

# agenda

## Briefing Session

A BRIEFING SESSION WILL BE HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP

**ON**

**TUESDAY 4 DECEMBER 2018**

**COMMENCING AT**

**6.30pm**

**GARRY HUNT**  
Chief Executive Officer  
30 November 2018

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

*This document is available in alternate formats upon request*

#### **PUBLIC QUESTION TIME**

Members of the public are requested to lodge questions in writing by close of business on **Monday 3 December 2018**

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

#### **QUESTIONS TO**

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

PO Box 21 Joondalup WA 6919

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

## BRIEFING SESSIONS

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

### INTRODUCTION

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

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

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

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

### PURPOSE OF BRIEFING SESSIONS

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

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

### PROCEDURES FOR BRIEFING SESSIONS

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

- 1 Briefing Sessions will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.
- 2 Dates and times for Briefing Sessions will be set well in advance where practicable, and appropriate notice given to the public.
- 3 The Chief Executive Officer will ensure timely written notice and an agenda for each Briefing Session will be provided to all Elected Members, members of the public and external advisors (where appropriate).
- 4 The Mayor is to be the Presiding Member at Briefing Sessions. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Briefing Session. If the Deputy Mayor is unable or unwilling, those Elected Members present may select one from amongst themselves to preside at the Briefing Session.

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

### **PROCEDURES FOR PUBLIC QUESTION TIME**

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

#### **Questions asked verbally**

- 1 Members of the public are invited to ask questions at Briefing Sessions.
- 2 Questions asked at a Briefing Session must relate to a matter contained on the agenda.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.

- 4 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per member of the public.
- 5 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be allocated a minimum of 15 minutes. Public question time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 35 minutes in total.
- 8 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
  - accept or reject any question and his/her decision is final
  - nominate an Elected Member and/or City employee to respond to the question or
  - take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Briefing Session.
- 9 Where an Elected Member is of the opinion that a member of the public is:
  - asking a question at a Briefing Session that is not relevant to a matter listed on the agenda
  - or
  - making a statement during public question time,they may bring it to the attention of the Presiding Member who will make a ruling.
- 10 Questions and any responses will be summarised and included in the agenda of the next Briefing Session.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

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

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions must relate to a matter contained on the agenda.

- 3 The City will accept a maximum of five written questions per City of Joondalup resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by the close of business on the working day immediately prior to the scheduled Briefing Session will be responded to, where possible, at the Briefing Session. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Briefing Session will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Briefing Session.
- 8 A person who submits written questions may also ask questions at a Briefing Session and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the agenda of the next Briefing Session.
- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

Written questions should be sent via email to [council.questions@joondalup.wa.gov.au](mailto: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 at Briefing Sessions were adopted at the Council meeting held on 19 November 2013:

- 1 Members of the public are invited to make statements at Briefing Sessions.

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

### **PROCEDURES FOR DEPUTATIONS**

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

To request an opportunity to make a Deputation Complete the [Deputation Request Form](#).

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

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

## 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 Briefing Session, the following hyperlink will become active:

[Additional Information181204.pdf](#)

## CITY OF JOONDALUP – BRIEFING SESSION

To be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 4 December 2018** commencing at **6.30pm**.

### ORDER OF BUSINESS

#### OPEN AND WELCOME

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

#### DEPUTATIONS

#### PUBLIC QUESTION TIME

The following questions were submitted to the Briefing Session held on 13 November 2018:

**Ms M O’Byrne, Kinross:**

*Re: Item 3 - Reconsideration of Proposed Telecommunications Infrastructure from State Administrative Tribunal – Lot 11609 (91) Camberwarra Drive, Craigie.*

*Q1 In the interests of transparency, who provided the independent peer review to Council?*

*A1 The Director Planning and Community Development advised the City engaged a qualified landscape architect who has expertise in this field to undertake the peer review.*

*Q2 If Council confirms its previous decision and rejects the new proposal and is then engaged fully at the State Administrative Tribunal, is there any means by which local residents can have an input at the State Administrative Tribunal?*

*A2 The Director Planning and Community Development commented if a resident would like to participate they can make a request to the State Administrative Tribunal. Under certain circumstances the State Administrative Tribunal will allow a resident to make a short presentation during a mediation process, but that is entirely up to the State Administrative Tribunal as it is their process.*

**Mr A Reay, Quinns:**

*Re: Item 3 - Reconsideration of Proposed Telecommunications Infrastructure from State Administrative Tribunal – Lot 11609 (91) Camberwarra Drive, Craigie.*

*Q1 Will there be any form of compensation for local residents for loss of value in their properties?*

*A1 The Director Planning and Community Development advised land value and potential loss of value is not a valid land use planning consideration and the City is unable to take this into consideration through the assessment of the planning application. Therefore, there is no ability or right to compensation.*

*Q2 There is a parcel of bushland in Craigie to the north-east of the proposed site between Eddystone Avenue and Drysdale Road (not used for any other purpose that I am aware of) that is further away from schools and residences. Would this not be a more appropriate site?*

*A2 The Director Planning and Community Development commented the applicant has investigated a number of sites and discounted the sites that were considered.*

**Mr P Humber, Joondalup:**

*Re: Item 4 – Proposed Unlisted Use (Helicopter Parking) at Joondalup Resort – Lot 535 (45) Country Club Boulevard, Connolly.*

*Q1 How can a helicopter commence operations on tennis courts and facilities without getting approval from Council and having done so, presumed to be able to think it is permission to carry on?*

*A1 The Director Planning and Community Development advised on occasions owners of land and users of land do use land for purposes which they do not have approval for. As soon as the City becomes aware of the situation it will contact the operator and advise they need to stop the activity or seek approval for the activity. Those are the two legal options open to the City in the event of non-compliance and this is what the applicant has done.*

*Q2 Is the operator permitted to carry on the activity until such time as approval is refused or given?*

*A2 The Director Planning and Community Development advised yes, until such time as there is a decision made on their application.*

## PUBLIC STATEMENT TIME

The following statements were made at the Briefing Session held on 13 November 2018:

**Ms M O’Byrne, Kinross:**

*Re: Item 3 - Reconsideration of Proposed Telecommunications Infrastructure from State Administrative Tribunal – Lot 11609 (91) Camberwarra Drive, Craigie.*

Ms O’Byrne made reference to the original application by Optus that was refused by Council at its meeting held on 15 May 2018 and raised her concerns that the matter was again being considered by Council following an invitation from the State Administrative Tribunal to do so.

**Mr A Lohman, Perth:**

*Re: Item 2 – Retrospective Development Application for Seating Addition to the Little H Café (Restaurant) at Lot 702 (24/34) Marri Road, Duncraig.*

Mr Lohman commented that advice had been provided to the City to the effect that car parking at the Duncraig Shopping Centre was for the sole use of tenants and their customers and was not for the use of patrons utilising the Little H Café.

Mr Lohman requested Council to consider this fact when making its deliberations.

**Mr P Humber, Joondalup:**

*Re: Item 4 – Proposed Unlisted Use (Helicopter Parking) at Joondalup Resort – Lot 535 (45) Country Club Boulevard, Connolly.*

Mr Humber stated he had resided in Connolly for 20 years, his residence being approximately 200 metres from the current helicopter landing site.

Mr Humber raised his concerns in relation to noise, safety issues and amenity of the local area.

**Dr B Sova, Craigie:**

*Re: Item 3 - Reconsideration of Proposed Telecommunications Infrastructure from State Administrative Tribunal – Lot 11609 (91) Camberwarra Drive, Craigie.*

Dr Sova raised his concerns on behalf of children living in the vicinity of the proposed telecommunications facility with respect to potential health issues and the impact on the amenity of the park and expressed objection to the approval of the telecommunications tower.

**Mrs A Edwards, Craigie:**

*Re: Item 3 - Reconsideration of Proposed Telecommunications Infrastructure from State Administrative Tribunal – Lot 11609 (91) Camberwarra Drive, Craigie.*

Mrs Edwards commented she had lived in Craigie for five years and had been a customer of Optus for that period of time and had not experienced any difficulties with mobile phone coverage.

Mrs Edwards raised her concerns regarding a proposal for a third telecommunications tower in the locality.

## **APOLOGIES AND LEAVE OF ABSENCE**

### **Leave of Absence previously approved**

Cr Sophie Dwyer	3 December to 7 December 2018 inclusive;
Cr Christine Hamilton-Prime	20 December 2018 to 1 January 2019 inclusive;
Mayor Hon. Albert Jacob	18 January to 25 January 2019 inclusive.

## REPORTS

### ITEM 1                      DEVELOPMENT AND SUBDIVISION APPLICATIONS – OCTOBER 2018

<b>WARD</b>	All			
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development			
<b>FILE NUMBER</b>	07032, 101515			
<b>ATTACHMENT</b>	Attachment 1	Monthly Development Determined – October 2018	Applications	
	Attachment 2	Monthly Subdivision Processed – October 2018	Applications	
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').			

#### PURPOSE

For Council to note the number and nature of applications considered under delegated authority during October 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 October 2018 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during October 2018 (Attachment 2 refers).

#### BACKGROUND

Clause 82 of Schedule 2 (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 21 August 2018 (CJ133-08/18 refers) Council considered and adopted the most recent Town Planning Delegations.

## DETAILS

### Subdivision referrals

The number of subdivision and strata subdivision referrals processed under delegated authority during October 2018 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	5	5
Strata subdivision applications	9	10
<b>TOTAL</b>	<b>14</b>	<b>15</b>

*Of the 14 subdivision referrals, eight were to subdivide in housing opportunity areas, with the potential for nine additional lots.*

### Development applications

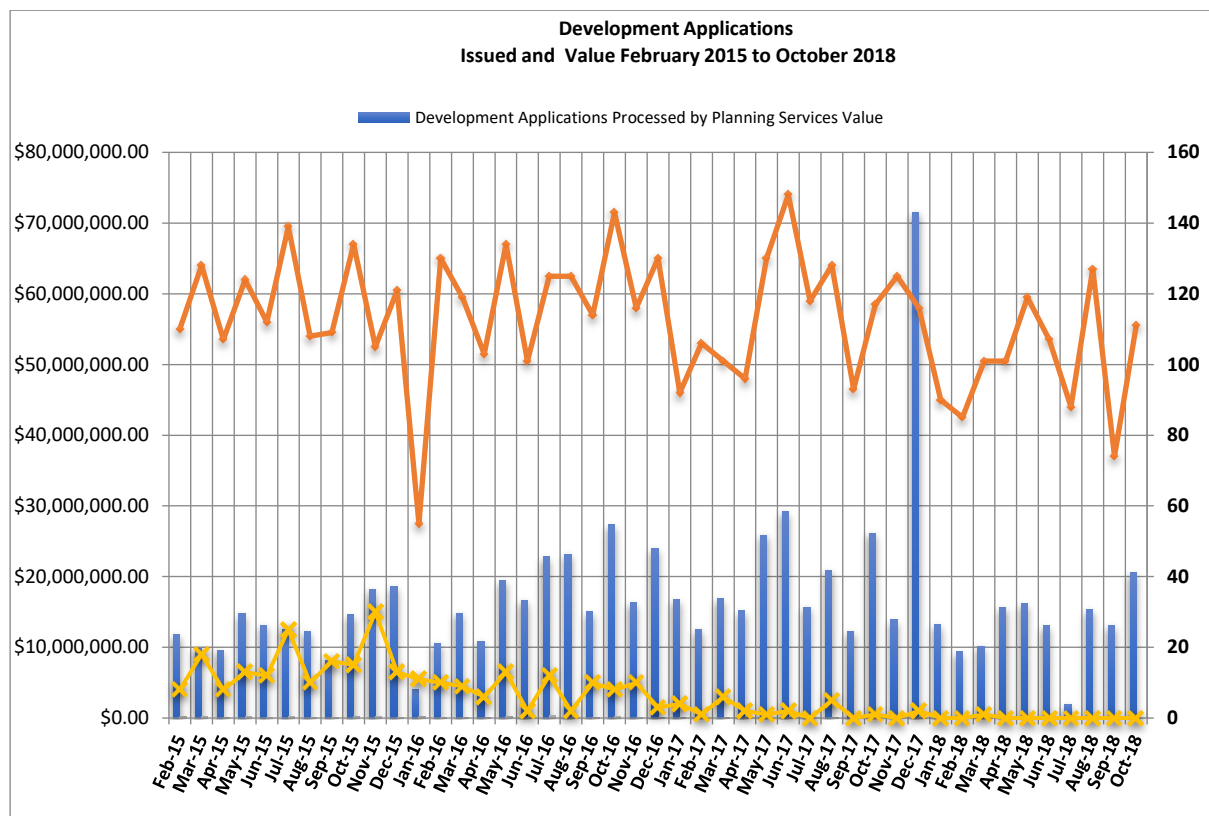
The number of development applications determined under delegated authority during October 2018 is shown in the table below:

Type of development application	Number	Value (\$)
Development applications processed by Planning Services	111	\$20,540,881
Development applications processed by Building Services	0	0
<b>TOTAL</b>	<b>111</b>	<b>\$20,540,881</b>

*Of the 111 development applications, 14 were for new dwelling developments in housing opportunity areas, proposing a total of 32 additional dwellings.*

The total number and value of development applications determined between February 2015 and October 2018 is illustrated in the graph below:





The number of development applications received during October was 144. (This figure does not include any development applications to be processed by Building Approvals as part of the building permit approval process).

The number of development applications current at the end of October was 305. Of these, 36 were pending further information from applicants and 16 were being advertised for public comment.

In addition to the above, 302 building permits were issued during the month of October with an estimated construction value of \$38,928,706.

### Issues and options considered

Not applicable.

### Legislation / Strategic Community Plan / policy implications

#### Legislation

*City of Joondalup Local Planning Scheme No. 3 (LPS3).  
Planning and Development (Local Planning Schemes)  
Regulations 2015 (Regulations).*

#### Strategic Community Plan

#### Key theme

Quality Urban Environment.

#### Objective

Quality built outcomes.

#### Strategic initiative

Buildings and landscaping is suitable for the immediate environment and reflect community values.

**Policy**

Not applicable. All decisions made under delegated authority have due regard to any of the City's policies that apply to the particular development.

Clause 82 of Schedule 2 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 clause 82 of Schedule 2 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 111 development applications were determined for the month of October with a total amount of \$94,058 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 LPS3 and the Regulations.

**COMMENT**

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

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

**VOTING REQUIREMENTS**

Simple Majority.

## RECOMMENDATION

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

- 1 development applications described in Attachment 1 to this Report during October 2018;
- 2 subdivision applications described in Attachment 2 to this Report during October 2018.

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf181204.pdf](#)

## ITEM 2                      DEVELOPMENT APPLICATION FOR MEDICAL CENTRE (MODIFICATION TO PREVIOUS APPROVAL) AT LOT 74 (4-6/3) CASTLEGATE WAY, WOODVALE

<b>WARD</b>	Central
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	11021, 101515
<b>ATTACHMENT</b>	Attachment 1    Location Plan Attachment 2    Development Plans Attachment 3    Applicant's Report Attachment 4    Parking Survey and Review Report
<b>AUTHORITY / DISCRETION</b>	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

### PURPOSE

For Council to determine a development application for modifications to a previous development approval for a 'Medical Centre' at Lot 74 (Suites 4-6/3) Castlegate Way, Woodvale.

### EXECUTIVE SUMMARY

The applicant seeks approval for modifications to a previous approval for a Medical Centre, approved under delegation on 11 December 2017 (DA17/1223).

The Medical Centre currently operates from an existing commercial development at Lot 74 (Suites 4-6/3) Castlegate Way, Woodvale (subject site).

The subject site is zoned 'Mixed Use' under the City's *Local Planning Scheme No. 3* (LPS3) and is subject to the provisions of the City's *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy* (CMUSC LPP).

Under LPS3, 'Medical Centre' is a permitted ('P') land use in the Mixed Use zone and therefore capable of approval under the scheme.

The modifications to the original development approval involve the following:

- Internal modifications to the building to accommodate three additional consulting rooms in the approved Medical Centre.
- An increase from the current three approved health practitioners to six practitioners, with more than three practitioners operating from the premises only between the hours of 5.30pm to 10.00pm from Monday to Friday, and from 8.00am until 2.00pm on Saturday and Sunday.

Operating hours are proposed to change from the current hours which are between 8.00am and 6.00pm from Monday to Friday, and on Saturday by appointment only. The new hours proposed are between 7.30am and 10.00pm from Monday to Friday; and between 8.00am and 2.00pm on Saturday and Sunday. There is no condition on the current development approval limiting operating hours.

Determination of the amended proposal is required by Council due to a shortfall of 11 car parking bays (18%) as a result of the increased number of practitioners, in accordance with the car parking requirements of LPS3. Approval of the internal modifications to the premises is not required.

The proposal was advertised for a period of 14 days by way of letters to 19 surrounding landowners, including owners and occupiers of the other tenancies on site. A total of five responses were received, being three objections to the development and two responses which neither objected nor supported the proposal.

The proposed car parking shortfall as a result of the proposed additional health practitioners is considered acceptable in this instance, as the additional practitioners will operate when other tenancies are closed, and additional car parking is available.

The increase in hours of operation to 10.00pm from Monday to Friday is not expected to have a substantial adverse impact on adjoining residents or generate nuisance by way of light spill, noise or a significant increase in traffic due to the location of the entrance to the Medical Centre within the commercial development and subject site.

The development is considered to meet the intent and objectives of LPS3, the 'Mixed Use' zone, the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), the CMUSC LPP; and is ultimately considered a positive contribution to the broader community in providing access to medical care and the services of health practitioners outside of standard business hours and on weekends.

## BACKGROUND

<b>Suburb/Location</b>	Lot 74 (Suites 4-6, No. 3) Castlegate Way, Woodvale.
<b>Applicant</b>	Altus Planning.
<b>Owner</b>	Amanda Gerda Forbes, James Stuart Russell Forbes, Shane Alexander Smith.
<b>Zoning</b>	<b>DPS</b> Mixed Use – Additional Use (Veterinary Centre).
	<b>MRS</b> Urban.
<b>Site area</b>	3644.36m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

The subject site is bound by Ocean Reef Road to the north, Trappers Drive to the west, Castlegate Way to the south, and a City of Joondalup drainage reserve to the east.

The site contains a single storey commercial development which was originally approved in 1989. The development contains five tenancies. The approved land uses in the tenancies include two 'Medical Centres', a 'Consulting Room' (Dentist) and two 'Offices'.

'Medical Centre' is a permitted ('P') land use in the 'Mixed Use' zone, and Development Approval 17/1223 for a Medical Centre (change of use from office) was approved by the City under delegated authority on 11 December 2017 for suites 4, 5 and 6, now occupied by the 'Castlegate Family Practice'. Condition 2 of this approval stated, *"No more than three practitioners or professionals generating their own patient load shall be permitted to operate from the premise at any given time."*

## DETAILS

### Internal modifications and increase to number of health practitioners

The applicant proposes internal modifications to the Medical Centre to construct three additional consulting rooms, with the intention of increasing the number of health practitioners within the practice to six practitioners. The number of practitioners is proposed to vary at different times on different days, as outlined below. No exterior changes to the building are proposed.

	<b>7.30am – 5.30pm</b>	<b>5.30pm – 10.00pm</b>
<b>Monday to Friday</b>	3 practitioners	6 practitioners
	<b>8.00am – 2.00pm</b>	
<b>Saturday &amp; Sunday</b>	6 practitioners	

### Hours of operation

The original development approval for the Medical Centre (DA17/1223) did not impose restrictions on operating hours, however current hours indicated on the 'Castlegate Family Practice' website are as follows:

<b>Days</b>	<b>Operating hours</b>
Monday to Friday	8.00am to 6.00pm
Saturday	Pre-booked appointments only
Sunday	N/A

The current development application proposes increasing the operating hours to the following:

<b>Days</b>	<b>Operating hours</b>
Monday to Friday	7.30am to 10.00pm
Saturday	8.00am to 2.00pm
Sunday	8.00am to 2.00pm

LPS3 and the CMUSC LPP do not outline operating hours for 'Medical Centre' or any non-residential development within the 'Mixed Use' zone, with the exception of the 'Consulting Room' land use. Assessment of the proposed hours of operation and potential impact on adjoining residents and the overall locality is therefore determined against the following:

### Local Planning Scheme No. 3 (LPS3)

Part 1(9) of LPS3 outlines the aims of the scheme. The following aims are considered relevant to the proposal:

- a) *To cater for the diverse needs of the community by encouraging the provision of a range of housing, employment, business, recreation, transport and education opportunities;*
- c) *To protect amenity by ensuring that the use and development of land does not result in significant adverse impacts on the physical and social environment or the health and welfare of residents;*

Table 2 of LPS3 outlines the following objectives for the 'Mixed Use' zone. The following objectives are considered relevant to the proposal:

- *To allow for the development of a mix of varied but compatible land uses which do not generate nuisance detrimental to the amenity of the district or to the health, welfare and safety of its residents.*
- *To encourage high quality, pedestrian friendly, street-orientated development that integrates with surrounding areas.*

#### *Officer Comment*

'Medical Centre' is a permitted ('P') land use in the 'Mixed Use' zone. The development relates to internal modifications and an increase in health practitioners to an approved Medical Centre only. The proposed internal modifications do not require development approval.

