161-09/18, totalling \$16,745,278.23.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf180911.pdf](#)

CJ162-09/18 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JULY 2018

WARD	All	
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services	
FILE NUMBER	07882, 101515	
ATTACHMENTS	Attachment 1	Financial Activity Statement
	Attachment 2	Investment Summary
	Attachment 3	Supporting Commentary
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 July 2018.

EXECUTIVE SUMMARY

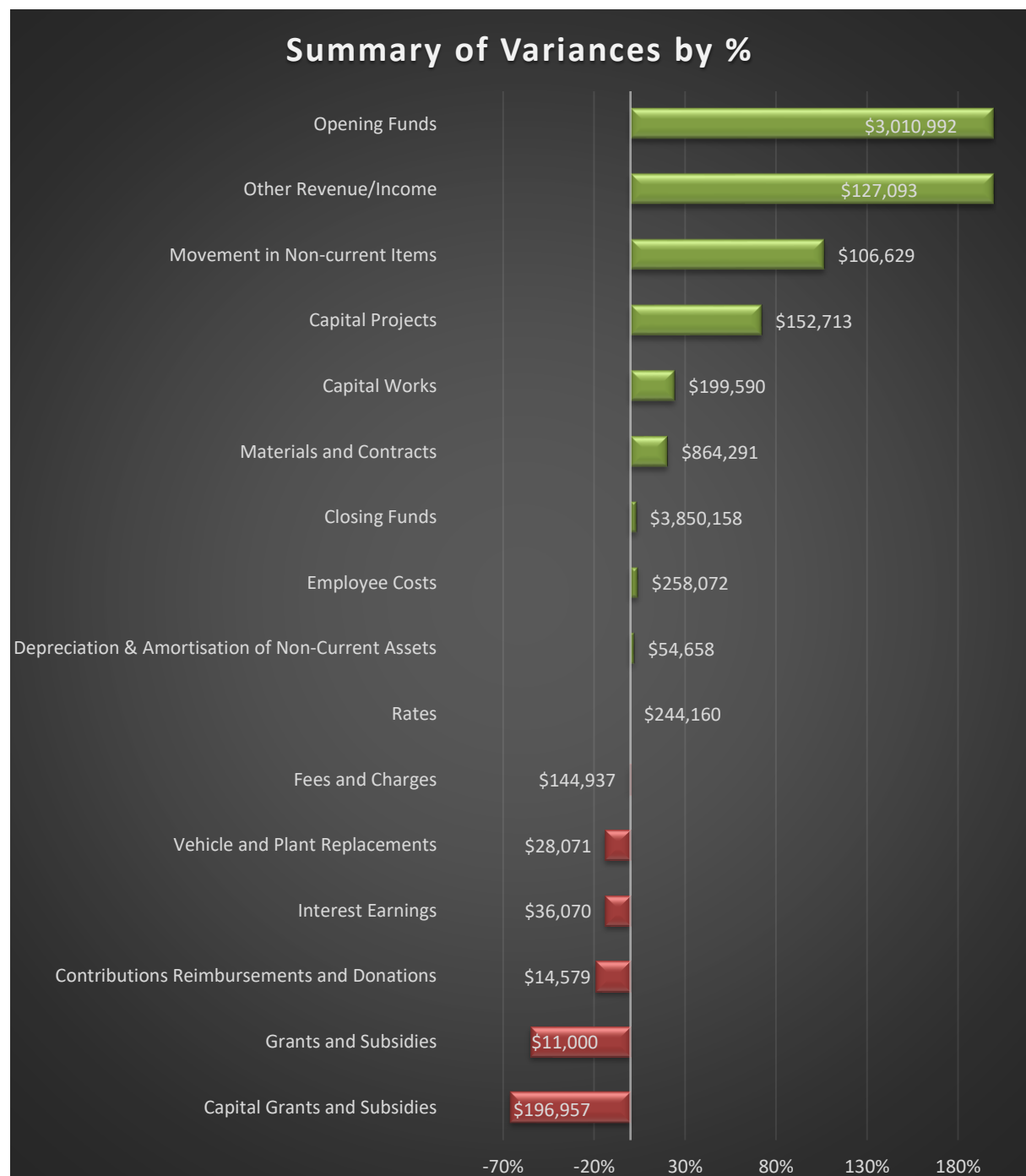
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. The figures in this report are compared to the revised budget.

The July 2018 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$3,850,158 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 July 2018 and results from a number of factors identified in the report, including the opening funds position which is subject to the finalisation of 2017-18 annual financial statements.

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.

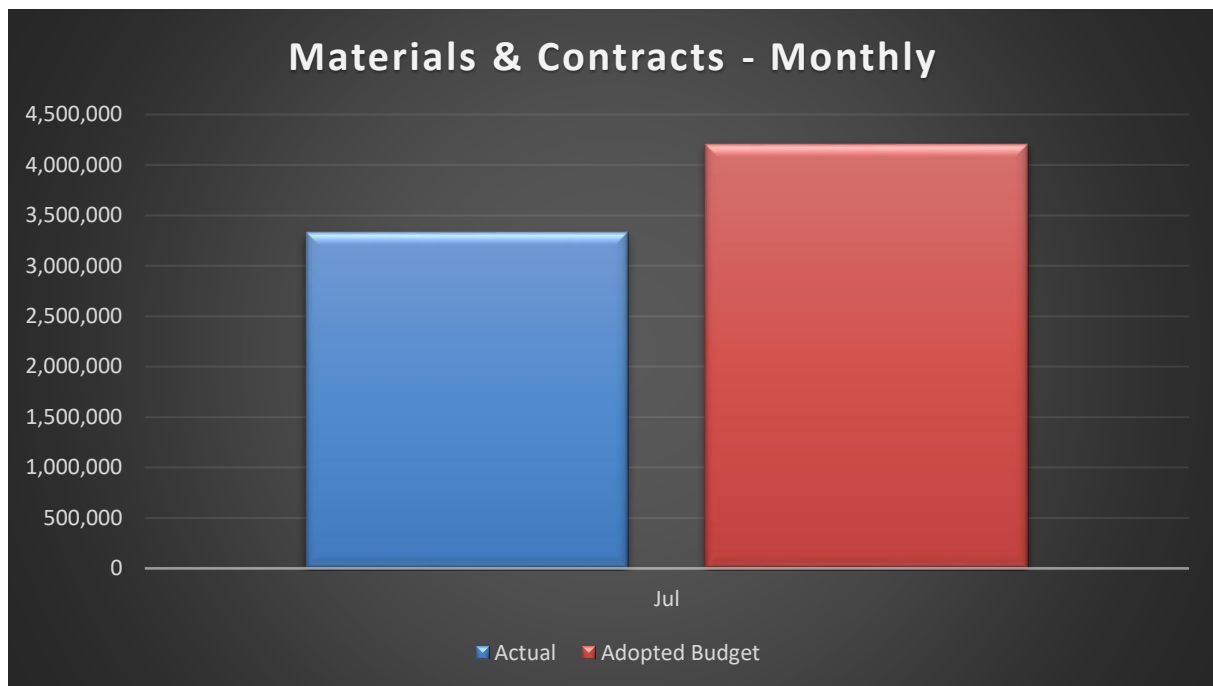
The key elements of the variance are summarised below:



The significant variances for July were:

Materials and Contracts

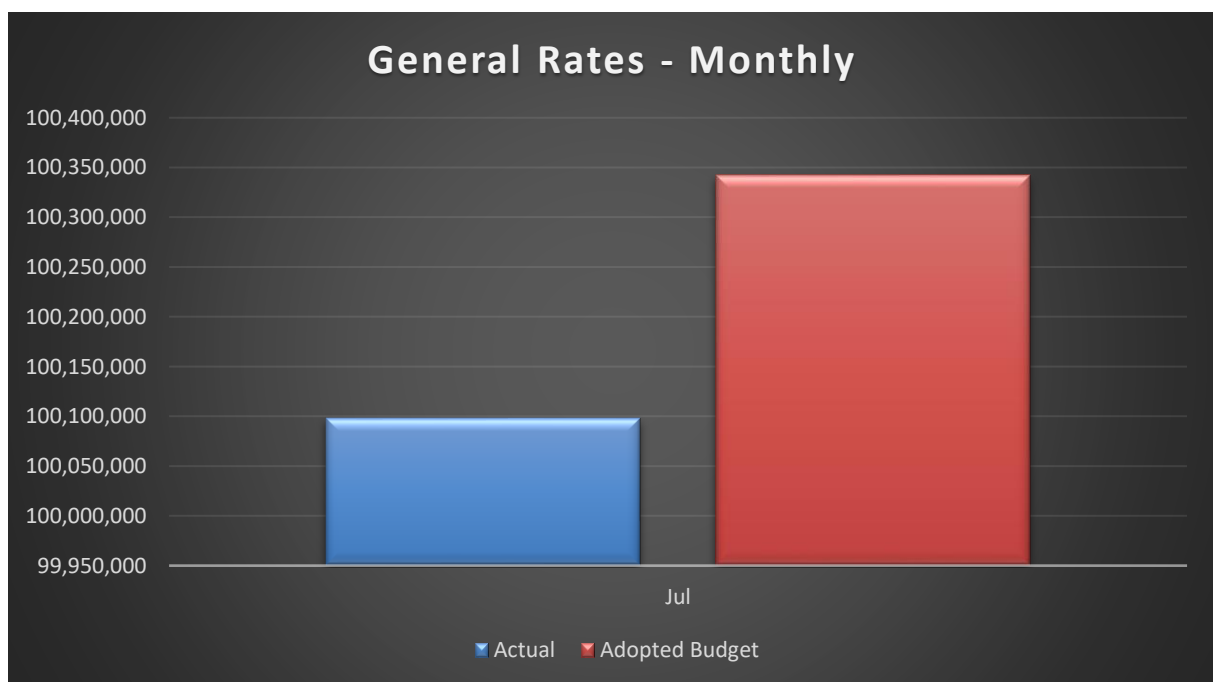
\$864,291



Materials and Contracts expenditure is \$864,291 below budget. This is spread across a number of different areas including External Service Expenses \$528,860, Computing \$108,161 and Professional Fees and Costs \$82,620.