Overall the development is considered to cater to the diverse needs of the community by providing access to medical care and the services of health practitioners outside of standard business hours and on weekends, close to where people live. No significant adverse impacts or substantial nuisance to adjoining or nearby residents is anticipated as a result of the proposed extended operating hours, and it is considered that any increase in vehicle activity can be adequately accommodated within the existing road network.

#### *Planning and Development (Local Planning Schemes) Regulations 2015 (the LPS 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. The following matters are considered relevant to the proposal:

- 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;*
- 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;*
- x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.*

#### *Officer Comment*

The subject site adjoins the intersection of Ocean Reef Road, a 'District Distributor A' road, and Trappers Drive, a 'Local Distributor' road (LD). It is the longest LD within the suburb of Woodvale, the only LD road connecting Ocean Reef Road with Whitfords Avenue and accommodates two regular public bus routes. While access to the subject site is from Castlegate Way, the impact of any increase in vehicles entering/exiting the subject site is not considered greater than the impact of existing vehicle and bus traffic along Trappers Drive and Castlegate Way. In this regard no substantial adverse impact on traffic flow or safety as a result of the development is anticipated.

The pedestrian entrance to the Medical Centre is at the 'rear' of the subject site adjoining the Ocean Reef Road boundary, and it is anticipated that customers will utilise parking spaces at the rear of the site first, prior to those adjoining Castlegate Way, minimising the impact of pedestrian/vehicular activity and associated noise and headlight spill from the car parking area on adjoining residences.

It should also be noted that the residential property directly opposite the accessway to the subject site and most likely to be impacted by vehicles entering/exiting the property at night, has large hedges which run along the length of the front of the dwelling and obscure views to the site from all windows and doors of the dwelling.

Notwithstanding that immediately adjoining residents may notice a minor increase in vehicular activity from the site until 10.00pm on weekdays, overall the development is not considered to generate nuisance of a level unreasonable enough to be considered detrimental to adjoining residences or the locality.

*Commercial, Mixed Use and Service Commercial Zone Local Planning Policy (Mixed Use Zone LPP)*

The *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy* provides assessment criteria for non-residential land 'Commercial', 'Mixed Use' and 'Service Commercial' zoned land within the City. The following objective of the policy is considered relevant to the proposal:

- *To create vibrant mixed use commercial centres that are the focal point for the community by locating housing, employment and retail activities together.*

*Officer Comment*

The development relates to an existing approved Medical Centre within an existing commercial development, with only internal modifications and changes to the hours of operation proposed.

The proposed Medical Centre is considered to contribute towards the creation of a vibrant commercial centre by providing a service which meets the needs of the community, located close to where people live.

Car parking

DA17/1223 required 15 parking bays for the three practitioners (at a rate of five bays per practitioner). A total of 45 parking bays are required across the five tenancies. The number of parking bays on site is 49, including three accessible bays, which results in an overall surplus of four parking bays.

The parking requirements for DA17/1223 were considered against the provisions of *District Planning Scheme No. 2*, and the number of bays required has not altered with the gazettal of LPS3 and the CMUSC LPP. The following car parking requirement is applicable for the development site given the proposed modifications to the Medical Centre:

Tenancy No.	Land use	NLA/No. Consultants	Car parking required under the Mixed Use Zone LPP
1, 2 and 3 - SKG Radiology	Medical Centre	4 consulting rooms (5 bays per practitioner)	20
7 - Castlegate Family Dental	Consulting Room	1 consulting room (5 bays per practitioner)	5
8 - Disabled Children's Foundation	Office	209m <sup>2</sup> (1 bay per 50m <sup>2</sup> NLA)	4.18



Tenancy No.	Land use	NLA/No. Consultants	Car parking required under the Mixed Use Zone LPP
9 - Environ Skincare Products and Vitahealth Skincare	Office		
<b>4, 5 and 6 - Castlegate Family Practice</b>	<b>Medical Centre</b>	<b>6 consulting rooms (5 bays per practitioner)</b>	<b>30</b>
		Total required:	59.18 (60)
		Total provided:	49 (46 standard bays and three accessible bays)

#### *Officer Comment*

The applicant proposes that all six practitioners will only operate from the Medical Centre between the hours of 5.30pm and 10.00pm from Monday to Friday, and from 8.00am to 2.00pm on weekends.

A parking survey report undertaken by the applicant's transport planning and traffic engineering consultant (refer Attachment 4) demonstrates that at present there is adequate provision of car parking during the hours in which the proposed additional practitioners will operate.

It should be noted that from a desktop review of City records and approvals issued for the development site, it appears that none of the tenancies on-site have had conditions placed on them to restrict operating hours, noting that LPS3 and the CMUSC LPP do not provide for or restrict operating hours for the 'Medical Centre' land use, or any non-residential development within the 'Mixed Use' zone with the exception of the 'Consulting Room' land use.

A desktop review has further determined that none of the adjoining tenancies are open during the additional hours in question, with the exception of the 'Consulting Room' (dentist) which is open until 6.00pm on Thursday and from 8.00am until 4.00pm on Saturday, noting that the five parking bays required for this tenancy do not impact on the overall car parking shortfall. Lastly, it should be noted that a non-objection to the proposal has been provided from the adjoining Medical Centre on the subject site, SKG Radiology, which occupies 20 parking spaces on-site and only operates between 8.30am to 5.00pm from Monday to Friday.

In light of the above, it is considered that the parking associated with the additional practitioners is capable of being accommodated within existing parking bays on-site.

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

Council is required to determine whether the application for additional health practitioners, increased operating hours and an increased shortfall of car parking bays is appropriate and meets the relevant requirements of LPS3.

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 Local Planning Scheme No. 3 (LPS3).  
Planning and Development (Local Planning Schemes)  
Regulations 2015 (the Regulations).*

**Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality built outcomes.

**Strategic initiative** Buildings and landscaping is suitable for the immediate environment and reflect community values.

**Policy** *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy.*

*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.*

#### *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy*

The *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy* provides assessment criteria for 'Commercial' developments within the City of Joondalup.

The objectives of the policy are:

- *To provide development standards for commercial buildings that assist in facilitating appropriate built form and functional commercial centres.*
- *To facilitate the development or redevelopment of commercial centres that respond to the local context.*
- *To ensure the design and siting of commercial development provides a high standard of amenity, no blank facades visible from the street and activation of external areas.*
- *To encourage high quality, pedestrian friendly, street-orientated development that integrates with surrounding areas.*
- *To create vibrant mixed use commercial centres that are the focal point for the community by locating housing, employment and retail activities together.*
- *To establish a framework for the assessment of applications for development within these zones.*

#### **Risk management considerations**

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

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

The applicant has paid fees of \$147 (excluding GST) for assessment of the application, in accordance with the City's *Schedule of Fees and Charges 2018-2019*.

#### **Regional significance**

Not applicable.

#### **Sustainability implications**

It is considered that there are no sustainability implications as a result of the increased operating hours and additional practitioners. The City's *Environmentally Sustainable Design Policy* does not apply to the internal fit-out of commercial buildings and the City's *Environmentally Sustainable Design Checklist* was not required to be completed by the applicant.

#### **Consultation**

The application was advertised to 19 property owners and occupiers adjoining and directly opposite the subject site, for a period of 14 days concluding on 22 October 2018. A total of five responses were received, being three objections to the development and two responses which neither objected to nor supported the proposal.

The issues raised during public consultation are included below, along with the applicant and City's comments in response to the issues:

Issues raised in submissions	Applicant response	Officer comments
<i>Has the applicant considered or attempted to add/increase the number of parking bays on-site to mitigate/reduce the shortfall of parking bays?</i>	No. The applicant engaged the services of a traffic consultant to undertake a parking survey which was included as part of the application. The findings of the parking survey were that ample parking was available after 6pm on weekdays to accommodate the additional practitioners (3) and therefore no additional parking bays are required to be constructed or provided.	It is not considered necessary to require additional car parking bays, as it is considered that adequate parking will be available on site within the hours proposed.
<p><i>The proposed shortfall of parking bays will exacerbate the existing problem of vehicles parking on the public verge, and adjoining residents' verges due to a current lack of parking bays.</i></p> <p>(Note: A photograph provided by a submitter depicted vehicles parked on the public verge adjoining the development site during business hours in early October 2018).</p>	<p>The applicant emphasises that this proposal is only seeking approval to increase the number of practitioners after 6pm on weekdays and at all hours on weekends from the current approval of three to a maximum of six.</p> <p>It is noted that the photo provided appears to have been taken during ordinary business hours (daylight) and this proposal will have no impact on the existing parking situation during business hours as there will only be a maximum of three practitioners at any one time prior to 6pm, consistent with the initial approval granted by the City. If anything, the applicant submits that increasing the operating hours and the number of practitioners on-site after 6pm might ease congestion as there will be more options available for appointments to be spread out over the course of the day.</p>	<p>The site is currently compliant with the car parking provisions of the CMUSC LPP and has an overall surplus of four car parking bays.</p> <p>It is not considered that the proposal will exacerbate any existing parking issues as the additional practitioners will operate when other tenancies are closed.</p>

Issues raised in submissions	Applicant response	Officer comments
<p><i>An impact/disturbance on adjoining residents will occur as a result of the proposed increased operating hours to 10pm from the following:</i></p> <ul style="list-style-type: none"> <li>○ <i>Light spill from vehicle headlights;</i></li> <li>○ <i>Noise from customers entering/exiting vehicles i.e. slamming doors;</i></li> <li>○ <i>Increase in traffic at night time;</i></li> <li>○ <i>Disturbance of resident's sleep.</i></li> </ul>	<p>The subject land is zoned 'Mixed Use' and there are no inferred or 'standard' business hours stated within the planning framework. Furthermore, it is noted that a Medical Centre is different to other commercial or entertainment uses which may operate in the evenings as there are unlikely to be groups of people coming and going at the same time, nor is there likely to be groups socialising in the car park. Given this, it is also considered that any noise from slamming doors or general chatter is unlikely to be any different to what ordinarily occurs in a residential context.</p>	<p>Non-compliance with the <i>Environmental Protection (Noise) Regulations 1997</i> is not anticipated as a result of the increased operating hours of the Medical Centre. A significant adverse impact on adjoining residents from noise, traffic and light spill from vehicles utilising the accessway to the site is also not anticipated.</p> <p>The entrance to the Medical Centre is to the 'rear' of the subject site where it adjoins the Ocean Reef Road boundary, and it is anticipated that customers will utilise parking spaces at the 'rear' of the site prior to those adjacent to Castlegate Way; minimising the impact of pedestrian/vehicular activity within the car park on adjoining residences. It should also be noted that the residential property directly opposite the accessway to the subject site has large hedges which run along the length of the front of the dwelling and obscure views to the site from all windows and doors of the dwelling.</p> <p>Notwithstanding that immediately adjoining residents may notice a minor increase in vehicular activity up until 10.00pm on weekdays from customers accessing the proposed Medical Centre, overall the development is not expected to generate unreasonable impacts on the amenity of the locality.</p> <p>No substantial increase in traffic flow as a result of the development is anticipated in addition to the volume of traffic which already passes along the three roads adjoining the site, including the busy intersection of Ocean Reef Road and Trappers Drive, which accommodates two regular public bus routes.</p>

<b>Issues raised in submissions</b>	<b>Applicant response</b>	<b>Officer comments</b>
<i>How will the number of practitioners be monitored to ensure compliance? Will the City audit the business to confirm the additional practitioners are not working during standard business hours?</i>	<i>Not referred to the applicant for comment as compliance matters are the responsibility of the City and the issue does not require comment or further justification from the applicant.</i>	<p>Should the proposal be supported by Council, it is recommended that suitable conditions be placed on any development approval to limit the number of practitioners permitted to operate from the premises to three between the hours of 7.30am and 5.30pm from Monday to Friday as stated in the application.</p> <p>Conditions placed on development approvals are legally binding in accordance with the <i>Planning and Development Act 2005</i> and contravention of development approval conditions leaves the applicant/owner open to compliance action by the City. The City's Compliance and Regulatory Services are able to respond to written concerns regarding compliance matters and will investigate accordingly.</p>
<i>There is already a medical centre located 1 kilometre away at the corner of Ocean Reef Road and Joondalup Drive which services the community and is open until 10.00pm.</i>	<i>Not referred to the applicant for comment as economic competition between new and existing businesses is not a valid planning consideration. The issue does not require comment or further justification from the applicant.</i>	Economic competition between new and existing businesses is not a valid planning consideration.

## COMMENT

### Recommendation

As outlined above, the proposal is considered to be consistent with the aims and objectives of LPS3, the 'Mixed Use' zone, the LPS Regulations and the City's CMUSC LPP.

While a shortfall in car parking is proposed, the shortfall is considered acceptable in this instance as the proposed additional practitioners will operate when other tenancies are closed, and adequate car parking is available.

The development is considered to be a positive contribution to the broader community by providing access to medical services for local residents after standard business hours.

## 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 22 August 2018 submitted by Altus Planning, for Medical Centre (modification to previous approval) at Lot 74 (4-6/3) Castlegate Way, Woodvale, subject to the following conditions:

- 1 This approval relates to the “Medical Centre” use for tenancies 4, 5 and 6 only, as indicated on the approved plans. DA17/1223 approved on 11 December 2017 remains a valid approval and all conditions and advice notes of that approval remain applicable, with the exception of the replacement of condition 2 and insertion of a new condition 3 as follows:
  - “2 No more than three practitioners or professionals generating their own patient load shall be permitted to operate from the premise between 7.30am and 5.30pm from Monday to Friday. No more than six practitioners or professionals generating their own patient load shall be permitted to operate from the premise between 5.30pm and 10.00pm from Monday to Friday, and between 8.00am and 2.00pm from Saturday to Sunday;
  - 3 A minimum of five car parking bays shall be made available for each health practitioner operating from the Medical Centre at any given time.”

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf181204.pdf](#)



## ITEM 3                      PROPOSED UNLISTED USE (FRESH PRODUCE MARKET) AT LOT 806 (11) INJUNE WAY, JOONDALUP

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	101515, 101954
<b>ATTACHMENT</b>	Attachment 1      Location plan Attachment 2      Development plans Attachment 3      Applicant's report Attachment 4      Retail sustainability assessment Attachment 5      Traffic impact statement
<b>AUTHORITY / DISCRETION</b>	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

### PURPOSE

For Council to determine a development application for an 'unlisted use' (fresh produce market) at Lot 806 (11) Injune Way, Joondalup.

### EXECUTIVE SUMMARY

An application has been received for approval of a "fresh produce market" (Spudshed) at Lot 806 (11) Injune Way, Joondalup. The proposal is considered an 'unlisted use' in accordance with the City's *Local Planning Scheme No. 3* (LPS3) as the activities of the business do not reasonably fall within a use class defined in LPS3. Given the land use is an 'unlisted use', the application is required to be determined by Council.

The application was not advertised as part of the assessment process, as it is considered that the proposal will not impact any adjoining or surrounding landowners/occupiers.

It is considered that the proposal complies with the objectives and provisions of the City's LPS3 and the City's *Joondalup Activity Centre Plan* (JACP). As a result, it is recommended that Council approves the application.

### BACKGROUND

<b>Suburb/Location</b>	Lot 806 (11) Injune Way, Joondalup.
<b>Applicant</b>	Planning Solutions.
<b>Owner</b>	Hydrox Nominees Pty Ltd.
<b>Zoning</b>	<b>LPS3</b> Centre.
	<b>MRS</b> City Central.
<b>Site area</b>	44,260m <sup>2</sup> .
<b>Structure plan</b>	Joondalup Activity Centre Plan.

Lot 806 (11) Injune Way, Joondalup (subject site) is bound by Joondalup Drive to the north-east, Injune Way to the north-west, Honeybush Drive to the south-west and Sundew Rise to the south-east (Attachment 1 refers).

The subject site is zoned 'Central City' under the *Metropolitan Region Scheme* (MRS), 'Centre' under LPS3 and is located within the 'Joondalup West' precinct of the City's JACP.

A fresh produce market, as proposed by the applicant, is not considered to fall within the definition of any of the land uses listed in Table 3b – Zoning Table of LPS3, and therefore the proposal is an 'unlisted use'. In accordance with clause 18(4) of LPS3, an 'unlisted use' may be approved by Council, subject to meeting the objectives of the specific zone.

## DETAILS

The application proposes the following:

- Change of use for 4,025m<sup>2</sup> gross floor area (GFA) of the existing former Masters building from 'Bulky Goods Showroom' to 'Unlisted Use (fresh produce market)', to facilitate the operation of a 'Spudshed' from the premises.
- Includes the retail sale and wholesale of fresh food products.
- Proposed to operate 24 hours per day, seven days a week.
- No more than 25 employees will occupy the Spudshed at any given time.
- Customer access to the tenancy to be provided via an internal mall approved via a previous application.
- Waste will be stored and collected via the existing waste area located at the rear of the building.
- An average of 12 deliveries per day for the Spudshed tenancy which will occur via the existing service area located to the south-western side of the building.
- No material changes to the building elevations, landscaping, vehicle access or car parking are proposed as part of this application.

The proposal generally complies with the relevant standards and requirements of the City's LPS3 and JACP, with further detail included below on the following matters:

### Classification of land use

In relation to an 'unlisted use', clause 18(4) of LPS3 states the following:

*"The Local Government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table:*

- a) *determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government;*
- b) *determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or*
- c) *determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone."*

A "fresh produce market" is not a listed use class under Table 3b – the Zoning Table of LPS3.

*Officer comment*

In considering the applicable use class for the proposal, the City reviewed the land uses 'Bulky goods showroom' and 'Shop', being the most closely related land uses in respect the proposed activities and operation of a Spudshed.

A bulky goods showroom is defined under LPS3 as:

*"a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purpose –*

- i) Automotive parts and accessories;*
- ii) Camping, outdoor and recreation goods;*
- iii) Electric light fittings;*
- iv) Animal supplies including equestrian and pet goods;*
- v) Floor and window coverings;*
- vi) Furniture, bedding, furnishings, fabrics, Manchester and home wares;*
- vii) Household appliances, electrical goods and home entertainment goods;*
- viii) Party supplies;*
- ix) Office equipment and supplies;*
- x) Babies and children goods including play equipment and accessories;*
- xi) Sporting, cycling, leisure, fitness goods and accessories;*
- xii) Swimming pools;*

*and,*

*b) used to sell by retail goods and accessories by retail if –*

- i) a large area is required for the handling, display or storage of the goods; or*
- ii) vehicular access is required to the premises for the purpose of collection of purchased goods."*

A shop is defined under LPS3 as:

*"premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services."*

In light of the above, the proposal is not considered a bulky goods showroom as it does not sell any of the goods listed in part a) of the definition under LPS3. In addition, the proposal sells fresh food products retail and wholesale, with a typical split of 75% retail and 25% wholesale. The majority of goods sold are primary produce (meat, vegetations, dairy and the like) and are displayed in bulk/large format. Therefore, the activities of the proposal do not comfortably fall within a shop land use definition either.

It is recommended that should Council approve the proposal, a condition of approval be included to ensure the business operates as intended and clearly is not consistent with the 'Shop' use class definition under LPS3.

As a result, the proposal has been classified as an 'unlisted use' in accordance with clause 18(4) of LPS3.

### Appropriateness of land use

As the proposal is considered an ‘unlisted use’, in accordance with clause 18(4) of LPS3 the application is required to meet the objectives of the applicable zone.

In accordance with clause 16 – Zones under LPS3, the objectives for the Centre zone are as follows:

- *“To designate land for future development as an activity centre.*
- *To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centre States Planning Policy.”*

The Joondalup Activity Centre Plan (JACP) is the appropriate activity centre plan which site over the Centre zone and provide more prescribed development standards applicable to the site.

The subject site is located within the Joondalup West precinct of the JACP. The objective of this precinct states:

- “a) Provide a location for businesses with larger floor space requirements such as showrooms and bulky goods premises which complement the City Centre.”*

### *Officer comment*

As the Centre zone objectives under LPS3 relate to the preparation of an activity centre plan, it is considered appropriate to consider the land use against the objectives of the ‘Joondalup West’ precinct specifically.

The proposal includes the large format display of goods, particularly fresh produce, which is of a much larger scale to that of a typical shop or supermarket. The use also requires aisle widths typically much wider than a supermarket to accommodate pallet jack manoeuvring of 500kg farm bins for display of these goods. The total GFA of the tenancy is over 4,000m<sup>2</sup> and therefore is a size and scale appropriate within Joondalup West precinct.

The proposed activities of a ‘Spudshed’ do not generally lend itself to the pedestrian orientated City Centre precinct within the JACP due to the typical low-intensity built form required to facilitate the business, the number of deliveries (average of 12 per day), demand for car parking and the extent of storage required. As a result, its positioning within the Joondalup West precinct is appropriate in order to complement and ensure its operations do not impact the desired built form, intensity and pedestrian environment of the City Centre precinct.

In addition, the applicant has provided a retail sustainability assessment (Attachment 4 refers) which states that the operation of the ‘Spudshed’ will not have a detrimental impact on the JACP and the hierarchy of centres within City of Joondalup.

As a result, it is considered that the proposal is consistent with the objective of the Joondalup West precinct under the JACP.

### Parking

In accordance with clause JW5 – *car parking and access* of the Joondalup West Precinct under the JACP, all non-residential development requires one car parking bay for every 75m<sup>2</sup> of NLA.

*Officer Comment*

The existing free-standing buildings (excluded from this application) on-site equate to 4,746m<sup>2</sup> of floor space, with 11,892m<sup>2</sup> of NLA proposed within the former Masters building. As a result, a total of 222 (221.84) car parking bays are required onsite in accordance with the City's JACP.

As a total of 578 car parking bays are existing onsite, the site has a surplus of 356 car parking bays and therefore complies with the car parking standard under the JACP.

**Issues and options considered**

Council is required to determine the appropriateness of the 'unlisted use' and 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 Local Planning Scheme No. 3 (LPS3).  
Planning and Development (Local Planning Schemes)  
Regulations 2015 (the Regulations).  
Joondalup Activity Centre Plan (JACP).*

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

Quality Urban Environment.

**Objective**

Quality built outcomes.

**Strategic initiative**

Building and Landscape is suitable for the immediate environment and reflect community values.

**Policy**

Not applicable.

*City of Joondalup Local Planning Scheme No. 3 (LPS3)**Clause 16(2) – Table 2 Zone Objectives of LPS3**Centre Zone*

- *To designate land for future development as an activity centre.*
- *To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centre States Planning Policy.*

*Clause 18(4) of LPS3*

*The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table:*

- a) *determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government;*
- b) *determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or*
- c) *determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.*

*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.*

*Joondalup Activity Centre Plan**Clause 1.5.5.1 - Joondalup West Objective:*

- a) *Provide a location for businesses with larger floor space requirements such as showrooms and bulky goods premises which complement the City Centre.*

**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**

As the application is for a change of land use to an existing building, an Environmentally Sustainable Design Checklist is not necessary in this instance.

**Consultation**

In accordance with clause 18(4) of LPS3, the City considers that the proposal meets the objective/s of LPS3 and JACP and therefore the application can be determined by Council in accordance with 18(4)(a). As a result, there is no requirement to advertise the proposal to adjoining and surrounding landowners/occupiers.

Irrespective of the above, the proposal is not considered to significantly impact any surrounding landowner/occupier due to the nature and operation of the business. As a result, the proposal was not advertised for public comment.

**COMMENT**

As outlined above, it is considered that the proposed 'unlisted use' is consistent with the objective of the JACP and will not impact on any surrounding landowners or the streetscape.

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 6 September 2018 submitted by Planning Solutions, on behalf of the owners, Hydrox Nominees Pty Ltd., for a proposed 'Unlisted Use (Fresh Produce Market)' at Lot 806 (11) Injune Way, Joondalup, subject to the following conditions:

- 1 This approval relates to the proposed 'Unlisted Use (fresh produce market)' in tenancy 2 only as indicated on the approved plans. It does not relate to any other development on the lot;
- 2 The proposed 'Unlisted Use (fresh produce market)' is required to sell goods wholesale in addition to retail, with the majority of goods being primary produce (meats, vegetables, dairy and the like) which is fresh and displayed in bulk/large format;
- 3 A Delivery and Waste Management Plan indicating the timing, location and method of deliveries and waste collection shall be submitted to the City and approved prior to occupation of the tenancy. Delivery and waste management shall then be undertaken in accordance with the approved plan.

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf181204.pdf](#)

**ITEM 4                    PROPOSED SHOPPING CENTRE ADDITIONS  
(REFURBISHMENT AND EXTENSION) AT THE  
MULLALOO PLAZA SHOPPING CENTRE - LOT 251  
(11) KOORANA ROAD, MULLALOO**

<b>WARD</b>	North Central			
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development			
<b>FILE NUMBER</b>	41213, 101515			
<b>ATTACHMENTS</b>	Attachment 1	Location plan		
	Attachment 2	Development plans		
	Attachment 3	Acoustic report		
	Attachment 4	Environmentally sustainable design checklist		
<b>AUTHORITY / DISCRETION</b>	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.			

## PURPOSE

For Council to determine a development application for Shopping Centre additions (refurbishment and extension) at the Mullaloo Plaza Shopping Centre - Lot 251 (11) Koorana Road, Mullaloo.

## EXECUTIVE SUMMARY

An application has been received for refurbishment and extension of the existing Mullaloo Plaza Shopping Centre at Lot 251 (11) Koorana road, Mullaloo. The proposal is considered a 'shop' in accordance with the City's *Local Planning Scheme No. 3* (LPS3) which, in the Commercial Zone, is a permitted ("P") use.

The proposed development is generally compliant with LPS3 and relevant local planning policies, except for the setback to the eastern lot boundary and the pylon sign setback to the primary street.

The application was advertised to 67 surrounding landowners/occupiers for a period of 14 days. A total of 15 submissions were received during the advertising period, seven submitters objected, four indicated support and four have no-objection to the proposal.

The application is required to be determined by Council due to the extent of the building setback variation to the eastern (side) lot boundary and Koorana Road street boundary.

It is considered that the issues raised during consultation in relation to noise and deliveries have either been addressed by the applicant or will be addressed through conditions of approval. In addition, the discretion sought by the applicant is considered minor in nature and meets the intent and objectives of the relevant local planning policies.

As a result, it is recommended that Council approves the application.

## BACKGROUND

<b>Suburb/Location</b>	Lot 251 (11) Koorana road, Mullaloo.
<b>Applicant</b>	Taylor Robinson Chaney Broderick.
<b>Owner</b>	Conflexa Pty Ltd.
<b>Zoning</b>	<b>LPS</b> Commercial.
	<b>MRS</b> Urban.
<b>Site area</b>	12,689.8m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

Lot 251 (11) Koorana Road, Mullaloo (subject site) is bound by Koorana Road to the south, a service station (101 Dampier Avenue) to the west, residential dwellings (85-93 Dampier Avenue) to the north-west, a church (19 Scaphella Avenue) to the north-east and an existing medical centre and squash courts (19 and 25 Koorana Road) to the east (Attachment 1 refers).

The subject site is zoned Urban under the *Metropolitan Region Scheme* (MRS) and Commercial under the LPS3. The proposal is considered a 'shop' as defined under Table 3 – Zoning Table of LPS3, which is a permitted ("P") use in the Commercial zone.

## DETAILS

The application consists of the following:

- Extension of the existing supermarket and relocation of the loading dock to the western side of the building.
- Amalgamation and extension of existing tenancies to the south, including the addition of a second storey fronting Koorana Road.
- Additional tenancy and children's play area to the north-east.
- Additional shopping centre entrance and extension to existing tenancies to the east, including a new alfresco area.
- Two additional free-standing food and beverage tenancies located on the eastern boundary, including a plaza.
- Reconfiguration of car parking areas to accommodate the new building footprint, and to improve vehicle circulation and the pedestrian environment.
- A 50 bay reduction of car parking on site to accommodate the additions/extension.
- Shopping centre façade upgrades, including a feature screen and canopy to the southern elevation facing Koorana Drive.
- Proposed wall and pylon signage.

The development plans and building perspectives are included in Attachment 2.

The proposal generally complies with most standards and requirements of the City's LPS3, *Signs Policy* and *Commercial, Mixed-Use and Service Commercial Local Planning Policy* (CMUSC LPP). The areas where discretion is sought are outlined below:

Clause	Requirement	Proposed
<b>Commercial, Mixed-Use and Service Commercial Local Planning Policy</b>		
Clause 5.1 - Building setbacks under CMUSCLPP	3.5 metres street setback.  3 metres side/rear setback.	Pylon sign at nil setback in lieu of 3.5 metres to the Koorana Road street boundary.  Nil setback in lieu of three metres to eastern boundary.

Clause	Requirement	Proposed
<b>Commercial, Mixed-Use and Service Commercial Local Planning Policy</b>		
Clause 5.9 – Servicing under CMUSCLPP	Service area not adjacent to Residential zoned land.	Service yard is in close proximity to Residential zoned land.

As outlined above, the proposal seeks discretion on the location of the service/loading area and proposes a nil setback to the eastern lot boundary and street boundary in lieu of three metres and 3.5 metres (respectively) as required under the City's CMUSCLPP. Further comment on these aspects of the development is included below:

#### Service/loading area

In accordance with clause 5.19 of the City's CMUSCLPP, all service yards must not be located directly adjacent to a Residential zoned lot. However, the proposed loading and bin enclosure is located 14 metres at its closest point from the north-west lot boundary, which abuts land which is zoned Residential under the City's LPS3.

#### *Officer comment*

The existing loading area is located at the front of the shopping centre building, directly opposite Koorana Road. Under clause 5.19 of City's CMUSCLPP, service yards are also required to be located at the rear of the building screened from view of the street. As a result, the applicant has proposed to relocate the loading dock away from the main entrance to improve the visual appearance of the building from the street.

The applicant has provided an acoustic report (Attachment 3 refers) to support the location of the loading dock and to demonstrate that adjoining residents are unlikely to be significantly impacted by the noise generated by waste collection and delivery trucks. The acoustic report recommends that deliveries and waste collection only occur onsite between 7.00am to 7.00pm to ensure compliance with the *Environmental (Noise) Protection Regulations 1997* (Noise Regulations).

Noise from roof plant equipment can be managed by the inclusion of screening devices, cease operating the equipment after 7.00pm and / or the appropriate selection of reduced sound power level fans, exhaust and refrigeration units. If approved by Council, a condition of approval can be included to ensure all roof plant equipment complies with the assigned noise levels and are screened to mitigate any visual and noise impacts.

Although the loading area is located in close proximity to adjoining residential properties, this location is considered acceptable for the following reasons:

- An acoustically enclosed loading dock will be used by refrigeration trucks to reduce noise when loading and unloading. This will ensure refrigeration units (which require continuous running when loading and unloading) will not be heard by adjoining residents. It is noted however, that larger, non-refrigerated delivery vehicles will not be required to use this enclosure. This is because the engine of these vehicles will be turned off for loading and unloading to mitigate noise impacts to surrounding residents.
- If approved, it is recommended that Council include a condition of approval which requires the submission of a delivery and waste management plan which is to the satisfaction of the City to manage and control associated impacts on surrounding landowners / occupants.

- It is noted that an existing dock is already located in the north-west corner of the IGA shopping centre tenancy and western elevation of the liquor store. Although the extent of deliveries will increase (as the services for the shopping centre is proposed to be consolidated), there is already a degree of delivery noise experienced in this location.
- The bin store has been screened by the applicant to reduce the noise when waste is disposed and collected from this location. It is anticipated that waste compactors could be used onsite to reduce the number of times bins / waste is collected from the property to reduce vehicle noise on adjoining residents. Furthermore, waste collection can be restricted to day light hours only, whereas there is currently no restriction in place via existing approvals.
- The applicant will need to ensure compliance with the Noise Regulations which can be investigated and monitored by the City should any noise complaints be received. As outlined in the acoustic report provided by the applicant, waste collection and deliveries will need to be restricted between the hours of 7.00am to 7.00pm to ensure the site complies with the Noise Regulations.
- The acoustic report provided by the applicant states that the predicted noise exceedances at the nearest residential properties can be reduced to compliant levels through a combination of acoustic treatments and operations management/scheduling. The combined effect of the acoustically enclosed loading dock and the requirement for a delivery and waste management plan will ensure this is achieved.
- The shopping centre site does not currently have a waste or delivery management plan in place. It is expected that should the application be approved; a condition of approval can be included which requires this information to be provided to ensure greater control and management of deliveries and waste collection onsite.

In light of the above, it is considered that the proposal adequately addresses any noise impacts associated with the location of the loading dock and therefore should be supported.

#### Building setbacks

In accordance with clause 5.1 of the City's CMUSCLPP, a 3.5 metre setback is required to all street setbacks and a three metre setback is required to all side and rear lot boundaries. However, the applicant has proposed a nil setback to the pylon sign to the Koorana Road street boundary and a nil setback to the eastern boundary for the two new free-standing buildings.

#### *Officer comment*

The proposed pylon sign complies with the requirements of the City's *Signs Policy* in terms of its width, height and number of signs permitted. The sign is only 0.5 metres in width and occupies a very small frontage of the street boundary. The location of the sign is appropriate to capture passing traffic and will not impact the amenity of the streetscape or surrounding landowners.

The proposed free-standing buildings are located greater than 20 metres from the Koorana Road street boundary to avoid any visual impacts on the streetscape. The proposed side setback was advertised as part of the community consultation, with the adjoining landowner providing a letter of non-objection stating that they have no objection provided that the boundary walls are appropriately treated to provide an attractive interface.

The applicant has agreed to finish the walls to an adequate standard which can be reinforced by the City through a condition of approval. As a result, the proposed setback variation to the eastern lot boundary is supported.

#### Parking and access easement

An easement currently exists over the shopping centre car parking area to the benefit of the adjoining place of worship (True North Church) at 19 Scaphella Avenue, Mullaloo. The modification of the existing car parking area will result in the easement needing to be modified.

#### *Officer comment*

The applicant has provided a letter of consent from the True North Church confirming that they have no objection to the redevelopment of the shopping centre and agree to enter into an amended easement agreement with regard to the use of the car parking area.

Should Council resolve to approve the application, it is recommended that a condition of approval is included which requires the easement be modified and agreed to prior to occupancy of the shopping centre development.

#### Joondalup Design Reference Panel

The proposal was presented to the Joondalup Design Reference Panel (JDRP) on 3 May 2018. A summary of the issues raised, as well as the applicant's and City's response is included below:

No	JDRP comment	Applicants response	City comment
1	<p>The proposed second storey addition and south-east corner treatment to the building are not of a design / appearance which is consistent with the local context of the area. The architectural design of the redevelopment / additions have a 'heavy' urban form which is imposing on the streetscape.</p> <p>Additional openings would be suited to the additions, particularly along the northern side of the second storey addition and the south-east corner treatment.</p>	<p>Additional windows have been on the west elevation and clarification of the finishes and modelling that soften the overall look of the two storey building.</p> <p>The brickwork on the south-east corner has been re-rendered to better highlight the proposed texture and treatment of the brickwork.</p>	<p>The design has been amended to provide further details on the colours and materials used to provide a more consistent / integrated design in respect to the locality and the existing building.</p>
2	<p>The additions do not integrate with the existing shopping centre building or other existing built form within the area.</p>	<p>The existing shopping centre is a very poor example of architecture that is unfortunately also a strong presence and difficult to extend. The design intention of the new proposals is intentionally disparate from the existing to hide the existing and to upgrade the standard of architecture.</p>	<p>Rather than matching the existing shopping centre building, the applicant is proposing to refurbish the entire external façade facing Koorana Road to ensure the finish and design of the addition integrates with the rest of the building.</p>

No	JDRP comment	Applicants response	City comment
		Similarly, the surrounding buildings are also of very poor quality architecture, particularly the service station, medical centre, restaurant, and squash court.	
3	The application is lacking detail regarding which parts of the proposal are new additions and which sections of the building are existing. Better plans are required.	Updated plan provided.	Updated plans provide better detail as to the extent of the additions in comparison to the existing building. In addition, further information in relation to the colours and materials have been provided.
4	Access to the plaza may be difficult for visitors unfamiliar with the site, being located away from the street and behind one of the free-standing buildings. Better pedestrian connection from the street and surrounding sites to this space is encouraged – more context and strategic thought is required in respect to pedestrian movement to and through the site.	The existing pedestrian connections have been highlighted on the updated plans. The proposal increases the number of dedicated pedestrian accesses with differentiated pavements and the crossings. This combined with the raised table top crossings and traffic calming measures will create a better and pedestrian friendly environment.	Updated plans were provided which show pedestrian connections internally and external to the site.
5	The panel was happy with the design and built form of development adjoining and facing the plaza and the pedestrian-focused environment of this area. This should be used as an example to better design the front façade of the shopping centre.	No comment required.	Noted.
6	The panel questioned the location of the child play equipment on the corner of the car park. The location does not directly integrate with the plaza and the activated alfresco areas adjoining the plaza. Better visibility of the play equipment from these spaces would be preferable.	The child's play area is in keeping in scale with the centre and the potential food and beverage outlets.	The additional information provided by the applicant ensures that the panel's concern regarding safety and visibility is addressed.

No	JDRP comment	Applicants response	City comment
		The location is adjacent to the preferred food and beverage outlets and the Eat Street allowing easy passive supervision. The corner has been oversized to ensure that traffic around the corner have enough space to turn and the raised crossing / roadway will calm the traffic at this point.	
7	A landscaping concept plan is required which demonstrates the areas of soft and hard landscaping, as well as the materials and species proposed.	Landscaping concept plan provided.	The landscaping concept plan is adequate for the assessment of the development application. Should the application be approved by Council, a condition of approval would be required for a detailed landscaping and reticulation plan.
8	Commentary on the acoustic report provided, specifically stating how the recommendations of the report will be integrated within the proposal such as managing delivery times, sound proofing the loading areas, location of exhaust fans and refrigeration units to avoid noise issues and the like.	As recommended in the acoustic impact report the proposed new loading dock to the IGA and liquor store will be screened with an acoustic fence to limit the transmission of sound to the adjacent residential houses. These will be designed in conjunction with the acoustic engineer. The deliveries will also be limited to between the hours 7.00am and 7.00pm when the current noise levels fall within the ANL requirements. Plant is generally located within the roof voids of the centre and therefore is acoustically separated from the adjoining neighbours.	The amended plans provided by the applicant include an enclosed loading dock which will mitigate noise when loading and unloading goods. Noise impacts will also be managed through a delivery and waste management plan which has been recommended as a condition of approval.



No	JDRP comment	Applicants response	City comment
		Any new plant will be also located within the roof void where possible. Where this is not feasible the plant will be selected and treated to comply with the acoustic requirements as set out in the acoustic impact report.	
9	Details required of the proposed wall and pylon signs as previously requested by the City.	Amended plans provided.	Amended plans provided illustrating the proposed pylon sign within the property boundaries.
10	Clarification requested on the process for modifying the existing access/car parking easement, and whether the proposed change to the easement has been discussed with the church?	Proposal was discussed with the church including the modifications to the car park and they were enthusiastically supportive. The client is committed to agreeing a new easement that will match the provisions of the existing. Therefore, we would be comfortable with this requirement being a condition of the approval.	A letter of consent from the owners of the Church site, 19 Scaphella Avenue in regard to changes to the easement has been provided. Furthermore, given proposed works affect the Church site, the owners have also signed the development application form.
11	Clarification requested on the number of car parking bays on site. The City has calculated that 174 bays are proposed on site, however noting that an additional 15 are located on the church site, totalling 189 bays within the car parking area. The current site plan states that 185 bays are proposed within the car park.	The 185 total is correct. This consists of 175 within the centre boundary and a further 10 outside of the site on church land.	Noted.

As detailed above, the applicant has addressed the concerns raised by the JDRP noting that the panel was generally happy with the design and appearance of the proposal.

### Issues and options considered

Council is required to determine the appropriateness of the proposed building setback to the eastern lot (side) boundary and Koorana Road street boundary. 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 Local Planning Scheme No. 3 (LPS3).  
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 is suitable for the immediate environment and reflect community values.

**Policy** *Commercial, Mixed-Use and Service Commercial Local  
Planning Policy.  
Signs Policy.  
Environmentally Sustainable Design Policy.*

### *City of Joondalup Local Planning Scheme No. 3 (LPS3)*

*Clause 16(2) – Table 2 Zone Objectives of LPS3*

#### *Commercial Zone*

- *To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.*
- *To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades or improve the existing streetscape.*
- *To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in 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 —*

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

#### *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy*

The policy sets provisions for non-residential development within the Commercial zone in the City of Joondalup.