General Rates

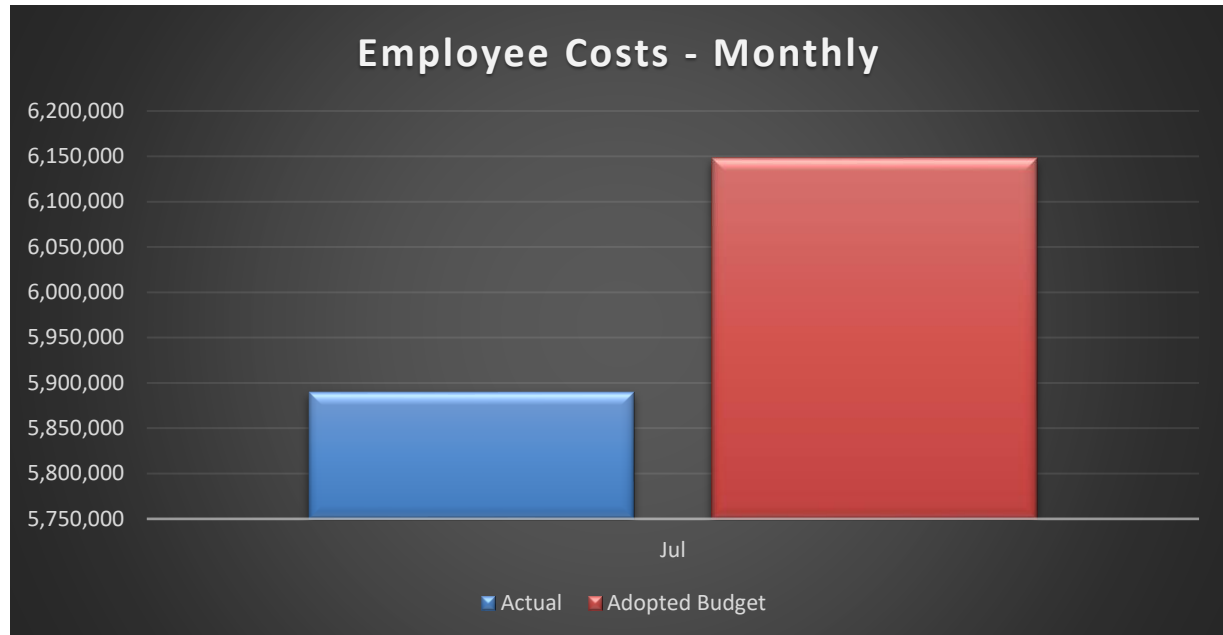
(\$244,160)



General Rates is \$244,160 below budget. This is mainly attributable to lower than anticipated Interim Rates (\$250,000) due to budget phasing, which will be corrected in the subsequent month.

Employee Costs

\$258,072



Employee Costs expenditure is \$258,072 below budget. This is spread across a number of different areas including Salaries and Wages for Parks \$64,018 and Library Operations \$47,101.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 July 2018 forming Attachment 1 to Report CJ162-09/18.

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 July 2018 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

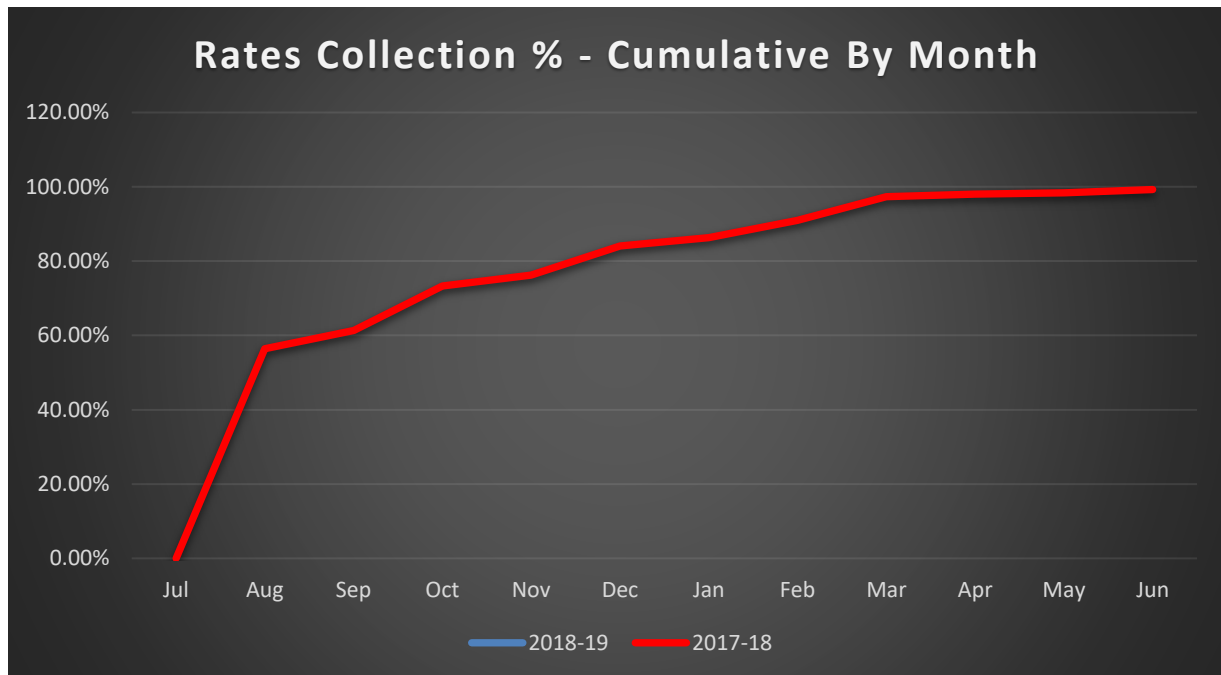
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

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*.

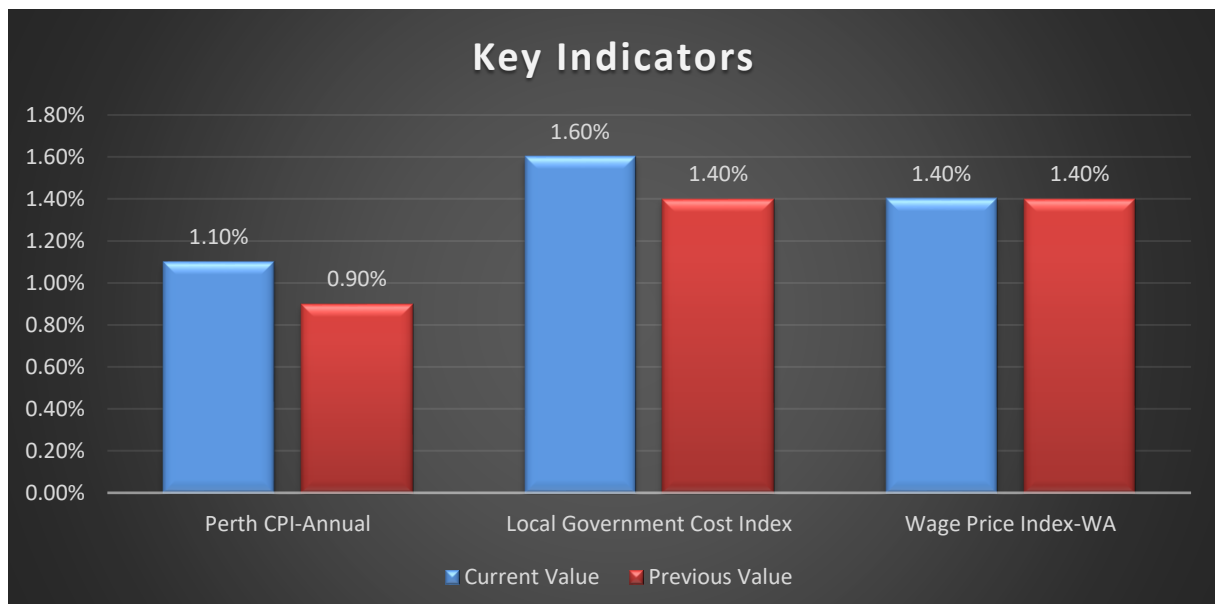
KEY INDICATORS

Rates Collection



Rates notices for 2018-19 were issued in the final week of July 2018, therefore collection rate performance data for July is not available.