The objectives of this policy are:

- *To provide development standards for commercial buildings that assist in facilitating appropriate built form and functional commercial centres.*
- *To facilitate the development or redevelopment of commercial centres that respond to the local context.*
- *To ensure the design and siting of commercial development provides a high standard of amenity, no blank facades visible from the street and activation of external areas.*
- *To encourage high quality, pedestrian friendly, street-orientated development that integrates with surrounding areas.*
- *To create vibrant mixed use commercial centres that are the focal point for the community by locating housing, employment and retail activities together.*
- *To establish a framework for the assessment of applications for development within these zones.*

It is noted that the proposal complies with the applicable requirements of the policy, with the exception of some building setbacks and the location of the service area.

#### **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 \$5,555 (excluding GST) in accordance with the Schedule of Fees and Charges, for assessment of the application.

**Regional significance**

Not applicable.

**Sustainability implications**

The applicant has completed the City's Environmentally Sustainable Design Checklist to the extent applicable to the development. The applicant has indicated that the following will be achieved as part of the development:

- Retain existing vegetation and natural landform.
- Passive shading of glass, sufficient thermal mass, insulation and draught sealing and advanced glazing solutions.
- Incorporating low energy and water efficient technologies and natural and/or fan forced ventilation.
- Recycled materials and low-VOC products.

The completed checklist is provided at Attachment 4.

**Consultation**

The application was advertised for a period of 14 days, commencing on 3 August 2018 and concluded on 17 August 2018. Consultation was undertaken in the following manner:

- A letter outlining the details of the development proposal was sent to 67 surrounding landowners and occupiers.
- A notice was placed on the City's website.

A total of 15 submissions were received, being four letters of support, seven letters of objection and four letters of neither support or objection. Based on the 67 letters sent to landowners and occupiers, this represents an overall response rate of 23.8%.

The issues raised by submitters are summarised below, with the City's response to each concern raised:

- *Noise impact from trucks, plant equipment, waste collection and compaction facility.*

The applicant has amended the application to include an acoustically enclosed loading dock and enclosed bin store to limit noise from delivery and waste collection vehicles. The applicant has also agreed to prepare a delivery and waste management plan to properly manage/control the amount and timing of deliveries/collections from the site. This is addressed in the acoustic report which recommends that deliveries and waste collection only occur onsite between 7.00am to 7.00pm.

Noise from roof plant equipment can be managed by the inclusion of screening devices, cease operating the equipment after 7.00pm and / or the appropriate selection of reduced sound power level fans, exhaust and refrigeration units. If approved by Council, a condition of approval can be included to ensure all roof plant equipment complies with the assigned noise levels and are screened to mitigate any visual and noise impacts.

- *Ongoing historical problems with loading noise after hours.*

The City has received a number of complaints regarding the noise generated by deliveries to and from the property, however the shopping centre site does not currently have a waste, delivery and or noise management plan in place. It is expected that should the application be approved, a condition of approval can be included which requires this information to be provided to ensure greater control and management of noise, deliveries and waste collection onsite.

In addition, the applicants acoustic report recommends that deliveries and waste collection be restricted to day light hours only (7.00am to 7.00pm) which will address this concern.

Therefore, through this approval, there is opportunity to incorporate greater restriction and control on noise associated with the development, including restricting loading and deliveries to between 7.00am and 7.00pm only.

- *Management of bins, hygiene and appearance.*

Should the application be approved by the Council, it is recommended that a condition of approval is included which requires the preparation of a delivery and waste management plan to ensure refuse is managed to avoid any odour or hygiene issues.

- *Removal of trees on site.*

The City does not have the ability to require the retention of existing trees on private property.

Although a number of trees are proposed to be removed from the site to accommodate the reconfiguration of the car parking area; a condition of approval is recommended which requires one shade tree for ever four car parking bays onsite to comply with the City's CMUSCLPP.

It is also recommended that an arborist report be prepared by the applicant to demonstrate how the existing trees that are identified for retention will be appropriately managed to ensure ongoing survival.

- *Height of proposed pylon sign.*

The applicant has amended the height of the proposed pylon sign from 10 metres to eight metres to comply with the City's *Signs Policy*.

- *Architecture not complementary to existing building.*

The applicant has responded to this concern from both submitters and the Joondalup Design Reference Panel by incorporating a more comprehensive refurbishment of the entire shopping centre building to ensure that the additions to the centre are complementary to the rest of the existing building.

The colours and materials of the proposed shopping centre refurbishment generally reflect the local context of the area through the use of face brick, recycled and white washed timber panels and perforated panelling.

- *Boundary walls should be appropriately treated to improve visual appearance.*

The applicant has agreed to finish the proposed eastern lot boundary walls to an adequate standard. If approved, it is recommended that a condition of approval be included to ensure that these walls are finished and treated to be visually appealing and are maintained to an acceptable standard.

- *Ensure all roof plant is screened from view.*

If Council resolves to approve the application, it is recommended that a condition of approval is included which requires screening of the roof plant and equipment to avoid any impact on the streetscape and surrounding landowners / occupiers. In addition, a noise management plan will assist in mitigating any excessive noise generated by roof plant and equipment.

- *Security concerns regarding pedestrian access between the shopping centre and the adjoining site (Lot 22 Koorana Road, Mullaloo).*

The applicant has amended the development plans to remove the walkway connection between the subject site and the adjoining property at Lot 22 (25) Koorana Road, Mullaloo. This pedestrian connection between the two properties could be explored at a later date if/when the adjoining site is redeveloped.

## COMMENT

As outlined above, it is considered that the proposed shopping centre additions meet the relevant objectives and requirements of the City's LPS3, CMUSC LPP and *Signs Policy*.

Concerns raised in relation to the location of the loading area and bin enclosure have been resolved through the modifications made by the applicant to include screening and an acoustically enclosed loading dock to these areas. In addition, a waste and delivery management plan can be prepared by the applicant (and approved by the City) prior to the commencement of development to further assist in mitigating impact on adjoining residential properties.

As a result, it is recommended that the application be approved subject to conditions of approval.

## 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* of the application for development approval, dated 22 March 2018 submitted by Taylor Robinson Architects, on behalf of the owners, Conflexa Pty Ltd., for proposed 'Shop additions (refurbishment and extension)' at Lot 251 (11) Koorana Road, Mullaloo subject to the following conditions:**

- 1 This approval only relates to the shopping centre refurbishment and extension as indicated on the approved plans. It does not relate to any other development on the lot;
- 2 A Construction Management Plan shall be submitted to and approved by the City prior to the commencement of development. The management plan shall detail how it is proposed to manage:
  - 2.1 all forward works for the site;
  - 2.2 the delivery of materials and equipment to the site;
  - 2.3 the storage of materials and equipment on the site;
  - 2.4 the parking arrangements for the contractors and subcontractors;
  - 2.5 the management of dust during the construction process;
  - 2.6 access to car parking and the centre for staff and customers;
  - 2.7 other matters likely to impact on the surrounding properties,and works shall be undertaken in accordance with the approved Construction Management Plan;
- 3 A full schedule of colours and materials for all exterior parts to the development (including any retaining walls) shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City;
- 4 A Delivery and Waste Management Plan indicating the timing, location and method of deliveries and waste collection shall be submitted to the City and approved prior to commencement of development. Delivery and waste management shall then be undertaken in accordance with the approved plan;
- 5 A Noise Management Plan shall be submitted to the City and approved prior to commencement of development. The plan shall ensure the operational requirements and practical recommendations of the Acoustic Report dated 12 December 2017 developed by Sealhurst Pty Ltd are implemented to the specification and satisfaction of the City. The development shall comply with the recommendations of the Noise Management Plan thereafter;
- 6 Any proposed building plant and equipment, including air conditioning units, piping, ducting and water tanks shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings. Details shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with these approved details;



- 7 The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City;
- 8 Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development;
- 9 An arborist report shall be submitted to and approved by the City prior to commencement of development. The arborist report shall include an assessment of all existing trees indicated for retention on the approved plans. Appropriate measures shall be taken to ensure retention, to the satisfaction of the City;
- 10 Detailed landscaping plans shall be submitted to and approved by the City prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
  - 10.1 Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
  - 10.2 Provide all details relating to paving, treatment of verges and tree planting in the car park;
  - 10.3 Provide a minimum of one shade tree per four car bays within new car parking areas;
  - 10.4 Show spot levels and / or contours of the site;
  - 10.5 Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;
  - 10.6 Be based on water sensitive urban design principles to the satisfaction of the City;
  - 10.7 Be based on Designing out Crime principles to the satisfaction of the City;
  - 10.8 Show all irrigation design details;
- 11 Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City;
- 12 All development shall be contained within the property boundaries;
- 13 All stormwater shall be collected on-site and disposed of in a manner acceptable to the City;

- 14     Boundary walls shall be of a clean finish and made good to the satisfaction of the City;**
- 15     All external walls of the proposed building shall be of a clean finish, and shall at all times be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.**

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf181204.pdf](#)*

## ITEM 5                      DRAFT REGIONAL HOMELESSNESS PLAN 2018-19 – 2021-22

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	78031, 101515
<b>ATTACHMENT</b>	Attachment 1     Draft <i>Regional Homelessness Plan 2018-19 to 2021-22</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### PURPOSE

For Council to endorse the draft *Regional Homelessness Plan 2018-19 to 2021-22*.

### EXECUTIVE SUMMARY

Since late 2015, the Cities of Joondalup and Wanneroo have been working together on the development of a Regional Homelessness Plan. This work has included a community stakeholder workshop, Elected Member workshops and contributions from the community services sector.

The draft *Regional Homelessness Plan 2018-19 to 2021-22* is presented for consideration and endorsement by Council. It is intended the City of Wanneroo will also present the draft plan for endorsement by Council at its December Council meeting.

### BACKGROUND

The Cities of Joondalup and Wanneroo have recognised that homelessness is a complex issue affecting people in the northern suburbs. The multi-dimensional nature of homelessness necessitates involvement by a wide range of agencies, including all tiers of government, the commercial and private sector, state-wide service providers, community groups and individual efforts.

It is known that the causes of homelessness are varied with each person having a unique set of circumstances that result in and impact their experience of homelessness or sleeping rough. Key factors that may contribute to homelessness include domestic violence, sexual abuse, a shortage of affordable housing, unemployment, mental health, family breakdown, grief and loss, hazardous drug and alcohol use.

Given that there is no sole service-provider that has capacity to address every contributing factor to homelessness, it is critical that commitment to an inter-agency approach is secured. This sharing of resources, knowledge and programming can maximise the provision of services available to support a community and, in doing so, take meaningful strides to sustain an improved quality of life for people experiencing homelessness.

Homelessness is a powerful representation of disadvantage and social exclusion in the community. A lack of community understanding through stigma or negative stereotypes can hamper constructive efforts to address homelessness.

While there is no internationally agreed definition of homelessness, the Australian Bureau of Statistics considers the cultural definition of homelessness incorporating three tiers of homelessness as:

- primary homelessness: people without conventional accommodation (living in the streets, in deserted buildings, improvised dwellings, under bridges, in parks, and so on)
- secondary homelessness: people moving between various forms of temporary shelter including friends, emergency accommodation, youth refuges, hostels and boarding houses
- tertiary homelessness: people living in single rooms in private boarding houses without their own bathroom, kitchen or security of tenure.

It is recognised that people will often move between these three tiers, adding to the difficulty of gathering accurate data on the current state of homelessness.

Local government is largely considered to be the tier of government responsible for the wellbeing of communities through the provision of infrastructure, services and regulation. There is no specific mandate for local government to play a major role in addressing homelessness; however, there is a growing expectation that all tiers of government will commit to ending homelessness by implementing strategies within their remit.

### **City of Joondalup and City of Wanneroo Collaboration**

In December 2015, Council considered a report on Preventing and Responding to Homelessness in the City of Joondalup (CJ207-12/15 refers). At the time, it was resolved as follows:

*“That Council:*

- 1 RECEIVES the report prepared by Shelter WA, entitled “Preventing and Responding to Homelessness in the City of Joondalup”, as shown in Attachment 1 of Report CJ207-12/15;*
- 2 SUPPORTS the development of a strategic position statement on homelessness in February 2016;*
- 3 NOTES that the Chief Executive Officer will engage the City of Wanneroo to commence the development of a Regional Homelessness Strategy in early 2016;*
- 4 SUPPORTS the City’s participation in the 2016 Ruah Registry Week, noting the requirement for a \$5,000 contribution by the City of Joondalup.”*

Since the December 2015 Council decision, there have been ongoing strategic and operational discussions between the Cities regarding the development of a Regional Homelessness Plan, mentioned in 3 above.

During the development phase, it was envisaged that the joint plan could include: an exploration of partnership opportunities with service providers, local churches and businesses; a targeted advocacy program to State and Federal Governments to fund early intervention services; and the consideration of affordable housing.

## **Data Collection**

Both the Cities of Joondalup and Wanneroo have recognised the need to develop a response to homelessness in the north metropolitan corridor and have sought to gather reliable data to guide the establishment of an appropriate response within the communities in which residents live and work.

In 2015, the City engaged the services of Shelter WA to analyse the prevalence of homelessness and make recommendations on preventing and responding to homelessness in the City of Joondalup. The report outlined the issues surrounding homelessness in the northern suburbs (including the City of Wanneroo), identified community organisations that provide services to prevent homelessness (such as financial counselling) or respond to homelessness (such provision of sleeping bags, warm clothing and toiletries) and made recommendations for the City to consider for action into the future.

In 2016, both Cities partnered with Rural and Urban Access to Health (RUAH) Community Services in the first northern suburbs Registry Week involving three nights of visiting hot spots across selected seven local government areas seeking to identify and survey rough sleepers. Of the 430 people identified in Perth during Registry Week, 18 were reported in the City of Joondalup and six in the City of Wanneroo. It was recognised that the large geographical size of the two cities made it difficult to identify hubs of rough sleepers in contrast to other local government areas such as the City of Perth, which reported 319 respondents.

## **Joondalup Wanneroo End Homelessness Group (JWEHG)**

Since 2011, the Cities of Joondalup and Wanneroo have been active members of the JWEHG; (formerly Joondalup Wanneroo Interagency Homelessness Action Group or JWIHAG). The JWEHG is open to government, not for profit, corporate and faith-based organisations that work within the homelessness sector or related industry in and around the Joondalup and Wanneroo region. The purpose of the JWEHG is to share information, build on opportunities, collaborate, develop partnerships and integrate services where appropriate to provide a co-ordinated response to end homelessness.

The JWEHG group meets on a six-weekly basis and is chaired by a local service provider, currently Red Cross. The JWEHG has supported the development of the Regional Homelessness Plan, provided valuable feedback on the draft plan and will be a lead agency that contributes to the delivery of the actions and policies set out in the plan.

## **Homelessness – City of Joondalup**

The City of Joondalup has been working collaboratively with various stakeholders since 2008 in responding to homelessness. Activities are outlined as follows:

- In 2008, the City identified the need for a community lunch on Christmas Day for people who would otherwise be isolated at this special time, including those experiencing homelessness. Together with local churches and service clubs, the Joondalup Christmas Lunch was established and annually attracts around 400 guests.
- In 2013, the City acknowledged the need for an organisational-wide response to homelessness and developed a protocol called “Assisting People who are Homeless within the City”. The protocol provides a co-ordinated, dignified and compassionate approach to homelessness that guides all staff, especially workers who are in public areas or on patrol that may come across a person sleeping rough. Central to the protocol is the recording of numbers of rough sleepers for statistical purposes and the offer of assistance to the person experiencing homelessness. A review of the protocol commenced in July 2018 and the updated version will be presented for approval once completed.

- The City has provided awareness training for its staff and volunteers who may encounter people who are homeless or rough sleeping during their usual work. A directory of local homelessness service providers was developed and is included in care packs, which are distributed with a sleeping bag to people sleeping rough.
- In 2014 the City introduced a new priority area into the Community Funding Program criteria, to “promote support for people who are homeless, or at risk of homelessness”. This funding program has supported several local groups to introduce new services.
- Through the JWEHG, the City was part of the inter-agency conversation around the possible need for a drop-in service in Joondalup. This was the catalyst for two local churches, which have since opened drop-in mornings with one also implementing a Community Connect event annually since 2015. City officers provide advice and support for event marketing, identification of organisations and participate in the event. Community Connect included provision of information about support and accommodation services, hot meals, haircuts, showers, clothes and care packs.
- In December 2015, Council received a report commissioned by the City and prepared by Shelter WA entitled “Preventing and Responding to Homelessness in the City of Joondalup”. The development of a Regional Homelessness Plan was one of the recommendations contained within the report.
- In February 2016 (CJ055-04/16 refers), the City adopted a Position Statement on homelessness. This statement was reviewed and retained in February 2018.
- In October 2016, the Cities of Joondalup and Wanneroo jointly hosted a community stakeholder workshop to discuss homelessness in the region. This workshop was attended by 67 people from government departments, community groups and faith-based organisations.
- In August 2017, Elected Members from each local government attended facilitated workshops to talk about the issues and to provide input into development of the plan.
- In April 2018, the City demonstrated its leadership in the industry by giving a presentation to members of the Local Government Professionals group. This presentation was covered by local media after the event.
- City officers participated in organising community events across WA during Homelessness Week in 2017 and 2018.
- In Homelessness Week 2018, the Cities of Joondalup and Wanneroo co-hosted a community event called Blink of an Eye. The aim of the event was to raise awareness that people’s lives can change rapidly and for some that leads to homelessness. People who have been homelessness also talked to the group about their experiences.

### **Industry Leadership**

The City of Joondalup has been at the forefront of local government leadership regarding ending homelessness. Most recently, activities have included the following:

- Representing metropolitan local government on the Local Government Homelessness Reference group comprising peak industry bodies.
- Helping to shape WA’s commitment to Homelessness Week in August 2017 and 2018, including piloting the ‘Couch Conversations’ initiative. Based on Joondalup’s successful trial, Shelter WA provided a grants program for state-wide roll-out of the Couch Conversations concept.

- The City of Joondalup took the lead to develop, co-ordinate, host and implement the 'Spotlight on Homelessness' in partnership with Local Government Professionals in April 2018 which attracted approximately 70 local government and industry professionals to discuss the role of local government in ending homelessness.
- Based on outcomes of the Spotlight Forum, the City of Joondalup influenced the Community Development Network Conference Program (Local Government Professionals) to include an industry panel session on homelessness in September 2018.
- The City of Joondalup was invited by the State Government to host a consultation workshop in October 2018 to help inform the State Strategy on Homelessness.

In general, the City of Joondalup has demonstrated industry leadership for taking meaningful steps to work together with others to end homelessness.

## **DETAILS**

### **City of Joondalup Position Statement**

In 2018, Council revised its 2016 Position Statement on Homelessness (CJ061-04/18 refers) and agreed to retain it without change, as follows:

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

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

### **Regional Homelessness Plan**

The purpose of the Regional Homelessness Plan is to address the issue of homelessness in the northern corridor and respond appropriately.

In accordance with the approved Position Statement, the City's role in addressing homelessness is that of leadership, forward planning and advocating for services that benefit the community to stay connected with one another and with their families. The City's role is not one of direct service provision. Of note, the City of Wanneroo does not have an equivalent endorsed Position Statement; however, it has been reported that at an Elected Member Strategy session held by the City of Wanneroo in August 2017, it was agreed that the City of Wanneroo shares the City of Joondalup's views on this matter.

The draft Regional Homelessness Plan is developed around the following three key pillars which accurately reflect priorities and suggestions made by stakeholders and the community during the consultations.

### Pillar One: Building Community Capacity, Understanding and Engagement

The goal of Pillar One is that stakeholders communicate and collaborate effectively with clear purpose to end homelessness. The Cities will continue to build and strengthen relationships with a number of organisations such as government agencies, not for profits, community groups and local businesses to ensure effective and efficient response to homelessness.

### Pillar Two: Prevention and Early Intervention

The goal of Pillar Two is for people to have a strong sense of wellbeing and capability to recognise triggers that lead to homelessness, enabling them to take action early. The Cities will strive to increase awareness throughout the community, educate and inform residents of the risk factors that can lead to homelessness and advocate for services that assist with financial hardship and prevent homelessness.

### Pillar Three: Responding to homelessness

The goal of Pillar Three is that people experiencing homelessness or sleeping rough have their basic needs met and ultimately are transitioned into appropriate support services. The Cities will aim to work with stakeholders to ensure an efficient and effective response to those at risk or experiencing homelessness, that will have a beneficial impact on both the individual and the community.