Economic Indicators



The Local Government Cost Index remains well above CPI, indicating that cost pressures in the local government industry remain higher than the general economy. Wage inflation remains above CPI, although significantly lower than in the past.

COMMENT

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the 2018-19 adopted budget or has been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Financial Activity Statement for the period ended 31 July 2018 forming Attachment 1 to Report CJ162-09/18.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf180911.pdf](#)

CJ163-09/18 MANAGEMENT OF CHRISTMAS LIGHT DISPLAYS IN RESIDENTIAL AREAS

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	55152, 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 options for the management of Christmas light displays in residential areas within the City of Joondalup.

EXECUTIVE SUMMARY

At its meeting held on 20 February 2018 (C11-02/18 refers) Council considered a notice of motion and resolved:

That Council REQUESTS the Chief Executive Officer to prepare a report on the possible options for the City providing traffic management support around residential Christmas light displays within the City of Joondalup.

The City of Joondalup's current practices for the management of Christmas light displays have been reviewed. In addition, research has been conducted with other local governments into the management of Christmas light displays in residential areas as a comparison to the City's current management practices to:

- determine what level of management, if any, is employed by other local governments in relation to Christmas light displays
- determine what strategies may have been implemented to manage Christmas light displays for the enjoyment and safety of all participants
- consider any information relating to accidents or severe injury to participants
- any other information relevant
- apply these findings to consider the City's options for management of Christmas light displays within the City of Joondalup.

The options that are available to the City have been examined along with the associated risks.

It is therefore recommended that Council APPROVES providing traffic management signage and City Ranger attendance as follows:

- 1 *In the case of the Prairie Dunes Place Christmas light display providing Variable Message Board displays, continuing the installation of temporary parking signage along the eastern side of Fairway Circle and the attendance by City Rangers upon complaint to address parking issues;*
- 2 *In the case of Samson Court provision of Variable Message Board display boards and attendance by City Rangers upon complaint;*
- 3 *In any other location attendance by City Rangers upon complaint.*

BACKGROUND

Within the City of Joondalup there are a number of locations where Christmas light displays are installed by residents during the festive season. Over several years this has increased and while sometimes limited to one or two properties within the street in a couple of cases the displays have spread to multiple properties in a street and/or multiple streets in close proximity. They are increasingly popular with the public with attendance driven in part by media attention some promoting Christmas light display competitions. Some locals also use the displays as a fundraising opportunity with donations going to charity.

With the increase in public attention the volume of people and traffic attending these areas has increased. This lends itself to an increase in vehicle movement, parking issues, safety issues for pedestrians, noise, damage to resident verges and access/exit issues for residents. The City has received complaints over several years from residents with such concerns. Some residents have requested the City address these issues for the benefit of all involved.

There are 14 identified areas within the City of Joondalup that conduct Christmas light displays each year for approximately four weeks leading up to Christmas. These sites are well advertised to the public via media, Facebook and local papers and some displays have been established over many years.

The largest and most popular site is Prairie Dunes Place in Connolly. The Prairie Dunes Place Christmas light display has been running since 1997 and has grown in popularity and significance. With the rise of this popularity has come associated issues including parking, safety, noise, pedestrian traffic and damage to verges.

The City introduced temporary parking signage on the eastern side of Fairway Circle, the main entry point to Prairie Dunes Place, between Shenton Avenue and Ocean Shore Edge in 2012 (CJ241-11/12 refers). This did not change any restrictions but reinforced the existing requirement not to park on footpaths. They are installed from 1 December to 30 December each year and have continued to the present day in conjunction with City Ranger patrols during peak times of 6.30pm to 9.30pm nightly.

The Samson Court, Duncraig display is also substantial, taking up most of the street, and has begun to increase in popularity in recent years thus also attracting complaints relating to parking and safety concerns.

While the City has received complaints as a result of the impacts of Christmas light displays, the City has also received complaints as a result of its attempts to manage these impacts. It has been suggested that the City is inhibiting the opportunity for people, in particular children, to experience the displays, has not been acting in the Christmas spirit, that charity fundraising opportunity is being impacted and that the City should be more accommodating of community driven Christmas light displays.

The City researched six other local governments to assess the current practices (if any) that are employed towards the management of Christmas light displays within their areas to inform options for consideration by the City.

The local governments selected were based on the scale of Christmas light displays they have within their boundaries that are well publicised and well attended. Of the 46 properties identified 28 properties utilise the displays as fundraising opportunities to various registered charities.

Local governments contacted were:

- City of Bayswater.
- City of Canning.
- City of Cockburn.
- City of Gosnells.
- City of Swan.
- City of Wanneroo.

City of Stirling while a neighbour to the City of Joondalup has no high-profile Christmas light displays within its boundaries.

DETAILS

Each local government researched was asked a set of questions relating to the management of Christmas light displays within their respective areas to gain a sense of what management strategies they currently employ. Different staff provided feedback from each local government varying from Rangers, Planning or Events depending on the local government and who was responsible for management of this matter.

Below is a summary of the questions and responses along with the City of Joondalup position on each question:

1 *Do you manage residential Christmas light displays?*

None of the six local governments have a management plan for Christmas light displays. Comments received reflect a “hands off approach”, that it would not be “in the spirit of Christmas” and “did not think it was a problem”.

The City of Bayswater indicated they do increase Ranger patrols during this time to “Fly the Flag” and make their presence felt. The City of Swan has previously investigated options regarding the management of Christmas light displays but has opted not to put in place any regulations or local laws to address this type of event.

City of Joondalup has an onsite City Rangers presence at the Connolly Christmas light display, particularly in the last two weeks before Christmas, to monitor parking control.

2 *Do you operate on complaint only?*

All six local governments advised that they would only act on complaint and of the six only three indicated they had received complaints with one quoting only one complaint received but the other two not specifying a number.

City of Joondalup Rangers act on complaints for Christmas light displays.

3 *Do you work with resident groups regarding Christmas light displays?*

This question was aimed at identifying if any local governments work in conjunction with residents with a view to treating this type of activity as an “event,” providing assistance and guidance as to what is required, that is Traffic Management Plan, permits and the like. None of the six local governments indicated that they work with resident groups in relation to management of Christmas light displays.

The City of Joondalup does not presently work with resident groups along these lines.

4 *Do you require residents to provide a Traffic Management Plan?*

None of the six local governments indicated that they require or request a Traffic Management Plan from resident groups.

The City of Joondalup does not presently request a Traffic Management Plan from resident groups.

5 *Have there been any traffic accidents, injuries or deaths you are aware of?*

All of the six local governments surveyed indicated that to their knowledge no incidents had occurred.

There is difficulty ascertaining the exact result of this question as incidents may not be reported to local governments but rather to Police. Police statistics would not be detailed enough to locate this type of information. It is apparent that no deaths have occurred as it is likely this type of incident would attract media attention.

To date City of Joondalup has no records relating to any accidents or deaths occurring due to Christmas light displays.

In addition to the local governments, the City was also referred to a community contact associated with a significant community led Christmas light display in Atwell in the City of Cockburn. They were contacted and asked from a resident perspective as to:

- how the group manages their event
- if they receive any local government assistance with permits, traffic management and the like
- have they implemented their own processes as a resident group
- any suggestions they may have in relation to working with local governments to improve the safety of their event.

The response indicated that several residents had ceased doing the Christmas lights due to the disruption in their own personal lives related to the sheer number of participants, the demands for public use of home-owners toilets, the anger when they were refused, theft of charity tins, damage to lights and properties and difficulties accessing their own street at night without receiving abuse and swearing.

It was noted that as they got larger and began to introduce food vans to the site, the City of Cockburn had indicated to them that they potentially needed to form a committee to run the event, a move that the residents felt was going a bit too far.

The residents provided feedback on what they saw as possible ways a local government could address these issues which in most cases is what the City has been providing within Prairie Dunes Place.

“If you can find a way to manage parking, have boundaries, inform house owners in nearby streets about the lights, have home owners have set times for lights displays (otherwise people come around at 1.00am in the morning and wake up owners) advise onlookers as to nearby toilets you’re on a winner.”

“Also having raffles and selling merchandise is a great way to raise money, but the food vans cause issues as well and you need Council approval.”

“After numerous years it just kept getting bigger and eventually a person can only take so much disrespect. Maybe signs requesting to stay to the road or verges and to respect home owner’s property?”

It is to be noted that when it was indicated by the City of Cockburn that the residents involved in this Christmas light display may need to form a committee to manage this event this was not viewed as something the residents wished to get involved in but rather offered suggestions on what local government could do to manage the issues.

To date in the City of Joondalup while the residents have been critical of the City’s attempts to manage the issues arising from Christmas light displays there has been no suggestion from residents that they wish to be involved in the management of such an event. Rather there is a view that the City should be responsible for dealing with the management of traffic and safety relating to their event.

Based on the responses from the six local governments researched it is apparent that there is no real local government management of Christmas light displays being provided. It appears to be either not considered an issue or there is a reluctance to be involved.

Presently the City of Joondalup provides some management of Christmas light displays in Prairie Dunes Place, Connolly and Samson Court, Duncraig. Management of Prairie Dunes Place consists of City Rangers onsite between 6.30pm and 9.30pm each night to address unsafe parking issues, advise participants of parking restrictions and taking enforcement action if necessary. Management of Samson Court included the use of Variable Message Board (VMB) signs for the first time in 2017 to remind drivers that parking on median strips is not permitted.