### **Alignment with Other Plans**

In April 2018, the Western Australian Alliance to End Homelessness (WAAEC) released a ten-year plan, the Western Australian Strategy to End Homelessness. The WAAEC is an independent voice that advocates for and fosters evidence-based approaches to resolving all types of homelessness. It does not represent service providers or policy-makers; however, it does work to influence effective service provision, build local capacity and improve State homelessness policy. The Regional Homelessness Plan aligns with the actions and policies set out in the Western Australian Strategy to End Homelessness.

The Government State Strategy on Homelessness is currently being developed by the Department of Communities and is due to be published by the end of this year. A regional consultation was held in Joondalup in October 2018.

The State Strategy will complement and build on work already undertaken by the Western Australian Alliance to End Homelessness. The announcement of a state strategy follows a federal government move to make continuing federal funding contingent on all states developing such strategies.

### **Issues and options considered**

Not applicable.

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

<b>Legislation</b>	There is no legislative requirement for local governments to have Regional Homelessness Plans.
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### **Strategic Community Plan**

<b>Key theme</b>	Community Wellbeing.
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<b>Objective</b>	Community spirit.
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**Strategic initiative** Promote and support the needs of disadvantaged communities.

**Policy** There is no City policy that relates to homelessness. The City, however, has a current Position Statement and internal protocol on homelessness.

### **Risk management considerations**

If the City does not develop a clear and well-informed response to addressing the issue of homelessness while the matter is still relatively manageable, there is a risk that the City will be ill-prepared to cope with increased demands as the City Centre develops over the medium term.

As such, it is considered timely and beneficial that the City works with its regional neighbours and stakeholders to develop long-term strategies for preventing and responding to homelessness now, to have long-lasting impacts in the future.

The City has built a strong relationship with the City of Wanneroo, agencies and service providers and to withdraw from the commitment to develop a Regional Homelessness Plan would risk damaging critical existing relationships required to end homelessness.

### **Financial / budget implications**

The strategic outcomes and actions of the draft Regional Homelessness Plan will be achieved through minimal additional resourcing as they are supported through the development of external stakeholder relationships and utilising existing opportunities that are the core business of the City.

For the actions where additional funding is required for implementation, it is intended that external funding is sourced through grants or sponsorship opportunities.

### **Regional significance**

The issue of homelessness has no boundaries and is a growing concern in Australia and worldwide. Tackling homelessness in isolation of regional partnerships would have limited value and minimal effect.

Partnerships between government agencies and community organisations are the most efficient way to help people get their lives back on track and, as such, considerable collaboration is needed between government and non-government agencies in this northern region of metropolitan Perth. These services normally operate across local government boundaries and range from very local groups servicing the needs of neighbourhoods, to large organisations operating internationally (such as Red Cross).

The partnership with the City of Wanneroo to develop a Regional Plan formed naturally given the two Cities already have an existing relationship. The partnership is practical and positive and is reported on monthly as part of the City's Stakeholder Management Plan.

The City keeps in contact with the City of Stirling through metropolitan and industry groups on homelessness. Opportunities for collaboration with other partners will continue to be sought through the JWEHG forum and via other key stakeholders.

The City has also worked with partners such as Lakeside Joondalup Shopping City, providing support such as training on how to support people experiencing homelessness.

## **Sustainability implications**

Any response to homelessness will require long-term planning, high levels of collaboration between multiple agencies and security of funding in order to be sustainable into the future.

## **Consultation**

A comprehensive consultation process was undertaken in the development of the Regional Homelessness Plan. Information and recommendations from a number of key stakeholders contributed to the development of the key three pillars that shape the plan.

In 2015 the City of Joondalup engaged the services of Shelter WA to provide evidence and recommendations to prevent and respond to homelessness in the City of Joondalup which also incorporated data relevant to the City of Wanneroo. One of the recommendations in the Shelter Report was the development of a Regional Homelessness Plan.

In October 2016, a facilitated stakeholder workshop was organised jointly by the Cities at a community centre in Wanneroo. Not for profits, businesses, charities, and faith-based groups were among those that were invited to attend as well as some interested community members and those with a lived experience of homelessness. The purpose of the workshop was to explore the potential for collaboration towards responding to homelessness in the region and seeking input to the structure of the plan. In total, there were 67 attendees at the workshop.

In August 2017, an independently facilitated workshop took place with the Elected Members of City of Wanneroo, and the same forum was facilitated again that month with the Elected Members of the City of Joondalup. The key objective of these forums was to gain the views of the Elected Members regarding the City's role in addressing homelessness.

Both Cities considered that an open, community-wide consultation was not required on this initial plan, although may be suitable in the next iteration. People with lived experience of homelessness in the City were consulted, which is believed to be most meaningful.

Based on all the information gathered, officers from the Cities worked together to develop the draft Regional Homelessness Plan. The draft plan was circulated to external stakeholders for review including WALGA, Shelter WA, Department of Communities and JWEHG members. These stakeholders provided feedback and the plan was updated consistent with peer contributions. WALGA and the Department of Communities staff commended the Cities on their efforts in the development of the plan.

All feedback from these key groups was taken into consideration in the final draft of the plan.

## **COMMENT**

The Cities of Joondalup and Wanneroo present the draft Regional Homelessness Plan as the culmination of extensive research, consultation and peer review. The Cities will oversee the implementation, review, evaluation and reporting of the plan in context of their own local government area. This includes ensuring the plan is distributed both internally and externally, integrated into the business plans and budgets of relevant business units and reported on annually.

In addition, each local government will develop its own localised Implementation Plan that considers any unique aspects applicable to the respective regions.

It is intended that the City of Wanneroo will present this draft *Regional Homelessness Plan 2018-19 – 2021-22* to its Council for consideration and endorsement in December 2018 so that both council's actions are aligned.

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council ENDORSES the *Regional Homelessness Plan 2018-19 to 2021-22* as detailed in Attachment 1 to this Report.**

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf181204.pdf](#)*

## ITEM 6 STATUS OF PETITIONS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	05386, 101515
<b>ATTACHMENTS</b>	Attachment 1      Status of Petitions – 16 August 2016 to 18 September 2018
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’).

### PURPOSE

For Council to note the 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 18 September 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 18 September 2018, forming Attachment 1 to this Report;**
- 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, *Local Planning Scheme No. 3* was gazetted on 23 October 2018. A review of the *Signs Policy* can now commence and the petition will be considered as part of that review;**

- 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 at its meeting to be held on 19 February 2019;
- 4 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;
- 5 in relation to the petition requesting an upgrade to Sycamore Park, Duncraig covering the following:
- 5.1 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);
  - 5.2 The needs of their parents and caregivers when visiting the park / playground;

- 5.3 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);

a report was presented to Council at its meeting held on 18 September 2018 (CJ165-09/18 refers);

- 6 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 19 February 2019;
- 7 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 assessed a revised proposal, a report was presented to Council at its meeting held on 16 October 2018 (CJ169-10/18 refers);
- 8 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, a report was presented to Council at its meeting held on 16 October 2018 (CJ179-10/18 refers);
- 9 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;
- 10 in relation to the petition requesting that Council review the proposal with respect to DA18/0408 – Car and Bus Bays north side of Doveridge Drive, Duncraig:
- 10.1 the development application was formally withdrawn at the beginning of September 2018;
- 10.2 all submitters, including the lead petitioner were notified of the application withdrawal on 17 September 2018;
- 11 in relation to the petition requesting that Council refuse the application for retrospective development application for seating addition to the Little H Café (restaurant) at Lot 702 (24/34) Marri Road, Duncraig:
- 11.1 a report was presented to Council at its meeting held on 20 November 2018 (CJ189-11/18 refers);
- 11.2 the lead petitioner will be advised of Council's decision;

- 12 in relation to the petition requesting that Council undertakes the protection of all the mature trees in the most actively used parts of Camberwarra Park namely the areas around the tennis courts and children's play area and barbeque area. These trees will likely undergo significant pruning to maintain the required 25 metre setback if the Optus telecommunication infrastructure goes ahead. These trees provide shade, habitat and amenity to residents and fauna alike:
- 12.1 a report was presented to Council at its meeting held on 20 November 2018 (CJ190-11/18 refers);
- 12.2 the lead petitioner be advised of Council's decision, noting that the State Administrative Tribunal will further consider the matter.

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf181204.pdf](#)*



## ITEM 7 MINUTES OF EXTERNAL COMMITTEES

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER</b>	00033, 101515	
<b>ATTACHMENT</b>	Attachment 1	Minutes of Tamala Park Regional Council held on 18 October 2018
	Attachment 2	Minutes of Mindarie Regional Council Meeting held on 25 October 2018.
	(Please note: These minutes are only available electronically).	
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').	

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### PURPOSE

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

### EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of Tamala Park Regional Council meeting held on 18 October 2018.
- Minutes of Mindarie Regional Council Meeting held on 25 October 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.

#### **Tamala Park Regional Council Meeting – 18 October 2018**

A meeting of the Tamala Park Regional Council was held on 18 October 2018.

At the time of this meeting Cr John Chester and Cr Nige Jones were Council's representatives at the Tamala Park Regional Council meeting.

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

**9.6 TPRC Annual Financial Report for the Year 1 July 2017 to 30 June 2018**

That the Council RECEIVES the Annual Financial Report for the year ended 30 June 2018 and that it be INCLUDED in the Annual Report.

The Motion was put and declared CARRIED (10/0).

**9.7 Review of the Auditor's Report for the Financial Year ended 30 June 2018**

That the Council:

1. RECEIVES the Auditor's Report for the financial year ended 30 June 2018.
2. NOTES that the Audit Report does not note or make recommendations on any matter requiring attention from the Annual Audit for the year ended 30 June 2018.
3. NOTES that the Council's Auditor (Butler Settineri) met with the Audit Committee at its meeting of 18 October 2018 to discharge the statutory obligation to meet with the Local Government at least once per annum.

The Motion was put and declared CARRIED (10/0).

**9.9 Catalina Display Village Strategy - Catalina Beach Sales Office**

That the Council:

1. RECEIVES the update on the Sales Strategy of the Catalina Beach Sales Office prepared by the Satterley Property Group (dated September 2018).
2. APPROVES Lot 2094 and Lot 9025 being retained in Council ownership until the completion of the Catalina Beach Sales Office function when both sites will be sold.
3. REQUESTS that the Satterley Property Group undertake a review and report on the sale and lease back options by October 2020 for Council's consideration.

The Motion was put and declared CARRIED (10/0).

**9.10 Council Meeting Schedule 2019**

1. That the schedule of Council meetings dates be APPROVED for 2019 as follows:
  - 14 February 2019 (Town of Cambridge)
  - 18 April 2019 (City of Joondalup)
  - 20 June 2019 (City of Stirling)
  - 15 August 2019 (Town of Victoria Park)
  - 17 October 2019 (City of Vincent)
  - 5 December 2019 (City of Perth)
2. That the commencement time for Council meetings be 6:00pm.

3. That Council meetings be held on a rotational basis at participant Council premises.
4. That the schedule of Management Committee meetings dates be APPROVED for 2019 as follows:
  - 14 March 2019
  - 23 May 2019
  - 18 July 2019
  - 19 September 2019
  - 7 November 2019
5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 5:00pm.
6. That the schedule of meeting dates be advertised as required by the Local Government Act.

The Motion as amended was as follows:

1. That the schedule of Council meetings dates be APPROVED for 2019 as follows:
  - 18 April 2019 (City of Joondalup)
  - 20 June 2019 (City of Stirling)
  - 15 August 2019 (Town of Victoria Park)
  - 17 October 2019 (City of Vincent)
  - 5 December 2019 (City of Perth)
2. That the commencement time for Council meetings be 6:00pm.
3. That Council meetings be held on a rotational basis at participant Council premises.
4. That the schedule of Management Committee meetings dates be APPROVED for 2019 as follows:
  - 14 March 2019
  - 23 May 2019
  - 18 July 2019
  - 19 September 2019
  - 7 November 2019
5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 5:00pm.
6. That the schedule of meeting dates be advertised as required by the Local Government Act.

The amended Motion was put and declared CARRIED (10/0).

**9.11 Catalina Housing and Built Form Strategy FYE 2019 - Confidential**

That the Council:

1. RECEIVES the Catalina Housing and Built Form Strategy (July 2018) submitted by the Satterley Property Group, for strategic guidance for the delivery of housing and built form outcomes within the Catalina Project.
2. ADVISES the Satterley Property Group that based on the implementation actions and measurement requirements in the Catalina Housing and Built Form Strategy that the Development Manager's Key Performance Indicator 2.9 requiring an annual review of the Housing and Built Form Strategy has been satisfied.
3. REQUESTS the Satterley Property Group to monitor and implement the Catalina Housing and Built Form Strategy nominated actions/strategies to ensure that a strategic position is achieved to provide the opportunity for the delivery of significant built form outcomes in FYE 2020.

The Motion was put and declared CARRIED (10/0).

**9.12 Development Manager's Key Performance Indicators - FYE 2018 - Confidential**

1. RECEIVES the Satterley Property Group - Key Performance Indicators 2017/2018 Report.
2. ACCEPTS that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2018 by the achievement of in excess of the 80% minimum achievement requirement set out in the Development Managers Key Performance Indicators (2014), having regard to the residential market conditions and economic forces outside of the control of the Development Manager.
3. ADVISES the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2018 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Managers Key Performance Indicators (2014) in the future.

The Motion lapsed due to a lack of Mover and Seconder.

Alternative recommendation

That the Council:

1. RECEIVES the Satterley Property Group - Key Performance Indicators 2017/2018 Report.

2. ACCEPTS that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2018 in relation to the Development Manager's Key Performance Indicators (2014). Noting that three of the six Key Performance Indicators not achieved (3.3, 4.1 and 4.3) due to residential market conditions outside of the control of the Development Manager.
3. ADVISES the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2018 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Manager's Key Performance Indicators (2014) in the future.
4. Note the Development Manager's KPIs are to be reviewed by Council in early 2019 with the objective of making them more clearly defined and meaningful; quantified and measured and relevant in achieving TPRC objectives for the Catalina Project.

The Motion was put and declared CARRIED (10/0).

### **Mindarie Regional Council Meeting – 5 July 2018**

A meeting of the Mindarie Regional Council was held on 5 July 2018.

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

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

### **9.4 Mindarie Regional Council Ordinary Council Meeting and Strategy Workshop Dates for 2019**

That the Council:

1. adopt the following schedule for Council Meetings for 2019, commencing at 6.00 pm:
  - Ordinary Council Meeting – 07 February 2019 (City of Joondalup)
  - Ordinary Council Meeting – 11 April 2019 (City of Wanneroo)
  - Ordinary Council Meeting – 04 July 2019 (City of Stirling)
  - Ordinary Council Meeting – 19 September 2019 (City of Vincent)
  - Ordinary Council Meeting – 21 November 2019 (Town Victoria Park)
  - Ordinary Council Meeting – 12 December 2019 (City of Perth)
2. issue Public Notice on the meetings location, dates and times as detailed in (1) above in accordance with Part 12 (1) of the *Local Government (Administration) Regulations 1996* and the *Local Government Act 1995*.

3. adopt the following dates for the two Strategy Workshops for 2019 as follows:
  - 07 February 2019 – following the OCM at the City of Joondalup
  - 19 September 2019 – following the OCM at the City of Vincent

(CARRIED UNANIMOUSLY 10/0)

## **9.5 Submission on the Draft Waste Strategy 2030**

That Council:

- i) Endorses the MRC's proposed responses and variations to the Waste Authority's draft *Waste Strategy 2030 document* contained in the detail of this report with the addition of a variation addressing HHW as focus material, and;
- ii) authorises the CEO to write to the Waste Authority to communicate the MRC's position as endorsed in point i).

That the alternative motion be adopted.

(CARRIED UNANIMOUSLY 10/0)

## **14.1 Energy from Waste Short Term Contract**

That Council:

Approve the CEO's proposed course of action to not progress formal discussions with the Phoenix Group as originally contemplated by Council's 14 April 2016 resolution.

(CARRIED 10/0)

## **14.2 WMRC Waste Proposal**

1. Approves for the CEO to pursue commercial discussions with the Western Metropolitan Regional Council on behalf of the member councils wishing to make use of the proposed service offering.

*(Simple Majority Required)*

2. Approves for the CEO to enter into negotiations with the Western Metropolitan Regional Council for the supply of waste (up to a maximum of 20,000 tonnes) up to 30 June 2019 at the rates outlined in the details section of the report, the impact of which will be accommodated in the mid-year budget review.

*(Absolute Majority Required)*

Cr Nelson requested that the motions be considered separately

Motion 1:

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

Motion 2:

That the recommendation be adopted

(CARRIED 9/1)

#### **14.4 RRF FOGO Trial**

That Council:

Approves for the MRC to proceed with the proposed FOGO trial at the RRF at an estimated cost of \$300,000, which will be funded in the mid-year budget review, and for the CEO to provide a report to Council on the results of the trial.

(CARRIED UNANIMOUSLY 10/0)

#### **14.5 Financial Modelling for MRC Strategic Directions**

That Council:

Approve the engagement of Deloitte to undertake the required strategic financial modelling at an estimated cost of \$100,000, which will be funded through the mid-year budget review.

(Absolute Majority Required)

(CARRIED UNANIMOUSLY 10/0)

#### **14.6 RRFA Deed of Variation**

That Council:

Subject to the requisite approvals being obtained from Australia and New Zealand Banking Group Limited;

- i) authorises the CEO to accept the proposed temporary suspension of the Waste Diversion and Compost Quality KPIs under the Resource Recovery Facility Agreement from 1 January 2019 to 28 February 2019, and the consequential adjustments to the gate fee for that period if required, as requested by Biovision 2020 Pty Ltd in their letter dated 11 October 2018; and
- ii) resolves that the Mindarie Regional Council will work co-operatively and in good faith with Biovision 2020 Pty Ltd after 28 February 2019 to agree any required changes under clause 15.2(c) of the Resource Recovery Facility Agreement once the full change, if any, arising from the change in waste composition due to the implementation of a three bin system has been assessed.

(CARRIED 10/0)

**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 Tamala Park Regional Council meeting held on 18 October 2018 forming Attachment 1 to this Report;**
- 2 Mindarie Regional Council Minutes from the meeting held on 25 October 2018 forming Attachment 2 to this Report.**

*To access this attachment on electronic document, click here: [ExternalMinutes181204.pdf](#)*



## **ITEM 8                      DELEGATED AUTHORITY - TENDER 024/18 - SMART MONITORING AND MANAGEMENT - YELLAGONA WETLANDS PROJECT**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Governance and Strategy Mr Jamie Parry
<b>FILE NUMBER</b>	103278, 101515
<b>ATTACHMENT</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to grant delegated authority to the Chief Executive Officer to approve *Tender 024/18 - Smart Monitoring and Management - Yellagonga Wetlands Project*, subject to the cost not exceeding \$1,491,550 inclusive of a contingency of 15%.

### **EXECUTIVE SUMMARY**

Under a grant from the Federal Government's Smart Cities and Suburbs Program, the Cities of Joondalup and Wanneroo (the Cities) are jointly pursuing a collaborative project of Smart Monitoring and Management of the Yellagonga Wetlands.

The project is to use smart technology to improve efficiencies in monitoring environmental health and public use of the Yellagonga Regional Park and deliver community focussed services that make the precinct more sustainable, liveable and safe.

A tender for the project was advertised in October and closed 6 November 2018. The tenders for this project are complex and are currently being assessed. There is insufficient time to submit a successful tender recommendation to the Council for approval, and it is imperative the project commence earlier than the first meeting in February 2019.

*It is therefore recommended that Council BY AN ABSOLUTE MAJORITY and in accordance with section 5.42 of the Local Government Act 1995, DELEGATES authority to the Chief Executive Officer to approve Tender 024/18 - Smart Monitoring and Management - Yellagonga Wetlands Project, subject to the cost not exceeding \$1,491,550 inclusive of a contingency of 15%.*

## BACKGROUND

Under a grant from the Federal Government's Smart Cities and Suburbs Program, the Cities of Joondalup and Wanneroo (the Cities) are jointly pursuing a collaborative project of Smart Monitoring and Management of the Yellagonga Wetlands.

The Smart Cities and Suburbs Program offers the Cities of Joondalup and Wanneroo an opportunity to enhance the region's reputation as a place of innovation and digital leadership.

The Cities will collaborate with Edith Cowan University, Department of Water and Environmental Regulation, Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service, and technology vendor to design, build and implement a data collection system, governance and community engagement platform, data analytics and predictive modelling that collectively forms a smart monitoring system.

This project will apply smart technology to improve efficiencies in monitoring ecological health in relation to environmental water provision criteria, macroinvertebrates and wetland vegetation health and public use of the 13-kilometre-long Yellagonga Regional Park covering 1,400 hectares including four wetlands – Lake Joondalup, Lake Goollelal, Beenyup Swamp and Wallubuenup Swamp; and deliver community focussed services that make the precinct more liveable, productive, sustainable and safe.

## DETAILS

This *Smart Monitoring and Management - Yellagonga Wetlands Project* addresses key Federal Government smart city program priority areas, to deliver on better decisions to design and deliver public assets, and ensure a more liveable, productive and sustainable management of the Yellagonga Wetlands.

The Cities will collaborate with Edith Cowan University, Department of Water and Environmental Regulation, Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service, and private partners to design, build and implement a smart monitoring system.

Inclusive of a data collection system; a governance and community engagement platform; and with data analytics and predictive modelling all built into a 3D digital engine, these will become what collectively form the Yellagonga Wetlands Smart Monitoring System.

Project objectives and deliverables can be described at both the strategic and project level.

The Cities are interested in ultimate project outcomes, as much as project outputs/inputs. Key outcomes, which the preferred respondent must align their proposal towards, include the following:

- Improved monitoring of the park's key environmental and activity indicators, in terms of breadth, frequency, accuracy, reliability and efficiency (both logistics and budget).
- Enhanced analysis of data to drive better decision making and management of the Park.
- Increased open data, to support transparency, innovation, and economic opportunity.
- Improved community engagement with the park, the Cities, and the local environment.
- Enhanced environmental/sustainability outcomes for the park.
- Enhanced innovation outcomes for the Cities.
- Enhanced usage and activation of the park.

Project objectives relate to the innovative management and protection of the wetlands using environmental sensors through near real time monitoring.

The sourcing and acquisition of 'best in market' digital devices via 'off-the-shelf' procurement or design and development of bespoke equipment will progress the aims of the real-time data collection necessary to bring improvement and efficiencies in the overall ability to speedily monitor and identify the health and utilisation of the Yellagonga Wetlands.

Combinations of additional drone flight real time aerial views and satellite imagery coverage will augment new sensor device data capture to provide an integrated concordance 3D modelling capability. With a fresh view of these important wetlands there can be an enhanced delivery of knowledge of environmental and economic conditions over the Yellagonga Parklands that can boost legacy understanding of conservation and management requirements.

Project design around this undertaking will apply innovative new technology to deliver real time outcomes not previously realised for urban wetlands. It will create new insights for users, community, and managers vested with protecting the largest natural wetland system in northern Perth.

Insight areas will ensure improved land use across the urban environment, including reduced health risks, safety, improved landscape design and green infrastructure. The project will create a more sustainable ecosystem and increase regional economic investment and benefit through business and industry development including job creation and skills development and social equity and community cohesion.

The indicative total budget for this project, being a \$867,000 grant, a mix of cash and in-kind support from the Cities and other partners of \$732,000 (cash \$430,000; in-kind \$302,000, and up to \$450,000 from the technology partner) was publicly reported as part of the Smart Cities and Suburbs funding announcements. The total project cost at this time is \$2,049,000 (comprising cash and in-kind).

The City of Joondalup will manage the contract on behalf of the partners.

The project is required to be completed by June 2020. A tender for the project was advertised in October and closed 6 November 2018. The tenders for this project are complex and are currently being assessed. As there was insufficient time to submit a successful tender to the Council's December meeting for approval, and it is imperative the project commence earlier than the first meeting in February 2019, it is recommended that Council grant delegated authority to the Chief Executive Officer to approve the preferred vendor, within a 15% contingency of the project cash cost.

## **Issues and options considered**

### **Option 1**

The Council grant delegated authority to the Chief Executive Officer to approve the preferred tenderer. This option will allow for the timeliest decision to be made with regard the preferred tenderer to undertake the project, particularly as the project has a number of designated milestones already agreed between the Cities and Department of Industry, Innovation and Science. These are required to be met if the City is to retain the grant funding.

All funding for the project has been endorsed as part of the City's budget process, however, a 15% contingency is proposed should additional funding for the project be required following detailed assessment and negotiation with the preferred vendor and Department of Industry, Innovation and Science. This contingency amount of \$194,550 (divided evenly between the Cities of Joondalup and Wanneroo) would be subject to the Council's budget deliberations in 2019-20.

#### Option 2

The Council not grant delegated authority to the Chief Executive Officer to approve the preferred tenderer, and any decision be made by the Council in February 2019. This option would likely mean that:

- the preferred vendor would not be able to meet the tender milestones
- the Cities would not be able to meet the Department of Industry, Innovation and Science grant agreement milestones, and would be at risk of forfeiting the grant funding.

Option 1 is the preferred option.

### Legislation / Strategic Community Plan / policy implications

**Legislation** Section 5.42 of the *Local Government Act 1995*.

#### Strategic Community Plan

**Key theme** Governance and Leadership.

**Objective** Corporate Capacity.

**Strategic initiative** Continuously strive to improve performance and service delivery across all corporate functions.

**Policy** Not applicable.

The City of Joondalup has a range of strategic environmental strategies that are aligned to this project including:

- *Yellagonga Integrated Catchment Management Plan 2015-2019*
- *City of Joondalup Water Plan 2016-2021*
- *Climate Change Strategy 2014-2019*
- *Midge Management Strategy Partnership Agreement 2015-2020*
- *Environmental Plan 2014-2019*
- *Economic Development Strategy; Expanding Horizons*
- *Joondalup: Digital City.*

One of the City's key digital strategies is to *build community capacity and innovative government services*, including investigating the benefits of smart infrastructure.

### Risk management considerations

Should the Council not grant delegated authority to the Chief Executive Officer to approve the preferred tenderer, and any decision be made by the Council in February 2019, the following risks apply:

- The preferred vendor would not be able to meet the tender milestones.
- The Cities would not be able to meet the Department of Industry, Innovation and Science grant agreement milestones, and would be at risk of forfeiting the grant funding.
- The co-contribution of the preferred vendor (up to \$450,000) not meeting all eligibility requirements of the Department of Industry, Innovation and Science, resulting in a reduction in the grant funding.

### **Financial / budget implications**

The indicative total budget for this project, being a \$867,000 grant, a mix of cash and in-kind support from the Cities and other partners of \$732,000 (cash \$430,000; in-kind \$302,000, and up to \$450,000 from the technology partner) was publicly reported as part of the Smart Cities and Suburbs funding announcements.

The total project cost is \$2,049,000 (comprising cash and in-kind).

The City of Joondalup's cash and in-kind contribution is \$200,000 and \$35,000 respectively. The City of Wanneroo's cash and in-kind contribution is \$200,000 and \$117,000 respectively. The additional in-kind contribution from the City of Wanneroo relates to provision of drones and access to drone pilots for data capture.

It is proposed that the proposed delegated authority to accept the tender not exceed a cost of \$1,491,550 which is the cash project cost component (\$1,297,000) plus a 15% contingency (\$194,550). Any contingency costs required would be contributed evenly between the Cities of Joondalup and Wanneroo.

The contingency amount is proposed should the following be required to occur during the tender process:

- renegotiation of the grant funding with the Department of Industry, Innovation and Science should it be considered all strategic elements of the funding agreement have not been met and/or
- renegotiation of the grant funding with the Department of Industry, Innovation and Science should it be considered the co-contribution of the preferred vendor does not meet all eligibility requirements of the grant agreement
- additional requirements are required to be negotiated with the preferred vendor to better meet the project's strategic outcomes (such as equipment, sensors and the like).

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Yellagonga Regional Park is a significant community asset. The project involves a range of stakeholders that have a strong interest in the ongoing health and management of the Park.

### **Sustainability implications**

Project design around this undertaking will apply innovative new technology to deliver real time outcomes not previously realised for urban wetlands. It will create new insights for users, community, and managers vested with protecting the largest natural wetland system in northern Perth.

Insight areas will ensure improved land use across the urban environment, including reduced health risks, safety, improved landscape design and green infrastructure. The project is proposed to create a more sustainable ecosystem and increase regional economic investment and benefit through business and industry development including job creation and skills development and social equity and community cohesion.

### **Consultation**

No consultation has been undertaken thus far with the project. The preferred vendor will need to collaborate with multiple stakeholders including Edith Cowan University, the Department of Water, and the Department of Biodiversity, Conservation and Attraction. Additional stakeholders include but are not limited to the Yellagonga Friends Group; Yellagonga Regional Park Community Advisory Committee; and local indigenous groups.

### **COMMENT**

The *Smart Monitoring and Management - Yellagonga Wetlands Project* addresses key smart city program areas, being to deliver on better decisions to design and deliver public assets, and ensure a more liveable, productive and sustainable management of the Yellagonga Wetlands.

The Smart Cities and Suburbs Program offers the Cities of Joondalup and Wanneroo an opportunity to enhance the region's reputation as a place of innovation and digital leadership.

The City has received a number of competitive and innovative tenderers, the submissions of which are complex, and are currently being assessed.

Delegated authority to the Chief Executive Officer will allow the project to proceed in a timely manner meeting the agreed milestones to meet the City's grant funding obligations.

### **VOTING REQUIREMENTS**

Absolute Majority.

### **RECOMMENDATION**

**That Council BY AN ABSOLUTE MAJORITY and in accordance with section 5.42 of the *Local Government Act 1995*, DELEGATES authority to the Chief Executive Officer to approve Tender 024/18 - Smart Monitoring and Management - Yellagonga Wetlands Project, subject to the cost not exceeding \$1,491,550 inclusive of a contingency of 15%.**

## ITEM 9 LIST OF PAYMENTS MADE DURING THE MONTH OF OCTOBER 2018

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENT</b>	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of October 2018 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of October 2018 Attachment 3 Municipal and Trust Fund Vouchers for the month of October 2018
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of October 2018.

### EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of October 2018 totalling \$13,554,251.92.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for October 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 this Report, totalling \$13,554,251.92.*

### BACKGROUND

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

### DETAILS

The table below summarises the payments drawn on the funds during the month of October 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.

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Municipal Account	Municipal Cheques & EFT Payments 107317 - 107463 & EF073663 – EF074302 Net of cancelled payments.	\$ 8,341,010.69
	Vouchers 2357A – 2378A	\$ 5,205,041.23
Trust Account	Trust Cheques & EFT Payments 207319 - 207325 & TEF001610 – TEF001618 Net of cancelled payments.	\$ 8,200.00
<b>Total</b>		\$13,554,251.92

### 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 October 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 this Report, totalling \$13,554,251.92.**

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf181204.pdf](#)*

## **ITEM 10                      FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 OCTOBER 2018**

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services	
<b>FILE NUMBER</b>	07882,101515	
<b>ATTACHMENT</b>	Attachment 1	Financial Activity Statement
	Attachment 2	Investment Summary
	Attachment 3	Supporting Commentary
<b>AUTHORITY/ DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').	

### **PURPOSE**

For Council to note the Financial Activity Statement for the period ended 31 October 2018.

### **EXECUTIVE SUMMARY**

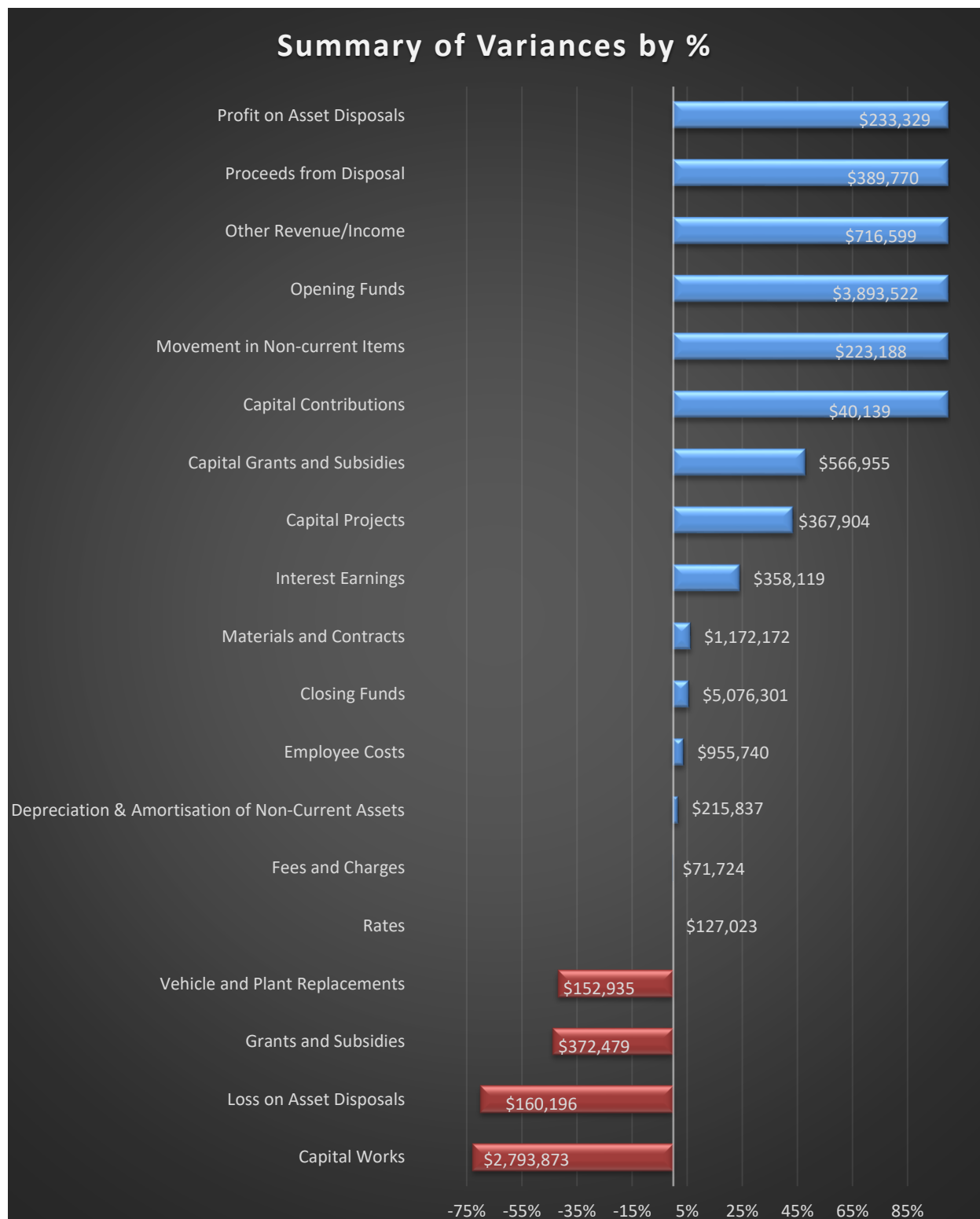
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. The figures in this report are compared to the adopted budget.

The October 2018 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$5,076,301 for the period when compared to the adopted budget.

It should be noted that this variance does not represent a projection of the end of year position or that these funds are surplus to requirements. It represents the year to date position to 31 October 2018 and results from a number of factors identified in the report, including the opening funds position following finalisation of the 2017-18 annual financial statements.

There are a number of factors influencing the favourable variance, but it is predominantly due to additional surplus brought forward from the previous year and 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.

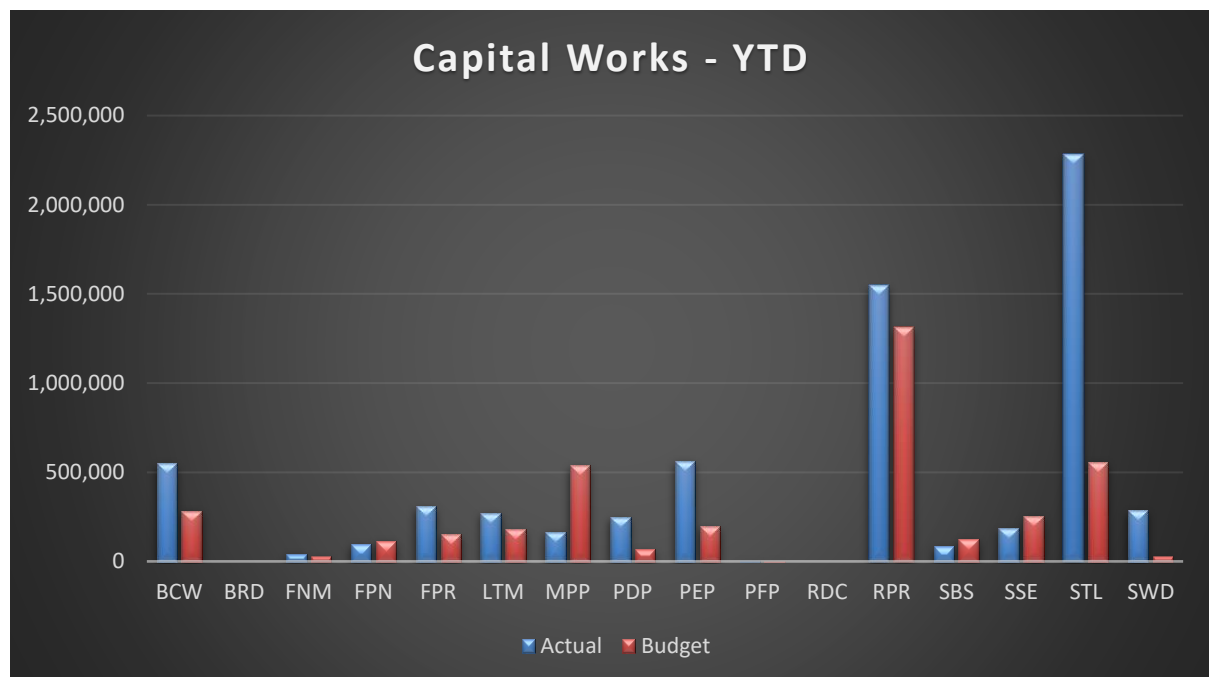
The key elements of the variance are summarised below:



The significant variances for October were:

### **Capital Works**

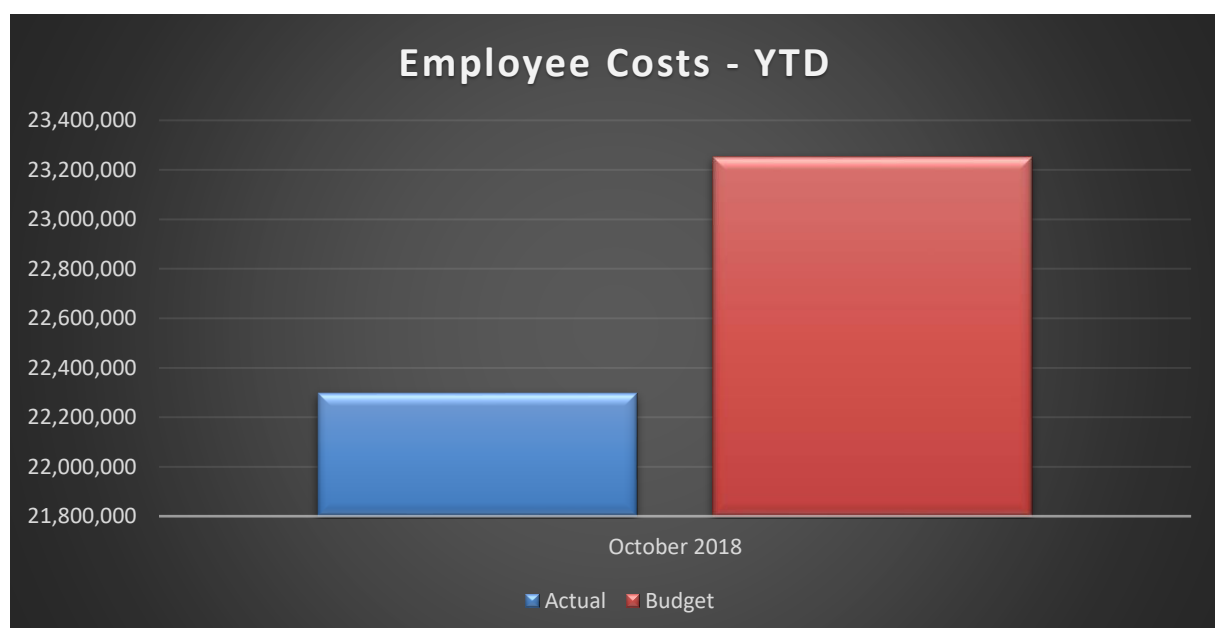
**(\$2,793,873)**



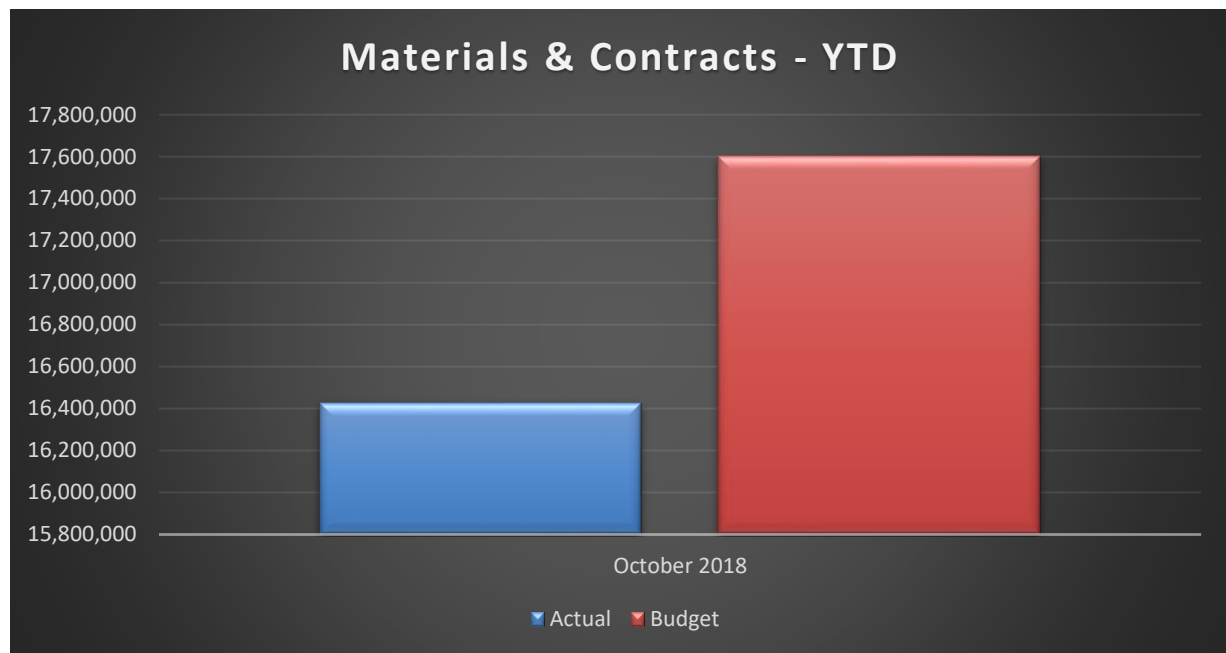
Capital Works expenditure is (\$2,793,873) above budget due to projects brought forward from the previous financial year and projects progressing ahead of budget phasing. This includes unfavourable timing variances for Street Lighting Program (\$1,727,503), Parks Equipment Program (\$366,599) and Major Building Capital Works Program (\$268,035).