In response to the on-going annual issues with non-compliant parking in the vicinity of Prairie Dunes Place as a result of the Christmas light display, the City, at the commencement of the 2017 display, installed temporary traffic control barriers at some locations to provide a physical barrier to prevent errant parking. These were removed shortly after installation in response to resident complaints and the previous management arrangement was reinstated.

The below table outlines the number of complaints received and infringements issued between 2012 – 2017 in relation to parking issues during the Christmas light displays.

The statistics relate to all Christmas light displays, however, of the 23 complaints received over this period 16 complaints were made by four residents two of which related to Prairie Dunes Place and two of which related to Samson Court Christmas light displays.

	Complaints Received	Infringements Issued
2012	1	0
2013	1	0
2014	1	0
2015	1	1
2016	4	4
2017	15	41
Total	23	46

Issues and options considered

Considering the City's experiences and the experience of other local governments there are several options available for dealing with the Christmas light display issues:

Option 1 – No management plan.

The City could decide to not provide any proactive service at all to any of the known Christmas light display locations and respond only to complaints. The level of complaints as shown in the table, 23 over six years, is not significant although it is acknowledged it rose considerably in 2017.

The City has historically been providing a complaint-based service to locations other than Prairie Dunes Place, Connolly and this option would see no change to these. In the case of Prairie Dunes Place the City has been providing, for some years, a level of management in relation to parking and traffic issues by temporary signage to reinforce existing parking restrictions and onsite City Rangers at peak times. This option could be considered a reduced service without any additional mitigation for the risk management that the previous management service was addressing. To remove that level of service or leave the residents in this location to completely self-manage would not be considered prudent and would introduce a level of risk that would be unacceptable.

This option is not recommended.

Option 2 – No change to the traffic management arrangement historically provided.

In the case of Prairie Dunes Place the historical management by the City provides for City Rangers conducting random patrols during week one and two of December. During weeks three and four Rangers remain onsite for three hours per night with the number of Rangers determined by the volume of visitors.

Other sites within the City have historically been attended by City Rangers upon complaint. In 2017, for the first time, Variable Message Board (VMB) signs were installed in Samson Court, Duncraig to assist with providing direction in regard to parking.

The continued high level of officer presence at the Prairie Dunes Place Christmas light display is not sustainable relative to the level of complaints being received for an activity that extends over a four week period. There are risks associated with the high levels of visitation to the location with the principal method of transport being by vehicle. Inappropriate and unsafe parking is a large part of this.

The use of VMB signs, once installed, in Samson Court in 2017 worked well and helped to reduce the level of officer attendance required. This offers a potential alternative for managing Prairie Dunes Place.

This option is not recommended.

Option 3 – Provide traffic management signage with City Ranger attendance upon complaint.

As has been identified, the continued high level of officer presence at the Prairie Dunes Place Christmas light display is not sustainable relative to the level of complaints being received for an activity that extends over a four-week period. The current level of management by the City exceeds any management provided by other local governments in relation to their displays.

It is felt that the level of onsite presence by officers could be reduced to attendance by City Rangers upon complaint to address parking issues, the provision of VMB signs to provide parking advice and the continued installation of temporary parking signage along the eastern side of Fairway Circle. The VMB boards would also identify a temporary speed limit of 40 kilometres per hour.

In the case of Samson Court attendance by City Rangers upon complaint to address parking issues and the provision of VMB signs to provide parking advice, similar to the 2017 approach, would be used subject to the volume of visitation.

Other sites within the City have historically been attended by City Rangers upon complaint and this would be proposed to continue, again subject to the level of visitation.

This option is recommended.

Option 4 – The City provides and manages alternative parking options and parking restrictions.

In the case of Prairie Dunes Place an option to address the parking issues is to actively provide parking alternatives. The best location for temporary parking is to utilise Bonnie Doon Park. Costings for the use of Bonnie Doon Park including the provision of qualified traffic controllers, signage and onsite City Rangers is estimated to be between \$30,000 to \$40,000 dependant on the level of management utilised.

This is a costly alternative and may not be viewed as a prudent use of City funds for just one area within the entire City of Joondalup.

It should also be noted that if this option was chosen for Prairie Dunes Place it would set the standard of expectation for other areas should those Christmas light displays grow to a similar scale example Samson Court.

At this stage only, the Prairie Dunes location would be considered for alternative parking. In the case of Samson Court if the level of visitation is similar to 2017 it would be proposed that attendance by City Rangers upon complaint to address parking issues and the provision of VMB signs to provide parking advice, would be sufficient.

Other sites within the City have historically been attended by City Rangers upon complaint and this would be proposed to continue, again subject to the level of visitation.

This option is not recommended.

Irrespective of which option is selected, it is recommended that the following steps be taken by the City in the lead up to the Christmas light season.

- The City should engage with its media channel partners and other media to encourage them to provide safety and potential public nuisance messages in their broadcasts. Media should identify to their audience that light displays take place on private land and that attendees should be courteous to each other, to the local residents and should respect private property, particularly when parking. Attendees should also be mindful of any parking arrangements or prohibitions in the area they are attending.
- The City should letter drop the participating Christmas light show residents and those in the immediate neighbourhood advising them of the City's intended response regime, as outlined in the selected option. The City could also invite the Christmas light organisers to nominate a spokesperson for the duration should important messaging be required during the display period. The spokesperson could receive the messaging from the City and re-broadcast as necessary.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Community Safety.

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

Policy Not applicable.

Risk management considerations

There are no legislative, planning or local law requirements specifically addressing Christmas light displays.

The City's *Parking Local Law*, however, does have application in so far as its provisions in regard to parking apply as a result of activity associated with Christmas light displays. The City also has a responsibility to ensure, within reason, the safety of residents and their visitors when attending the Christmas light displays.

The most significant location of concern is Prairie Dunes Place though other sites such as Samson Court are also beginning to increase in popularity.

The actual risks associated with Christmas light displays predominately relate to pedestrian safety given the large volume of people and vehicles within the area. When vehicles park on footpaths this can prevent pedestrian use and forces them to take alternative routes. If this alternative was onto the roadway this creates a risk with moving traffic in the area and there is the potential risk that a pedestrian could be involved in an incident with a vehicle that could cause injury or death. Traffic accidents between vehicles could also be a risk factor if vehicles are parked incorrectly within the surrounding streets.

The recommended option allows for the City to enforce its Local Laws and provide education to visitors on safe parking practices. In other locations the City has historically been providing a complaint, based service which is considered sufficient.

The City has sought comment from Local Government Insurance Services (LGIS) in relation to this topic, and the options that are available. LGIS advise that there are no other local governments who have made contact with them in relation to the management of Christmas light displays. They further advise that Option 3 as recommended is a reasonable approach for the City.

Financial / budget implications

The recommended option proposes that in relation to Prairie Dunes Place VMB signage be used which hasn't been provided before. The 2018-19 budget has provision for the level of Ranger presence historically provided which the recommended option proposes be reduced. In the case of Samson Court and other locations there are no changes proposed. The increased cost of VMB signs is offset by the reduction in staff costs and therefore there is no net impact for the 2018-19 budget with the recommended option.

The program of engagement in Prairie Dunes Place for Christmas 2017 consumed 225 hours of Officer time attending in the area, plus a level of supervision by the Senior Ranger and the deployment of two vehicles during the attendances. The calculated cost of Officer attendance for Christmas 2017 was \$11,700. The cost of barriers was \$3,100.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

No consultation has been carried out with the residents within Prairie Dunes Place or any other Christmas light display location in regard to this report.

Regardless of which option is adopted it is proposed that the following additional steps be taken by the City in the lead up to the Christmas light display season.

- The City should engage with its media channel partners and other media to encourage them to provide safety and potential public nuisance messages in their broadcasts. Media should identify to their audience that light displays take place on private land and that attendees should be courteous to each other, to the local residents and should respect private property, particularly when parking. Attendees should also be mindful of any parking arrangements or prohibitions in the area they are attending.
- The City should letter drop the participating Christmas light show residents and those in the immediate neighbourhood advising them of Council's approved response regime. The City would also invite the Christmas light organisers to nominate a spokesperson for the duration should important messaging be required during the display period. The spokesperson could receive the messaging from the City and re-broadcast as necessary.

COMMENT

There is no standard response, process or procedure amongst local governments in the metropolitan area regarding the management of Christmas light displays. There may be a reluctance by local governments to take any action outside of an “on complaint only” approach given the significance of the event and the potential adverse public reaction that may ensue if a perceived heavy-handed approach is taken.

The popularity of such events may outweigh the minimal number of complaints received, but this does not necessarily mitigate the City’s responsibility to ensure that parking and pedestrian safety is being addressed and thereby assisting in managing localised risks so that the Christmas light displays can be conducted in a safe manner with minimal detriment to others.