### **Employee Costs**

**\$955,740**



Employee Costs expenditure is \$955,740 below budget. This is spread across a number of different areas including Salaries and Wages for Parks \$272,466, CEO Administration \$134,139 and Building Services \$87,563 mainly due to vacant positions.

**Materials & Contracts****\$1,172,172**

Materials and Contracts expenditure is \$1,172,172 below budget. This is spread across a number of different areas including favourable timing variances for External Service Expenses \$693,814, Administration \$257,378 and Public Relations, Advertising & Promotions \$212,751.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 October 2018 forming Attachment 1 to this Report.*

**BACKGROUND**

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

**DETAILS****Issues and options considered**

The Financial Activity Statement for the period ended 31 October 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**

<b>Key theme</b>	Financial Sustainability.
<b>Objective</b>	Effective management.
<b>Strategic initiative</b>	Not applicable.
<b>Policy</b>	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**

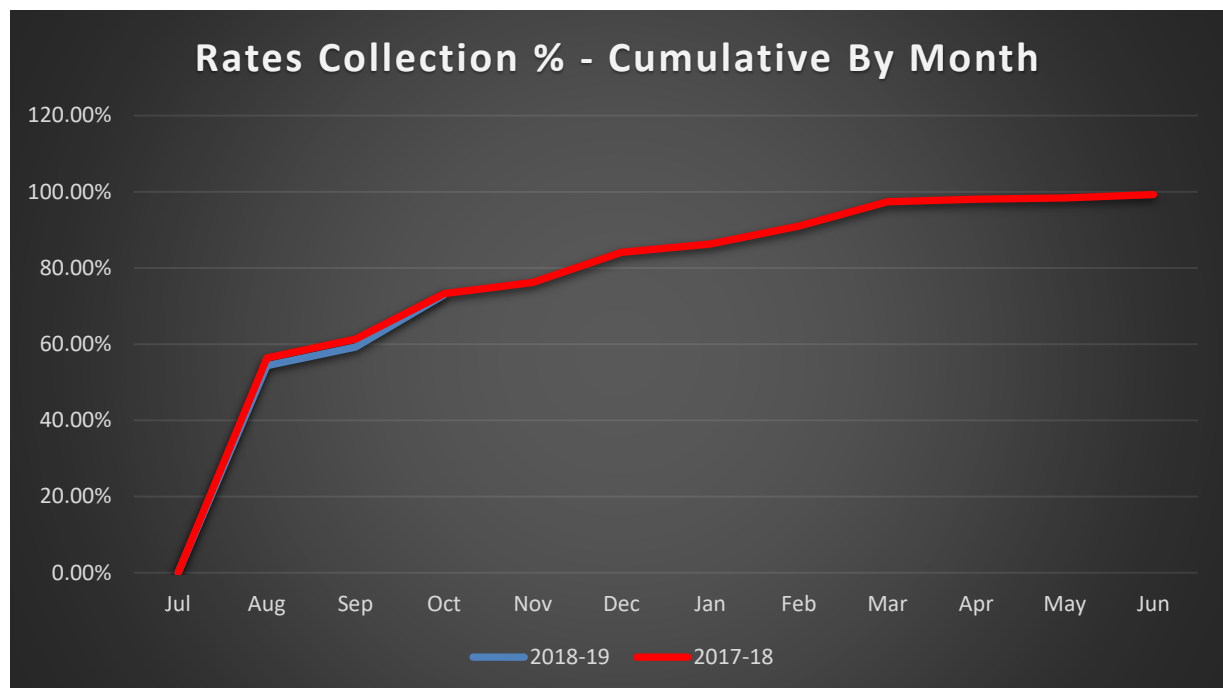
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

**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*.

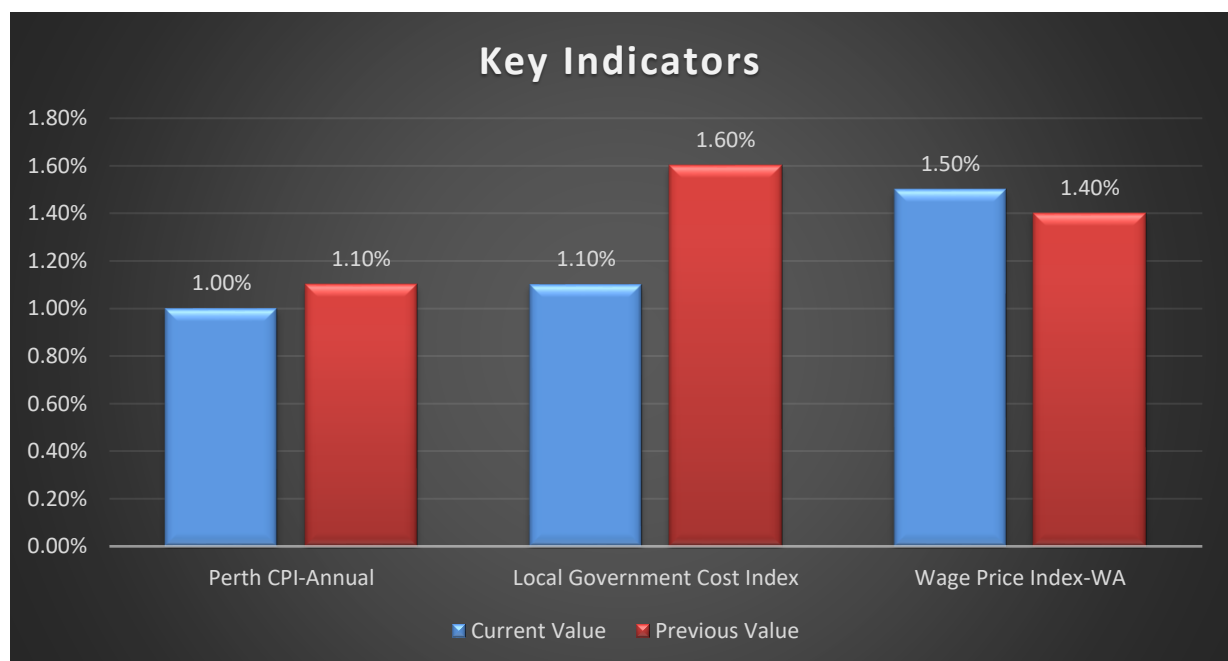
## KEY INDICATORS

### Rates Collection



Rates collections as a percentage of rates issued (debtors) continues on par with the prior year at the end of October. This pattern is expected to continue to the end of the financial year.

### Economic Indicators



The Local Government Cost Index is aligned closely with CPI, indicating that cost pressures in the local government industry are reflecting patterns in the wider economy. Wage inflation remains above CPI, although significantly lower than in the past, and has risen slightly anticipating possible wage growth pressure in the short term.

**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 October 2018 forming Attachment 1 to this Report.**

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8brf181204.pdf](#)*



## ITEM 11                      TENDER    020/18    PROVISION   OF   PLANTING, MAINTENANCE AND TRUCK WATERING SERVICES FOR THE CITY OF JOONDALUP'S LEAFY CITY PROGRAM

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107518, 101515
<b>ATTACHMENT</b>	Attachment 1    Schedule of Items Attachment 2    Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### PURPOSE

For Council to accept the tender submitted by Baroness Holdings Pty Ltd t/as Tree Planting and Watering for the provision of planting, maintenance and truck watering services for the City of Joondalup's *Leafy City Program*.

### EXECUTIVE SUMMARY

Tenders were advertised on 6 October 2018 through statewide public notice for the provision of planting, maintenance and truck watering services for the City of Joondalup's *Leafy City Program*. Tenders closed on 23 October 2018. A submission was received from each of the following:

- Baroness Holdings Pty Ltd t/as Tree Planting and Watering.
- Environmental Industries Pty Ltd.
- Horizon West Landscape & Irrigation Pty Ltd.
- Landscape and Maintenance Solutions Pty Ltd.

The submission from Total Landscape Redevelopment Service Pty Ltd was received after the closing time and was not accepted for evaluation.

The submission from Baroness Holdings Pty Ltd t/as Tree Planting and Watering represents best value to the City. The company demonstrated experience completing similar tree installation, watering and maintenance services. It demonstrated a good understanding of the required tasks and has the capacity in terms of personnel and equipment to carry out this project.

*It is therefore recommended that Council ACCEPTS the tender submitted by Baroness Holdings Pty Ltd t/as Tree Planting and Watering for the provision of planting, maintenance and truck watering services for the City of Joondalup's leafy city program for a period of two years and four months plus one 12 month optional extension for requirements as specified in Tender 020/18 at the submitted fixed schedule of rates, subject to Baroness Holdings Pty Ltd t/as Tree Planting and Watering obtaining a Commercial Pesticide Firm Registration and Pesticide Operators licences prior to 30 April 2019.*

## **BACKGROUND**

The City has a requirement for the planting, maintenance and truck watering services for the City of Joondalup's *Leafy City Program*. The requirement set out the programmed and ad-hoc planting (May 2019 to August 2019) and watering and maintenance (September 2019 to August 2021) of trees during the initial Contract period. The tender also required that tenderers have a Commercial Pesticide Firm Registration and Pesticide Operators licences to conduct weed control in mulched areas and watering basins.

The City currently has a single contract for the maintenance and watering service with Baroness Holdings Pty Ltd t/as Tree Planting and Watering, which will expire on 30 April 2019. This contract does not include any requirement for a Commercial Pesticide Firm Registration and Pesticide Operators Licences.

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

## **DETAILS**

The tender for the the provision of planting, maintenance and truck watering services for the City of Joondalup's leafy city program was advertised through state wide public notice on 6 October 2018. The tender period was for two weeks and tenders closed on 23 October 2018.

### **Tender Submissions**

A submission was received from each of the following:

- Baroness Holdings Pty Ltd t/as Tree Planting and Watering.
- Environmental Industries Pty Ltd.
- Horizon West Landscape & Irrigation Pty Ltd.
- Landscape and Maintenance Solutions Pty Ltd.

The submission from Total Landscape Redevelopment Service Pty Ltd was received after the closing time and was not accepted for evaluation.

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

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

## Evaluation Panel

The evaluation panel comprised four members:

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

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

## Compliance Assessment

The following offers received were assessed as fully compliant:

- Environmental Industries Pty Ltd
- Horizon West Landscape & Irrigation Pty Ltd
- Landscape and Maintenance Solutions Pty Ltd.

The following offer received was assessed as partially compliant:

- Baroness Holdings Pty Ltd t/as Tree Planting and Watering.

The tender specified the requirement for a Commercial Pesticide Firm Registration and Pesticide Operators Licences issued by the WA Health Department. The submission from Tree Planting and Watering stated that key personnel are currently undertaking study to obtain the licence and an application for the firm registration has been made to the WA Health Department and will be submitted to the City once obtained. The Offer was therefore included for further assessment on the basis that the licence is in the process of being obtained and the services could be provided by a licensed Sub-Contractor if necessary.

## Qualitative Assessment

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. The minimum acceptable score was set at 60%.

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

Qualitative Criteria		Weighting
1	Capacity	45%
2	Demonstrated experience in providing similar services	25%
3	Demonstrated understanding of the required tasks	25%
4	Social and economic effects on the local community	5%

Horizon West Landscape & Irrigation Pty Ltd scored 51.6% and was ranked fourth in the qualitative assessment. The company demonstrated its capacity to provide skilled and experienced key personnel and specialised equipment for tree installation, however it did not state it would provide a water truck to meet the watering services. It demonstrated experience in providing previous services, but mostly in garden, landscape and maintenance services. It demonstrated some understanding of required tasks by proposing a methodology for the installation and maintenance of trees, however it did not include the utilisation of a watering truck which is integral to the fulfilment of the services.

Landscape and Maintenance Solutions Pty Ltd scored 55.7% and was ranked third in the qualitative assessment. It demonstrated some experience providing tree planting project services to the City of Bunbury, Trinity Estate in Alkimos, and the Shire of Serpentine Jarrahdale, however experience providing similar tree watering services was not clearly defined. It demonstrated its capacity and provided a list of specialised equipment, however it stated if awarded the contract it would purchase or hire the required watering tanks. It demonstrated an acceptable understanding of the required tasks for both installation, maintenance and watering of trees.

Environmental Industries Pty Ltd scored 57.4% and was ranked second in the qualitative assessment. The company demonstrated an understanding of the watering and maintenance tasks. It stated two trucks will be used to carry out the watering service but did not indicate the capacity (litres) or current commitments of the trucks. It demonstrated some experience completing similar tree installation and watering services for Landcorp at Latitude 32 in Cockburn, and watering services along Great Eastern Highway and at Holland Park Estate in Piara Waters. The referees provided were not for similar tree planting and watering services.

Tree Planting and Watering scored 74.4% and was ranked first in the qualitative assessment. It demonstrated a thorough understanding of tasks by providing a detailed Contract Management Plan that fully addressed how it will carry out the installation scope of works and the watering and maintenance schedule for the period of the contract. It specified that two trucks with a capacity of 7,000 and 4,200 litres will be allocated to the contract. It demonstrated considerable experience providing tree installation, watering and maintenance services to the Cities of Wanneroo, Kalamunda, Melville, Perth, Stirling, Canning and Town of East Fremantle. It is the current provider of the City's tree watering and maintenance services and installed the City's trees in 2017.

Based on the minimum acceptable score (60%), Baroness Holdings Pty Ltd t/as Tree Planting and Watering qualified for stage two (price) assessment.

### Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the rates offered by the tenderer qualified for stage two in order to assess value for money to the City.

The estimated expenditure may vary and is subject to change in accordance with operational needs of the Leafy City Program. For the purposes of comparison, the tendered rates offered by the tenderer have been applied to an estimate of the total number of trees intended to be planted (May 2019 to August 2019), then watered and maintained (September 2019 to August 2021). This provides a value for comparative evaluation purposes based on the assumption that the program schedule is maintained.

The rates are fixed for the term of the contract and are not subject to any price variation.

<b>Tenderer</b>	<b>Installation of trees (May 2019 to August 2019)</b>	<b>Watering and maintenance of trees (September 2019 to August 2021)</b>	<b>Estimated Total Contract Price</b>
Tree Planting and Watering	\$402,278	\$224,639	\$626,918

During the last financial year 2017-18, the City incurred \$404,553 for the planting, maintenance and watering of trees and is expected to incur in the order of \$626,918 over the initial contract period and \$702,988 over the full contract period should the City exercise the extension option.

## Evaluation Summary

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

<b>Tenderer</b>	<b>Estimated Total Contract Price</b>	<b>Price Rank</b>	<b>Weighted % Score</b>	<b>Qualitative Rank</b>
Tree Planting and Watering	\$626,918	1	74.4%	1

Based on the evaluation result the panel concluded that the tender from Baroness Holdings Pty Ltd t/as Tree Planting and Watering provides best value to the City and is therefore recommended.

To ensure the City is being provided best value, the estimated Contract price of the other submitted Offers that did not progress to the stage two price assessment was calculated. In each instance the cost calculated was higher than that submitted by the recommended tenderer.

## Issues and options considered

The City has a requirement for the planting, maintenance and truck watering services for the City of Joondalup's leafy city program. The City does not have the internal resources to supply the required goods/services and as such requires an appropriate external service provider.

## Legislation / Strategic Community Plan / policy implications

### Legislation

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

## Strategic Community Plan

### Key theme

Quality Urban Environment.

### Objective

To have urban and green spaces which are attractive, well-utilised and enrich the lives of the community.

### Strategic initiative

Establish landscapes that are unique to the City and provide statements within prominent network areas.

### Policy

Not applicable.

## Risk management considerations

Should the contract not proceed, the risk to the City will be medium as the City will not be able to progress with the City of Joondalup's *Leafy City Program*.

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

## Financial / budget implications

<b>Project no.</b>	SSE2057.
<b>Budget Item</b>	<i>Leafy City Program.</i>
<b>Estimated Budget amount</b>	\$ 583,582
<b>Amount spent to date</b>	\$ 30,111
<b>Amount to be spent</b>	\$ 317,885 (Watering and maintenance of existing trees).
<b>Proposed cost</b>	\$ 108,366 (May – June 2019 installation of trees).
<b>Balance</b>	\$ 127,220

The balance amount including any unused surplus funds will be carried forward and applied in the future years of the program.

The adopted *Five Year Capital Works Program* allocates \$500,000 in each of the proposed contract years 2018-19 to 2022-23.

All amounts quoted in this report are exclusive of GST.

## Regional significance

To reduce the environmental impact of climate change and rapid urban growth, the City's *Leafy City Program* aims to increase its overall canopy cover. and create cooler, inviting green urban spaces that will improve the comfort of pedestrian movement and reduce the 'urban heat island' effect generated by existing hardstand surfaces.

## Sustainability implications

### Environmental

Increasing canopy cover throughout the City will create cooler, inviting green urban spaces that will improve the comfort of pedestrian movement and reduce the 'urban heat island' effect generated by existing hardstand surfaces.

### Social

Outdoor activity is encouraged, and the provision of shaded spaces combined with other sun protection practices contributes to a healthier environment for the community.

### Economic

Capital and on-going maintenance costs for enhanced urban forest initiatives will have the potential to be a large financial impact for the City.

## Consultation

Information about the *Leafy City Program* is available on the City's website.

Residents will be informed of the tree planting four weeks prior to works commencing. Approximately one week prior to the installation date, the proposed location of the tree will be marked on site. This will give residents the opportunity to remove any plants they would like to keep.