Consideration of the type management plan to be implemented for Christmas light displays within the City needs to be mindful of the substantial number of visitors to the City, the adverse reaction that will be received from the public, adverse media attention and the brief time span of this event in comparison to the number of complaints.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council APPROVES providing traffic management signage and City Ranger attendance as follows:

- 1 In the case of the Prairie Dunes Place Christmas light display providing Variable Message Board displays, continuing the installation of temporary parking signage along the eastern side of Fairway Circle and the attendance by City Rangers upon complaint to address parking issues;**
- 2 In the case of Samson Court provision of Variable Message Board display boards and attendance by City Rangers upon complaint;**
- 3 In any other location attendance by City Rangers upon complaint.**

Disclosures of interest affecting impartiality

Name/Position	Mayor Hon. Albert Jacob, JP.
Item No./Subject	CJ164-09/18 – Invitation to Join Panel of Pre-Qualified Suppliers 012/18 for the Supply and Delivery of Tree Stock.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Jacob was previously employed by Benara Nurseries (Quito Unit Trust).

CJ164-09/18 INVITATION TO JOIN PANEL OF PRE-QUALIFIED SUPPLIERS 012/18 FOR THE SUPPLY AND DELIVERY OF TREE STOCK

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	107352, 101515
ATTACHMENT	Attachment 1 Schedule of Items Attachment 2 Summary of 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 offers submitted by The Trustee for the Quito Unit Trust trading as Benara Nurseries, Workpower Inc trading as Workpower Incorporated, Forestvale Trees Pty Ltd, The Trustee for Great Scott Family Trust trading as Arborwest Tree Farm and Plant Force Investments Pty Ltd (Plantrite) to join the panel of pre-qualified suppliers for the supply and delivery of tree stock.

EXECUTIVE SUMMARY

Invitations were advertised on 7 July 2018 through state-wide public notice for the supply and delivery of tree stock. Invitations closed on 25 July 2018. A submission was received from each of the following:

- The Trustee for the Quito Unit Trust trading as Benara Nurseries.
- Workpower Inc trading as Workpower Incorporated.
- Forestvale Trees Pty Ltd.
- The Trustee for Great Scott Family Trust trading as Arborwest Tree Farm.
- Plant Force Investments Pty Ltd (Plantrite).
- Eva, Tim John trading as Tim Eva's Nursery.

The submissions from The Trustee for the Quito Unit Trust trading as Benara Nurseries, Workpower Inc trading as Workpower Incorporated, Forestvale Trees Pty Ltd, The Trustee for Great Scott Family Trust trading as Arborwest Tree Farm and Plant Force Investments Pty Ltd (Plantrite) represent value to the City.

Benara Nurseries demonstrated a sound understanding of the required tasks. It has extensive experience providing advanced trees and shrub stock to various organisations including state and local governments in WA. Examples of works included the City of Gosnells winter planting 2016 and Metropolitan Redevelopment Authority Perth Waterfront Project – Elizabeth Quay. It is well established with sufficient capacity to provide the goods and services to the City.

Workpower Incorporated has extensive experience providing plant and tree stock to various organisations including the City of Stirling, Curtin University and Great Northern Connect. It has sufficient capacity to supply the goods and services to the City. It demonstrated a thorough understanding and appreciation of the City's requirements.

Forestvale Trees Pty Ltd demonstrated a good understanding of the City's requirements. The company has successfully completed similar services for several local governments including the Cities of Melville, Gosnells, Rockingham and Joondalup. It has significant industry experience and the capacity required to provide the services to the City.

Arborwest Tree Farm demonstrated experience supplying green stock to various organisations including the City of Subiaco, Deepgreen Landscaping and Total Eden. Examples of works included only individual projects with all carried out recently in 2018. It has sufficient capacity to provide the services. It demonstrated its understanding of the required tasks.

Plantrite did not specifically demonstrate its understanding of the required tasks. However, its delivery of tree production to other local governments is similar to the City's requirements. Examples of works included supply of trees, shrubs, tube stock and associated plants on a supply panel to the City of Stirling. It has industry experience and the capacity required to provide the goods and services.

It is therefore recommended that Council:

- 1 *ACCEPTS the offer submitted by The Trustee for the Quito Unit Trust trading as Benara Nurseries to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years;*
- 2 *ACCEPTS the offer submitted by Workpower Inc trading as Workpower Incorporated to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years;*
- 3 *ACCEPTS the offer submitted by Forestvale Trees Pty Ltd to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years;*
- 4 *ACCEPTS the offer submitted by The Trustee for Great Scott Family Trust trading as Arborwest Tree Farm to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years;*
- 5 *ACCEPTS the offer submitted by Plant Force Investments Pty Ltd (Plantrite) to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years.*

BACKGROUND

The City has a requirement to establish a panel of pre-qualified suppliers and engage a panel contractor or contractors to supply and deliver tree stock to various locations within the City on a when required basis. The contractor shall supply and deliver tree stock:

- when such works are required by the City
- at the direction of the Superintendent.

During the term of the panel the panel members will be invited to submit a schedule of rates quotation for a fixed term for the goods and services specified in the invitation. Selection of suppliers will be based on price then availability. Each contract established between the City and pre-qualified supplier shall not exceed 12 months.

All quotations sought during the term of the panel will be requested through the City's Vendorpanel electronic quotation system. Pre-qualified suppliers will be established in the system at the commencement of the panel.

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

DETAILS

The invitation to join the panel of pre-qualified suppliers for the supply and delivery of tree stock was advertised through statewide public notice on 7 July 2018. The invitation period was for two weeks and invitations closed on 25 July 2018.

Submissions

A submission was received from each of the following:

- The Trustee for the Quito Unit Trust trading as Benara Nurseries.
- Workpower Inc trading as Workpower Incorporated.
- Forestvale Trees Pty Ltd.
- The Trustee for Great Scott Family Trust trading as Arborwest Tree Farm.
- Plant Force Investments Pty Ltd (Plantrite).
- Eva, Tim John trading as Tim Eva's Nursery.

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

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

Evaluation Panel

The evaluation panel comprised three members:

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

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

Evaluation Method and Weighting

The qualitative weighting method of 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 supplier to satisfactorily deliver the goods and services. The predetermined minimum acceptable qualitative score was set at 55%.

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

Qualitative Criteria		Weighting
1	Capacity.	60%
2	Demonstrated experience in providing similar services.	20%
3	Demonstrated understanding of the required tasks.	15%
4	Social and economic effects on the local community.	5%

Compliance Assessment

The following offers received were assessed as fully compliant:

- Benara Nurseries.
- Workpower Incorporated.
- Forestvale Trees Pty Ltd.
- Arborwest Tree Farm.
- Plantrite.

Tim Eva's Nursery did not address any of the compliance criteria or submit prices for any of the scheduled items to enable the City to assess its Offer. This submission was assessed as non-compliant and was not considered further.

Qualitative Assessment

Plantrite scored 55.1% and was ranked fifth in the qualitative assessment. The company did not specifically demonstrate its understanding of the required tasks. However, its delivery of tree production to other local governments is similar to the City's requirements. Examples of works included supply of trees, shrubs, tube stock and associated plants on a supply panel to the City of Stirling. It has industry experience and the capacity required to provide the goods and services.

Arborwest Tree Farm scored 59.2% and was ranked fourth in the qualitative assessment. It demonstrated experience supplying green stock to various organisations including the City of Subiaco, Deepgreen Landscaping and Total Eden. Examples of works included only individual projects with all carried out recently in 2018. It has sufficient capacity to provide the services. It demonstrated its understanding of the required tasks.

Forestvale Trees Pty Ltd scored 60.8% and was ranked third in the qualitative assessment. The company demonstrated a good understanding of the City's requirements. It has successfully completed similar services for several local governments including the Cities of Melville, Gosnells, Rockingham and Joondalup. It has significant industry experience and the capacity required to provide the services to the City.

Workpower Incorporated scored 71% and was ranked second in the qualitative assessment. It has extensive experience providing plant and tree stock to various organisations including the City of Stirling, Curtin University and Great Northern Connect. It has sufficient capacity to supply the goods and services to the City. It demonstrated a thorough understanding and appreciation of the City's requirements. Workpower Incorporated is a Western Australian Disability Enterprise providing employment opportunities to people with disabilities and mental illness.

Benara Nurseries scored 71.5% and was ranked first in the qualitative assessment. It demonstrated a sound understanding of the required tasks. It has extensive experience providing advanced trees and shrub stock to various organisations, including state and local governments in WA. Examples of works included the City of Gosnells winter planting 2016 and Metropolitan Redevelopment Authority Perth Waterfront Project – Elizabeth Quay. It is well established with sufficient capacity to provide the goods and services to the City.

Given the minimum acceptable qualitative score of 55%, Benara Nurseries, Workpower Incorporated, Forestvale Trees Pty Ltd, Arborwest Tree Farm and Plantrite qualified for stage two of the assessment.

Price Assessment

The panel carried out a comparison of the rates provided by each supplier in order to assess value for money to the City. The rates submitted by each supplier are indicative and for assessment purposes only. These rates are not expected to apply during the term of the panel. Quotations will be sourced from pre-qualified suppliers during the term of the panel.

The estimated expenditure over a 12-month period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the offers, the indicative rates submitted by each supplier have been applied to actual historical usage data of all existing scheduled items and projected usage for new items. This provides a value of each offer for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained.

For estimation purposes, a 2% CPI increase was applied to the rates in years two and three.

Supplier	Year 1	Year 2	Year 3	Total	* No. of Scheduled Items
Benara Nurseries	\$ 116,231	\$ 118,555	\$ 120,926	\$ 355,712	49
Workpower Incorporated	\$ 99,683	\$ 101,676	\$ 103,710	\$ 305,068	43
Forestvale Trees Pty Ltd	\$ 130,900	\$ 133,518	\$ 136,188	\$ 400,606	31
Arborwest Tree Farm	\$ 65,380	\$ 66,688	\$ 68,021	\$ 200,089	13
Plantrite	\$ 69,563	\$ 70,954	\$ 72,373	\$ 212,889	39

**Number of scheduled most commonly used items (in total 65 items with usage data) where prices were submitted.*

During 2017-18, the City incurred \$120,751 for tree stock.

Evaluation Summary

Supplier	* No. of Items	Total Estimated Price	Qualitative Ranking	Weighted Percentage Score
Benara Nurseries	49	\$ 355,712	1	71.5%
Workpower Incorporated	43	\$ 305,068	2	71%
Forestvale Trees Pty Ltd	31	\$ 400,606	3	60.8%
Arborwest Tree Farm	13	\$ 200,089	4	59.2%
Plantrite	39	\$ 212,889	5	55.1%

**Number of scheduled most commonly used items indicated able to supply. The variances in supplied items have driven the differences between estimated values from the different respondents.*

Based on the evaluation result the panel concluded that the offers from Benara Nurseries, Workpower Incorporated, Forestvale Trees Pty Ltd, Arborwest Tree Farm and Plantrite provide value to the City and are therefore recommended for inclusion in the panel.

Issues and options considered

The City has a requirement to establish a panel of pre-qualified suppliers and engage a panel contractor or contractors to supply and deliver tree stock to various locations within the City on a when required basis. The City does not have the internal resources to provide the required services and requires the appropriate external contractor/s to provide the service.

The City reserves the right to appoint up to six members to the panel of pre-qualified suppliers. The City may terminate a pre-qualified supplier from the panel without affecting the remaining members of the panel.

Legislation / Strategic Community Plan / policy implications

Legislation

A statewide public invitation was advertised, opened and evaluated in accordance with regulations 24AD(1) and 24AH(3) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where if a local government decides to establish a panel of pre-qualified suppliers of particular goods or services, persons are to be publicly invited to apply to join the panel.

Strategic Community Plan

Key theme

The Natural Environment.

Objective

Environmental resilience.

Strategic initiative

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

Policy

Clause 3.9 of the City's *Purchasing Policy*.

Risk management considerations

Should the panel not proceed, the risk to the City will be high as the failure to engage contractor/s in time for the supply of trees could jeopardise the delivery of the winter tree planting program and the replacement trees for the Leafy City project.

It is considered that the panel will represent a low risk to the City as the recommended panel members are well-established suppliers with industry experience and capacity to provide the goods and services to the City.

Financial / budget implications

Account no.	W2169 (PDP2252).
Budget Item	Supply of tree stock.
Budget amount	\$ 140,000
Amount spent to date	\$ 27,371
Committed	\$ 8,323
Proposed cost	Not applicable.
Balance	Not applicable.

No contracts have been entered into at this time. Contracts will be established on the basis of prices quoted from panel members during the term of the panel. Maximum spend in 2018-19 is dictated by the budget available.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

The provision of trees is a climate change mitigation strategy as outlined in the City's *Climate Change Strategy 2014-2019*.

Natural shade from a mature tree canopy reduces exposure to ultra-violet rays and provides additional benefits such as:

- reduces ambient air temperature via transpiration through leaves
- makes communities more liveable for people and their activities
- contributes to general health and well being
- oxygenate and clean the air
- provide canopy and habitat for wildlife
- helps prevent soil erosion
- reduces evaporation and wind speed.

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 offers submitted by Benara Nurseries, Workpower Incorporated, Forestvale Trees Pty Ltd, Arborwest Tree Farm and Plantrite represent value to the City.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 **ACCEPTS** the offer submitted by The Trustee for the Quito Unit Trust trading as Benara Nurseries to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years;
- 2 **ACCEPTS** the offer submitted by Workpower Inc trading as Workpower Incorporated to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years;
- 3 **ACCEPTS** the offer submitted by Forestvale Trees Pty Ltd to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years;
- 4 **ACCEPTS** the offer submitted by The Trustee for Great Scott Family Trust trading as Arborwest Tree Farm to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years;
- 5 **ACCEPTS** the offer submitted by Plant Force Investments Pty Ltd (Plantrite) to join the panel of pre-qualified suppliers for the supply and delivery of tree stock as specified in Invitation 012/18 for a period of three years.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf180911.pdf](#)

CJ165-09/18 PETITION REQUESTING UPGRADE OF SYCAMORE PARK, DUNCRAIG

WARD	South
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	09429, 05386, 17849, 101515
ATTACHMENTS	Attachment 1 Sycamore Park and Killen Park Attachment 2 Sycamore Park relative to Kelvin Park and Juniper Park Attachment 3 Overlapping 400 metre Walkable Catchments Attachment 4 400 metre Walkable Catchments of Killen Park versus Sycamore Park
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 petition requesting the upgrade of Sycamore Park, Duncraig.

EXECUTIVE SUMMARY

A Petition of Electors was received by Council at its meeting held on 17 April 2018 (C34-04/18 refers). The petition requested that Council upgrade Sycamore Park delivering a new integrated playground / nature play space, path network system, upgraded turf and flora maintenance, as well as focusing on the subsequent needs of parents and caregivers when visiting the park.

Sycamore Park, Duncraig, is a local recreation park located within the South Ward and consists of approximately 7,657m² of irrigated parkland (Attachment 1 refers). The north-south sloped topography of Sycamore Park does not lend itself to the installation of a universal access path network and a formal play space. The parks infrastructure assets consist of a bin, a park sign, and three items of play equipment consisting of a swing set and two rockers.

Sycamore Park and the nearby Kelvin Park, Juniper Park and Killen Park all have overlapping 400 metre walkable catchments. Sycamore Park play equipment is located 290 metres from Kelvin Park play space (eight residential lots away) and 463 metres from Juniper Park play space. Killen Park does not have play infrastructure (Attachment 2 refers).

During the development of the 2017-18 Budget, the rationalisation of the City's play spaces was discussed where there was an overlap of play equipment assets in a 400-metre walkable catchment (Attachment 3 refers).

Both Kelvin Park and Juniper park are larger parks than Sycamore Park with bigger play spaces, servicing greater catchments, therefore Sycamore Park has been considered for rationalisation when Kelvin Park play space is renewed in approximately 2024-25.

Killen Park is located across the road from Sycamore Park on Sycamore Drive (Attachment 1 refers). Killen Park does not currently have any play equipment, but has a level, uniform landform, which lends itself better to the installation of universal access footpaths and recreational assets. Should demand warrant an additional play space in the future, it is proposed that a play space be considered at Killen Park. A play space at Killen Park in-lieu of a play space at Sycamore Park would cover an additional 20 lots within the 400-metre walkable catchment (Attachment 4 refers).

The City currently has three park landscape upgrade programs, two of which are not applicable to Sycamore Park. The third, the Turf Renovation Program will be implemented in Sycamore Park in spring 2018 to improve the condition of the existing turf.

It is therefore recommended that Council:

- 1 *DOES NOT SUPPORT the request to upgrade Sycamore Park;*
- 2 *SUPPORTS the rationalisation of the play equipment items at Sycamore Park when the play space at Kelvin Park is renewed;*
- 3 *NOTES that should demand warrant another play space in the future, Killen Park would be considered due to the topography of the site and larger walkable catchment from existing play spaces;*
- 4 *ADVISES the lead petitioner of its decision.*

BACKGROUND

At its meeting held on 17 April 2018 (C34-04/18 refers), Council received a 42-signature petition from residents requesting Council consider the upgrade of Sycamore Park, Duncraig. The wording on the petition was as follows:

"We, the undersigned, all being electors of the City of Joondalup do respectfully request that the Council upgrade Sycamore Park. It is hoped that an upgrade will deliver (using natural products and incorporating the natural environment) new integrated playground/nature play space concept focusing on the play needs of children aged 0-12 years (medium size combination play unit, double swing set, senior and junior seats, and other play equipment etc) as well as focusing on the subsequent needs of their parents and caregivers when visiting the park/playground. Furthermore, it is hoped that a path system connecting the park to the amenities would be considered as well as upgraded turf, flora maintenance to reduce the water wastage (natural mulch, native under plating, turf improvement)."

Sycamore Park, Duncraig is located within the South Ward with approximately 7,657m² of irrigated parkland. The park is linear in extent with a north-south sloped landform. It is located on Scaddan Street and Sycamore Drive (Attachment 1 refers).

Existing infrastructure at Sycamore Park includes the following:

- Swing set with a standard seat and a toddler seat (installed in 2001).
- Two rockers.

- Waste bin.
- Irrigation and bore.
- Signage (park name).
- Bollard perimeter fence.

DETAILS

Play space

The revised *Parks and Public Open Spaces Classification Framework* (PPOSCF), adopted as a management guideline to assist in the planning and provision of park and public open space assets, classifies Sycamore Park as a local recreation park.

Sycamore Park play equipment is located 290 metres from Kelvin Park play space and 463 metres from Juniper Park play space (Attachment 2 refers).

The PPOSCF lists Juniper Park as a local sports park. The following projects are included in the *2018-19 Capital Works Program* for Juniper Park:

- Play space renewal (\$110,000).
- Landscape master plan project (\$505,000).

The PPOSCF lists Kelvin Park as a local recreation park. The play space at Kelvin Park was installed in 2003 and is not currently listed in the *Five Year Capital Works Program*, however, based on age and condition, the play space is proposed to be renewed in approximately 2024-25.

During the development of the 2017-18 Budget, the rationalisation of the City's play spaces was discussed where there was an overlap of play equipment assets in a 400-metre walkable catchment (Attachment 3 refers).

The play equipment at Sycamore Park and the play space at the nearby Kelvin Park are less than 300 metres (only eight houses) apart. Rationalisation has been considered as the walkable catchments of the existing play spaces overlap with an overprovision of infrastructure.

Of the two parks, Sycamore Park was selected for rationalisation for the following reasons:

- Sycamore Park (0.77ha) is smaller than Kelvin Park (1.4ha).
- Sycamore Park has a sloped topography which limits recreational functionality and universal access where Kelvin Park is relatively flat.
- Sycamore Park currently has only limited recreational equipment consisting of a swing set and two rockers. Kelvin Park currently has a larger play space consisting of a medium combination unit, swing set and two benches.
- Sycamore Park services a smaller catchment than Kelvin Park as it is partially bounded by the Mitchell Freeway along the eastern side.

The recommended date for the removal of the play equipment at Sycamore Park is to coincide with Kelvin Park play space renewal in approximately 2024-25.

Landscaping

The City currently has three park landscape upgrade programs:

- 1 The *Landscape Master Program*. This program includes upgrading the irrigation systems to include hydrozoning and ecozoning. It is undertaken at sporting and regional reserves where the City can achieve large-scale water conservation in line with the City's water plan. The soft-landscaping component includes creating dry mulched areas, tree planting and limited understorey groundcover planting. Sycamore Park would not be considered for this program as it is neither a sporting nor a regional reserve.
- 2 The *Park Amenity Renewal Program*, which commenced in 2018-19. The program is designed to provide amenity improvement to irrigated local recreation parks. This will be achieved through reducing water usage in some parts of the park (usually under heavily treed areas and remnant bushland) and increasing the water allocation to the remaining turf areas. The City will also apply fertiliser and a wetting agent to the turf area to improve the vigour of the turf and resilience to weed growth by developing deeper root systems. The budget (\$50,000) allows one park per year to be included in the program. Sycamore Park would not be considered for this program at this time due to the sporadic planting of the park trees and lack of remnant bushland.
- 3 The *Turf Renovation Program*. Irrigated local recreation parks are considered for this program to improve the vigour and condition of turf, thus maximising the City's existing water usage. The program includes the application of a soil wetter and fertilising. Sycamore Park is included in this program.

The City's standard irrigation rate for local recreation parks, including Sycamore Park is 40% of the evapotranspiration replacement rate. The parks in the City that receive a higher rate are the City's sporting and regional parks. The City's irrigation rates for local, sporting and regional parks are consistent with the Department of Water's groundwater licensing allocations.

Issues and options considered

Play space

The closest park to Sycamore Park is Killen Park, which is located across the road on Sycamore Drive (Attachment 1 refers). Killen Park does not currently have any play equipment, but it has a more level topography, which lends itself better to the installation of universal access footpaths and recreational assets. Killen Park is also better located in terms of the 400 metre walkable catchment overlaps. A play space at Killen Park instead of Sycamore Park would include an additional 20 lots within the 400-metre walkable catchment (Attachment 4 refers). Consideration can be given to a play space at Killen Park in the future, should demand warrant it.

Should Council choose to renew the existing play equipment at Sycamore Park, it should be noted that the City currently has over 50 play spaces older than the play items at Sycamore Park. Therefore, it is recommended that Sycamore Park not be considered for renewal prior to 2023-24, by which date the 50-plus older play spaces located throughout the City of Joondalup in lesser condition will have been replaced. It would be further recommended that the level of infrastructure be in line with the City's current play space renewals for parks of similar size. The budget for play space renewal for this size and classification of park is \$60,000 which will deliver a small play space catering for ages two to 12. The play space would typically include a bench, a swing set, a small combination unit and small nature play items such as logs and steppers with an access footpath to the nearest road.

Landscaping

The landscaping or the provision of understorey planting of a local recreation park is a level of service the City does not provide.

The installation of understorey planting areas will incur additional costs as the irrigation system will need to be upgraded from turf sprinklers to garden bed sprinklers with separate stations. Concrete mowing kerbs will also need to be installed to separate the turf and planting areas. This level of landscaping is currently only undertaken by the City within the CBD, nominated sports parks identified in the *Landscape Masterplan Projects* (LMP) program or SAR areas.

Understorey planting will have additional maintenance requirements including:

- weed spraying
- understorey plant pruning to ensure clear sightlines to facilitate Crime Prevention Through Environmental Design (CPTED)
- litter removal as planting forms litter traps
- mulch topping up.

Based on the above, the following options can be considered:

Option 1

Do nothing.

Option 2

Rationalise the play equipment items at Sycamore Park when the play space at Kelvin Park is renewed in 2024-25.

Option 3

Rationalise the play equipment pieces at Sycamore Park when the play space at Kelvin Park is renewed and consider the installation of a new \$60,000 play space at Killen Park in the future if demand warrants it. This is the recommended option.

Option 4

List Sycamore Park for consideration of a play space renewal in the *Five Year Capital Works Program* for 2023-24 at \$60,000.

Option 5

Renewal of the playspace and the installation of new landscaping with associated planting, mowing kerbs, mulch and irrigation at \$200,000 plus an increased level of maintenance service.

Legislation / Strategic Community Plan / policy implications

Legislation

Not applicable.

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective Quality open spaces.

Strategic initiative Employ quality and enduring infrastructure designs that encourage high utilisation and increased outdoor activity.

Policy Not applicable.

Risk management considerations

Installing LMP type landscaping in a small local recreation park could set a precedent for the City's remaining 270 sporting and recreational parks.

The over provision of play spaces demonstrated in this case currently supports an inequitable distribution of access to play infrastructure across the City.

Financial / budget implications

The petitioners request would cost approximately \$200,000 as listed below.

There is no provision in the *Five Year Capital Works Program* or *20 Year Strategic Financial Plan* for any improvements at Sycamore Park.

The cost effect to deliver the works as per the Petitioners request for Sycamore Park would be as follows:

- Landscaping - understorey planting areas, mulch, mowing kerb and irrigation upgrade approximate cost \$140,000.
- Play space - \$60,000.

Future financial year impact

The table below summarises the capital costs of each option.

- Option 3 is based on a new play space at Killen Park.
- Option 4 is based on the renewal of the playspace at Sycamore Park.
- Option 5 is based on the renewal of the playspace and installation of new landscaping with associated planting, mowing kerbs, mulch and irrigation at Sycamore Park.

Capital Costs	Option 1	Option 2	Option 3	Option 4	Option 5
	Do nothing	Rationalise play equipment at Sycamore Park	Rationalise play equipment at Sycamore Park and consider a new play space at Killen Park	Replace play equipment at Sycamore Park	Petitioner's request
New playground at Sycamore Park				\$60,000	\$60,000
Playspace renewal at Killen Park			\$60,000		
Landscaping upgrade					\$140,000
TOTAL			\$60,000	\$60,000	\$200,000

The table below summarises the estimated annual operating costs from 2024-25 for each option, including operating expenses and depreciation.

- Option 1 currently costs approximately \$1,800 per year to maintain the existing play equipment.
- Option 2 is the lowest -cost option as it would save the \$1,800 that is currently spent by the City.
- Option 3 and 4 would both cost \$4,900 per year, which is \$3,100 more than the current costs.
- Option 5 would cost over \$10,300 per year, which is \$8,500 more than existing costs.

Operating impacts per annum 2024-25 onwards	OPTION 1	OPTION 2	OPTION 3	OPTION 4	Option 5
	Existing costs of play equipment at Sycamore Park	Rationalise play equipment at Sycamore Park	Rationalise play equipment at Sycamore Park and consider a new play space at Killen Park	Replace play equipment at Sycamore Park	Petitioner's request
Playground maintenance Sycamore Park	\$1,500			\$2,500	\$2,500
Playground maintenance Killen Park			\$2,500		
Landscaping upgrading					\$2,600
Depreciation	\$300		\$2,400	\$2,400	\$5,200
Operating impacts for each option vs Baseline	\$1,800		\$4,900	\$4,900	\$10,300
		-\$1,800	\$3,100	\$3,100	\$8,500

20 Year Strategic Financial Plan Impact

The recommended option (Option 3) has the potential to increase infrastructure within the City which is not currently included in the adopted *20 Year Strategic Financial Plan*. The total 20-year cash cost is estimated at \$100,000 if a play space is considered at Killen Park in the future.

The petitioners request (Option 5) would have a total cash impact over 20 years of \$300,000.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

Sycamore Park is a small local recreation park, servicing a limited catchment. It is not well suited to recreation due to its sloped aspect. The required Australian Standard universal access gradients would be difficult to achieve in the construction of a path network. Killen Park is better located in terms of walkable catchments, with a level topography that is more suitable for a play space and universally accessible footpaths.

The condition of the turf at Sycamore Park will benefit from the *Turf Renovation Program*.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 DOES NOT SUPPORT the request to upgrade Sycamore Park;**
- 2 SUPPORTS the rationalisation of the play equipment items at Sycamore Park when the play space at Kelvin Park is renewed;**
- 3 NOTES that should demand warrant another play space in the future, Killen Park would be considered due to the topography of the site and larger walkable catchment from existing play spaces;**
- 4 ADVISES the lead petitioner of its decision.**

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf180911.pdf](#)

REPORTS – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE – 4 SEPTEMBER 2018

Disclosures of interest affecting impartiality

Name/Position	Ms Dale Page, Acting Chief Executive Officer.
Item No./Subject	CJ166-09/18 – Confidential – Chief Executive Officer Concluded Annual Performance Review.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Ms Page's employment relationship with the Chief Executive Officer.

Name/Position	Mr Mike Tidy, Director Corporate Services.
Item No./Subject	CJ166-09/18 – Confidential – Chief Executive Officer Concluded Annual Performance Review.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Tidy's employment relationship with the Chief Executive Officer.

CJ166-09/18 **CONFIDENTIAL – CHIEF EXECUTIVE OFFICER CONCLUDED ANNUAL PERFORMANCE REVIEW**

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	74574
ATTACHMENT	Attachment 1 Chief Executive Officer KPI's for 2018-19, (distributed under separate cover). Attachment 2 Chief Executive Officer Confidential Concluded Annual Performance Review Report (distributed under separate cover). (Please Note: <i>The Report and Attachments are confidential and will appear in the official Minute Book only</i>)
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.

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

a matter affecting an employee or employees.

A full report is provided to Elected Members under separate cover. The report is not for publication.

Disclosure of interest affecting impartiality

Name/Position	Ms Dale Page, Acting Chief Executive Officer.
Item No./Subject	CJ167-09/18 – Confidential – Annual Salary Review – Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Ms Page's employment relationship with the Chief Executive Officer.

Name/Position	Mr Mike Tidy, Director Corporate Services.
Item No./Subject	CJ167-09/18 – Confidential – Annual Salary Review – Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Tidy's employment relationship with the Chief Executive Officer.

CJ167-09/18 CONFIDENTIAL – ANNUAL SALARY REVIEW – CHIEF EXECUTIVE OFFICER

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	74574
ATTACHMENT	Attachment 1 Confidential Report Annual Salary Review – Chief Executive Officer (distributed under separate cover). (Please Note: <i>The Report and Attachment is confidential and will appear in the official Minute Book only).</i>
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.

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

a matter affecting an employee or employees.

A full report is provided to Elected Members under separate cover. The report is not for publication.

URGENT BUSINESS

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR JOHN LOGAN – INSTALLATION OF TOILET FACILITY AT SHEPHERDS BUSH PARK, KINGSLEY

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Logan has given notice of his intention to move the following Motion at the Council meeting to be held on 18 September 2018:

That Council REQUESTS the Chief Executive Officer prepare a report on the feasibility of installing a low cost, low maintenance toilet facility at Shepherds Bush Park, Kingsley.

REASON FOR MOTION

The City of Joondalup's award-winning play space and, more recent, BMX pump and jump track at Shepherds Bush Park in Kingsley is delivering significant rest and recreation benefits to City residents and attracting an increasing number of visitors from other metropolitan municipalities.

The play space, incorporating a bike skills track to improve child safety, was named Play space of the Year, (under \$500,000), at the 2017 Parks and Leisure Australia WA Awards.

The play space, BMX pump and jump, and a number of other Shepherds Bush Park facilities, such as barbecues and shelters, can collectively be catalysts to improve interaction between local community members and foster better relations with visitors.

A City investigation supports public calls for consideration to be given to installing a low-cost, low-maintenance toilet facility at the popular park, especially as the nearest toilet is approximately 800 metres from the site, at Barridale Park.

The City administration compared Shepherds Bush Park with a park of similar classification and size, Delamere Park, Currambine that has a toilet. The results revealed a higher activation of Shepherds Bush Park over various times of the day in comparison with Delamere Park (approximately three to four times greater), including a greater variety in demographics of users of the parks.

OFFICER'S RECOMMENDATION

A report can be prepared.

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

CLOSURE



**DECLARATION OF
FINANCIAL INTEREST/PROXIMITY INTEREST/INTEREST THAT
MAY AFFECT IMPARTIALITY**

**To: CHIEF EXECUTIVE OFFICER
CITY OF JOONDALUP**

Name/ Position	
Meeting Date	
Item No/ Subject	
Nature of Interest	Financial Interest * Proximity Interest* Interest that may affect impartiality* <div style="text-align: right;"><i>* Delete where not applicable</i></div>
Extent of Interest	
Signature	
Date	

Section 5.65(1) of the *Local Government Act 1995* states that:

"A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) in a written notice given to the CEO before the meeting; or*
- (b) at the meeting immediately before the matter is discussed."*



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

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

QUESTIONS

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to council.questions@joondalup.wa.gov.au

Please note that:

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



**STATEMENT TO BE MADE AT
BRIEFING SESSION/COUNCIL MEETING**

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

STATEMENT

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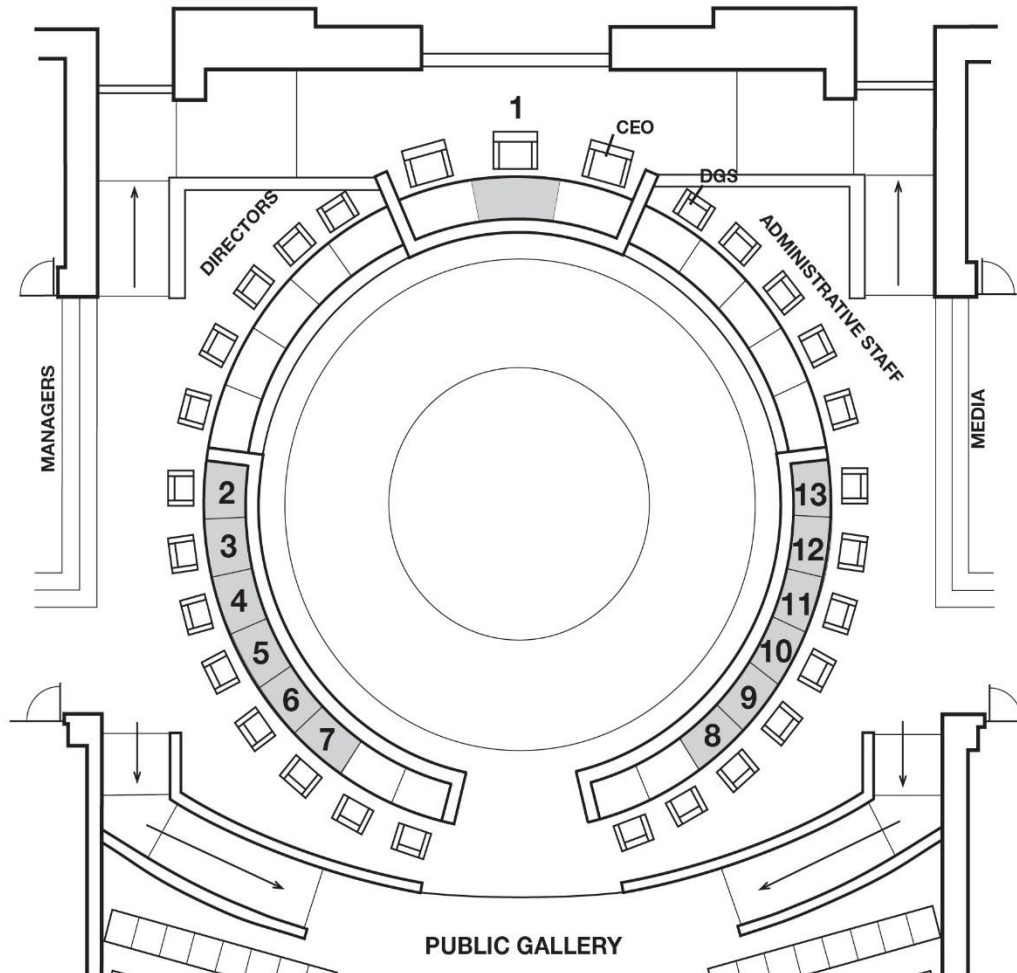
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Please submit this form at the meeting.

Please note that:

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

Council Chamber – Seating Diagram



Mayor

1 His Worship the Mayor, Hon. Albert Jacob, JP (Term expires 10/21)

North Ward

- 2 Cr Kerry Hollywood (Term expires 10/21)
- 3 Cr Tom McLean, JP (Term expires 10/19)

North-Central Ward

- 4 Cr Philippa Taylor (Term expires 10/21)
- 5 Cr Nige Jones (Term expires 10/19)

Central Ward

- 6 Cr Christopher May (Term expires 10/21)
- 7 Cr Russell Poliwka (Term expires 10/19)

South-West Ward

- 8 Cr Christine Hamilton-Prime (Term expires 10/21)
- 9 Cr Mike Norman (Term expires 10/19)

South-East Ward

- 10 Cr John Chester (Term expires 10/21)
- 11 Cr John Logan (Term expires 10/19)

South Ward

- 12 Cr Russ Fishwick, JP (Term expires 10/21)
- 13 Cr Sophie Dwyer (Term expires 10/19)