**COMMENT**

The evaluation panel carried out the evaluation of the submissions in accordance with the qualitative criteria in a fair and equitable manner and concluded that the Offer representing best value to the City is that as submitted by Baroness Holdings Pty Ltd t/as Tree Planting and Watering.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the tender submitted by Baroness Holdings Pty Ltd t/as Tree Planting and Watering for the provision of planting, maintenance and truck watering services for the City of Joondalup's leafy city program for a period of two years and four months plus one 12 month optional extension for requirements as specified in Tender 020/18 at the submitted fixed schedule of rates, subject to Baroness Holdings Pty Ltd t/as Tree Planting and Watering obtaining a Commercial Pesticide Firm Registration and Pesticide Operators licences prior to 30 April 2019.**

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf181204.pdf](#)*

## **ITEM 12                      TENDER 022/18 SUPPLY AND INSTALLATION OF CONCRETE PATHS, DUAL USE PATHS, CROSSOVERS, HAND RAILS, PEDESTRIAN RAMPS AND ASSOCIATED WORKS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107548, 101515
<b>ATTACHMENT</b>	Attachment 1      Schedule of Items Attachment 2      Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the tender submitted by Axiis Contracting Pty Ltd for the supply and installation of concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 19 September 2018 through state-wide public notice for the supply and installation of concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works. Tenders closed on 9 October 2018. A submission was received from each of the following:

- Dowsing Group Pty Ltd.
- Axiis Contracting Pty Ltd.
- Techsand Pty Ltd.
- J.L Close & M.R Close trading as Cobble Stone Concrete.
- RCA Civil Group Pty Ltd.
- Supercivil Pty Ltd.
- Flex Holdings Pty Ltd (Dash Civil Contracting).

The submission from Axiis Contracting Pty Ltd represents best value to the City. The company demonstrated a sound understanding of the City's requirements. It has been providing similar services to various local governments in WA including the Cities of Bayswater, Melville and Rockingham. It is the City's incumbent supplier. Axiis Contracting Pty Ltd is a well-established company with significant industry experience and proven capacity to provide the goods and services to the City.



*It is therefore recommended that Council ACCEPTS the tender submitted by Axiis Contracting Pty Ltd for the supply and installation of concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works as specified in Tender 022/18 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).*

## **BACKGROUND**

The City has a requirement for the supply and installation of concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works including traffic management within the City of Joondalup. The work involves but not be limited to:

- removal and disposal of existing concrete, asphalt, slab footpaths and crossovers
- construction of cast in-situ footpaths, dual use paths and vehicle crossovers
- supply and installation of hand rails with Smart Lock system and bollards as required
- any other concrete or related works that have not been specifically mentioned in the specification that the City may request to be undertaken from time to time.

Traffic management to be provided for all works where required (the contractor to supply traffic management if and where required for works on public accessway and local roads and the City to provide traffic management for works on arterial roads and major arterial roads under Main Roads jurisdiction).

The City has a single contract in place with AXIIS Contracting Pty Ltd which will expire on 31 December 2018.

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

## **DETAILS**

The tender for the supply and installation of concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works was advertised through statewide public notice on 19 September 2018. The tender period was for three weeks and tenders closed on 9 October 2018.

### **Tender Submissions**

A submission was received from each of the following:

- Dowsing Group Pty Ltd.
- Axiis Contracting Pty Ltd.
- Techsand Pty Ltd.
- J.L Close & M.R Close trading as Cobble Stone Concrete.
- RCA Civil Group Pty Ltd.
- Supercivil Pty Ltd.
- Flex Holdings Pty Ltd (Dash Civil Contracting).

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

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

## Evaluation Panel

The evaluation panel comprised four members:

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

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

## Evaluation Method and Weighting

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

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

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

## Compliance Assessment

The following offers received were assessed as fully compliant:

- Dowsing Group Pty Ltd.
- Axiis Contracting Pty Ltd.
- Techsand Pty Ltd.
- Cobble Stone Concrete.

The following offers received were assessed as partially compliant. The tenderers made critical assumptions relating to pricing and or ability to provide the Goods and/or Services to the City.

- RCA Civil Group Pty Ltd.
- Supercivil Pty Ltd.
- Dash Civil Contracting.

RCA Civil Group Pty Ltd indicated that no allowance has been made for inclement weather conditions. Its assumption is not in accordance with the City's requirements as the City will not be charged for waiting time or lost time due to inclement weather during works.

Supercivil Pty Ltd assumed that the City will be supplying all traffic management requirements and as such submitted all prices without the cost of traffic management. Its assumption is not in accordance with the specified requirements which clearly state that the contractor to supply traffic management if and where required for works on public accessway and local roads and that the City to provide traffic management for works on arterial roads and roads under Main Roads jurisdiction.

Dash Civil Contracting proposed traffic management requirement to be quoted on a cost plus 10% due to various requirements for each project such as intersections and the like. Its proposed offer does not meet the City's requirements for traffic management to be included in minor works and not costed at 10%.

The offers were included for further assessment on the basis that clarifications could be sought from RCA Civil Group Pty Ltd, Supercivil Pty Ltd and Dash Civil Contracting, should the offers qualify for the stage two price assessment.

### **Qualitative Assessment**

Dash Civil Contracting scored 29.2% and was ranked seventh in the qualitative assessment. The company demonstrated some experience providing similar services. Examples of works included concreting services for the City of Cockburn. Most of the other examples were larger scale individual construction projects for concrete formation and reinforced concrete works. It did not fully demonstrate the capacity required to provide the services or its understanding of the required tasks. It did not address or provide information on when the company was established, the number of fulltime employees, details of its support team or the ability to provide additional personnel.

Supercivil Pty Ltd scored 51.3% and was ranked sixth in the qualitative assessment. The company has been providing concrete services to regional WA local governments including the Shire of Northam and the Cities of Karratha and Mandurah. Examples of works did not include other local governments in the Perth metropolitan area. It demonstrated the capacity required to provide the services. It demonstrated its understanding of the required tasks.

RCA Civil Group Pty Ltd scored 58.7% and was ranked fifth in the qualitative assessment. The company demonstrated a good understanding of the required tasks. It has industry experience and the capacity required to undertake the works. It has been undertaking civil works, drainage, concrete works, subdivisions, road construction, plant hire, asphalt and kerbing for local governments in WA. However, only two examples of works involved installation of footpaths for the Cities of Gosnells and Fremantle. Also, other examples of works were mainly short-term projects.

Cobble Stone Concrete scored 67.6% and was ranked fourth in the qualitative assessment. It has been providing concrete services to various local governments in WA including the City of Subiaco and Towns of Victoria Park and Cambridge. It has significant industry experience and sufficient capacity to carry out the works for the City. Though it did not address the number of fulltime employees or ability to provide additional personnel, it demonstrated a good understanding of the required tasks.

Techsand Pty Ltd scored 67.8% and was ranked third in the qualitative assessment. The company demonstrated a sound understanding of the required tasks. It has been providing similar services to numerous local governments in WA including the Town of Cambridge and the City of Stirling. It has also in the past completed similar works for the Cities of Nedlands and Joondalup. It has substantial industry experience and sufficient capacity to undertake the works.

Axiis Contracting Pty Ltd scored 71.8% and was ranked second in the qualitative assessment. The company demonstrated a sound understanding of the City's requirements. It has been providing similar services to various local governments in WA including the Cities of Bayswater, Melville and Rockingham. It is the City's incumbent supplier. Axiis Contracting Pty Ltd is a well-established company with significant industry experience and proven capacity to provide the goods and services to the City.

Dowsing Group Pty Ltd scored 72.4% and was ranked first in the qualitative assessment. The company has the capacity and experience required to complete the works for the City. It has been undertaking similar works for WA local governments including the Cities of Wanneroo, Swan, Kalamunda and Bayswater. It has in the past completed a cycling/footpath upgrade project for the City. It demonstrated a sound understanding of the City's requirements.

Given the minimum acceptable qualitative score of 60%, Dowsing Group Pty Ltd, Axiis Contracting Pty Ltd, Techsand Pty Ltd and Cobble Stone Concrete qualified for stage two of the assessment.

### Price Assessment

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

The estimated expenditure over a 12-month period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tenders, the tendered rates offered by each tenderer have been applied to actual historical usage data of all scheduled items. This provides a value of each tender for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained. There is no guarantee that this will occur and actual costs will be paid on the actual usage in future.

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

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Dowsing Group Pty Ltd	\$ 933,067	\$ 951,729	\$ 970,763	\$ 2,855,560
Axiis Contracting Pty Ltd	\$ 896,829	\$ 914,766	\$ 933,061	\$ 2,744,656
Techsand Pty Ltd	\$ 1,140,422	\$ 1,163,231	\$ 1,186,495	\$ 3,490,148
Cobble Stone Concrete	\$ 962,855	\$ 982,112	\$ 1,001,754	\$ 2,946,721

During 2017-18, the City incurred \$1,020,216 for concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works (excluding traffic management). The City incurred \$15,000 for traffic management for works on public accessway and local roads.

The proposed rates now include traffic management for works on public accessway and local roads. The City will provide traffic management for works on arterial roads and major arterial roads under Main Roads jurisdiction.

### Evaluation Summary

<b>Tenderer</b>	<b>Price Ranking</b>	<b>Total Estimated Contract Price</b>	<b>Qualitative Ranking</b>	<b>Weighted Percentage Score</b>
Dowsing Group Pty Ltd	2	\$ 2,855,560	1	72.4%
Axiis Contracting Pty Ltd	1	\$ 2,744,656	2	71.8%
Techsand Pty Ltd	4	\$ 3,490,148	3	67.8%
Cobble Stone Concrete	3	\$ 2,946,721	4	67.6%

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

While Dowsing Group Pty Ltd scored higher in the qualitative assessment, its offer was \$110,904 more expensive when compared to Axiis Contracting Pty Ltd and did not provide any additional level of service that would warrant the additional cost.

### Issues and options considered

The City has a requirement for the supply and installation of concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works including traffic management within the City of Joondalup. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

### Legislation / Strategic Community Plan / policy implications

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

<b>Key theme</b>	Quality Urban Environment.
<b>Objective</b>	Integrated spaces.
<b>Strategic initiative</b>	Improve the interface between the urban and natural environments.
<b>Policy</b>	Not applicable.

### Risk management considerations

Should the contract not proceed, the risk to the City will be high as installation and or maintenance of footpaths will be delayed and asset upgrading of footpaths may reduce in serviceability if works discontinue.

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

### Financial / budget implications

<b>Account no.</b>	Various Capital Works accounts.
<b>Budget Item</b>	Concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works.
<b>Estimated Budget amount</b>	\$ 1,100,000
<b>Amount spent to date</b>	\$ 623,632
<b>Proposed cost</b>	\$ 448,415
<b>Balance</b>	\$ 27,953

The balance does not represent a saving at this time. The actual expenditure will depend on actual usage under the contract.

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the tender submitted by Axiis Contracting Pty Ltd for the supply and installation of concrete paths, dual use paths, crossovers, hand rails, pedestrian ramps and associated works as specified in Tender 022/18 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).**

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf181204.pdf](#)*

## **ITEM 13                      TENDER 025/18 CITY CENTRE LIGHTING UPGRADE STAGE 3 AMENDMENT**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107565, 101515
<b>ATTACHMENT</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to amend its resolution CJ202-11/18 in relation to Tender 025/18 for City Centre Lighting Upgrade Stage 3.

### **EXECUTIVE SUMMARY**

At its meeting held on 20 November 2018 (CJ202-11/18 refers), Council accepted the tender from Stiles Electrical and Communication Services Pty Ltd for City Centre Lighting Upgrade Stage 3 as specified in Tender 025/18 for the fixed lump sum of \$3,004,917 (GST exclusive) with works to be completed by 31 August 2019.

Subsequent to the meeting, it has come to light that an item of \$14,040 that was included in the submission by Stiles Electrical & Communication Services Pty Ltd was inadvertently omitted from the price calculations forming part of the tender process. This particular item was included in the price calculations for the other respondents, at their submitted values.

The impact of this error is not material as it changes the fixed lump sum price for Stiles Electrical and Communication Services Pty Ltd to \$3,018,957. In addition, it has no impact at all on the outcome of the tender evaluation or the decision of Council to accept the tender from Stiles Electrical and Communication Services Pty Ltd.

*It is therefore recommended that Council by an ABSOLUTE MAJORITY AMENDS its decision dated 20 November 2018 (item CJ202-11/18 refers) to read as follows:*

*“That Council ACCEPTS the tender submitted by Stiles Electrical and Communication Services Pty Ltd for City Centre Lighting Upgrade Stage 3 as specified in Tender 025/18 for the fixed lump sum of \$3,018,957 (GST exclusive) with works to be completed by 31 August 2019.”*

### **BACKGROUND**

The City conducted an assessment of tender 025/18 for City Centre Lighting Upgrade Stage 3. A report was prepared and submitted to Council for consideration at the Council meeting on the 20 November 2018 (CJ202-11/18 refers).

Council resolved at that meeting to accept the tender from Stiles Electrical & Communication Services Pty Ltd for City Centre Lighting Upgrade Stage 3 for the fixed lump sum of \$3,004,917 (GST exclusive) with works to be completed by 31 August 2019 (CJ202-11/18 refers).

Subsequent to the Council meeting, an error was identified in the pricing calculation for Stiles Electrical & Communication Services Pty Ltd, that had excluded the cost of one item of \$14,040, which was included in the submission by the respondent.

## DETAILS

At its meeting held on 20 November 2018 (CJ202-11/18 refers), Council accepted the tender from Stiles Electrical and Communication Services Pty Ltd for City Centre Lighting Upgrade Stage 3 as specified in Tender 025/18 for the fixed lump sum of \$3,004,917 (GST exclusive) with works to be completed by 31 August 2019.

During the tender process the cost of a single item of \$14,040 was inadvertently omitted from the contract price calculation by the City in respect of Stiles Electrical & Communication Services Pty Ltd, although they had included this item at this value in the tender they submitted. This omission did not occur in the price calculation for any of the other tenderers. The omission does not alter the relative position of this tenderer's lump sum price to the other respondents nor have any impact on the outcome of the tender evaluation.

The monetary impact of the omitted item is \$14,040 which represents a 0.46% increase in price and is not considered material. The project budget has sufficient funds to cover this additional cost.

The City's internal processes are being reviewed to prevent a recurrence of this in future.

## Legislation / Strategic Community Plan / policy implications

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

<b>Key theme</b>	Community Wellbeing.
<b>Objective</b>	Quality facilities.
<b>Strategic initiative</b>	Support a long-term approach to significant facility upgrades and improvements.
<b>Policy</b>	Not applicable.

## Risk management considerations

Not applicable.



**Financial / budget implications**

<b>Project number</b>	STL2003.
<b>Cost code</b>	CW003651.
<b>Budget Item</b>	Joondalup City Centre Lighting Upgrade (Stage 3).
<b>Budget amount</b>	\$ 3,796,379 (Adopted budget \$500,000 + \$2,621,379 unspent reserve brought forward from 17/18 + \$675,000 new grant for Safer Streets).
<b>Committed</b>	\$ 0
<b>Amount spent to date</b>	\$ 37,668
<b>Proposed cost</b>	\$ 3,018,957
<b>Contingency</b>	\$ 247,484
<b>Balance</b>	\$ 492,270

The balance does not represent a saving at this time. As there is potential for variations, the extent of which is currently not known, it is likely that funds may be required for works over and above those covered under the lump sum price. Any balance remaining in completion of this stage will be rolled over to the future stages of this multi-stage project.

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The City's internal processes are being reviewed and updated to prevent any recurrence of such circumstances. The amendment to the original resolution is not expected to adversely impact the overall lighting project as it is spread over multiple years.

**VOTING REQUIREMENTS**

Absolute Majority.

**RECOMMENDATION**

**That Council by an ABSOLUTE MAJORITY AMENDS its decision dated 20 November 2018 (item CJ202-11/18 refers) to read as follows:**

***“That Council ACCEPTS the tender submitted by Stiles Electrical and Communication Services Pty Ltd for City Centre Lighting Upgrade Stage 3 as specified in Tender 025/18 for the fixed lump sum of \$3,018,957 (GST exclusive) with works to be completed by 31 August 2019.”.***

## ITEM 14 TENDER 026/18 WIDE AREA NETWORK AND INTERNET SERVICES

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107568, 101515
<b>ATTACHMENT</b>	Attachment 1    Schedule of Items Attachment 2    Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### PURPOSE

For Council to accept the tender submitted by Vocus Pty Ltd trading as Vocus Communications for wide area network and internet services.

### EXECUTIVE SUMMARY

Tenders were advertised on Saturday 8 September 2018 through statewide public notice for the wide area network and internet services for a period of three years with an optional extension of two one year terms. Tenders closed on 10 October 2018. A submission was received from each of the following:

- Bendigo Telco Limited trading as BCT Precision Networks.
- Telair Pty Ltd.
- TPG Telecom Limited.
- Vocus Pty Ltd trading as Vocus Communications.

A submission from Comscentre WA Pty Ltd was received after the closing time and was not accepted for evaluation.

TPG Telecom Limited withdrew its submission on 11 October 2018 and was not considered for evaluation.

The submission from Vocus Communications represents best value to the City. The company demonstrated a complete understanding and appreciation of the City's requirements. It demonstrated extensive experience providing similar services to the Cities of Melville, Cockburn, Joondalup and Subiaco. Vocus Communications is an established company with sufficient resources to provide the services for the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by Vocus Pty Ltd trading as Vocus Communications for the wide area network and internet services for the fixed lump sum of \$1,475,460 (GST exclusive) and schedule of rates for a period of three years with an option for a further two years for requirements as specified in Tender 026/18.*

## **BACKGROUND**

The City has a requirement for wide area network and internet services at selected locations of the City.

The City had a contract for wide area network and internet services with Vocus Pty Ltd trading as Vocus Communications which expired on 9 October 2018. The services are currently acquired by monthly quotation from Vocus Communications.

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

## **DETAILS**

Tenders were advertised on Saturday 8 September 2018 through statewide public notice for the wide area network and internet services for a period of three years with an optional extension of two one year terms. The tender period was for four weeks and tenders closed on 10 October 2018.

### **Tender Submissions**

A submission was received from the following:

- Bendigo Telco Limited trading as BCT Precision Networks.
- Telair Pty Ltd.
- TPG Telecom Limited.
- Vocus Pty Ltd trading as Vocus Communications.

A submission from Comscentre WA Pty Ltd was received after the closing time and was not accepted for evaluation.

TPG Telecom Limited withdrew its submission on 11 October 2018 and was not considered for evaluation.

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

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

### **Evaluation Panel**

The Evaluation Panel comprised three members:

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

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

### **Compliance Assessment**

The following offers received were assessed as fully compliant:

- Bendigo Telco Limited t/as BCT Precision Networks.
- Telair Pty Ltd.
- Vocus Pty Ltd t/as Vocus Communications.

### **Qualitative Assessment**

The Qualitative Weighting method of tender evaluation was selected to evaluate the Offers for this requirement. The predetermined minimum acceptable pass score was set at 55%.

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

<b>Qualitative and Price Criteria</b>		<b>Weighting</b>
1	Capacity	50%
2	Demonstrated experience in providing similar services	30%
3	Demonstrated understanding of the required tasks	15%
4	Social and economic effects on the local community	5%

Telair Pty Ltd scored 34.3% in the qualitative assessment. The company demonstrated an understanding of the requirements. It did not demonstrate sufficient experience providing similar services. Only one contract example was provided to demonstrate its experience which is not similar to the services under this contract. Periods and dates of contracts and referee details were not supplied. The company has the capacity to provide the services but no information was provided on its ability to provide additional resources.

BCT Precision Networks scored 57% in the qualitative assessment. The company has the capacity to provide the services. It demonstrated experience providing similar services to the Shire of Augusta Margaret River, Kiama Municipal Council NSW and Mount Alexander Shire Victoria. The company is also the wide area network provider of Bendigo and Adelaide Bank across Australia. BCT Precision Networks demonstrated an understanding of the City requirements.

Vocus Communications scored 70.3% in the qualitative assessment. The company demonstrated a complete understanding with a detailed response addressing all the services requirements. It demonstrated extensive experience providing similar services to the Cities of Melville, Cockburn and Subiaco. Vocus Communications is the current service provider of the City for the wide area network and internet services since 2010. The company has the required capacity to provide the services to the City.

Based on the minimum acceptable score (55%), Vocus Communications and BCT Precision Networks were qualified for the Stage 2 (price) assessment.

## Price Assessment

The lump sum price offered by the tenderers qualified for Stage 2 assessment are as follows:

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Vocus Communications	\$491,820	\$491,820	\$491,820	<b>\$1,475,460</b>
BCT Precision Networks	\$817,051	\$817,051	\$817,051	<b>\$2,451,153</b>

During 2017-18, the City incurred \$538,381 for the wide area network and internet services which is comparable to the proposed expenditure.

It is expected that the City will incur in the order of \$1,475,460 over the three-year contract period and \$2,459,100 over five years should the City exercise the extension option.

## Evaluation Summary

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

<b>Tenderer</b>	<b>Price Ranking</b>	<b>Contract Price</b>	<b>Qualitative Ranking</b>	<b>Weighted Percentage Score</b>
Vocus Communications	1	\$1,475,460	1	70.3%
BCT Precision Networks	2	\$2,451,153	2	57%

Based on the evaluation result, the panel concluded that the tender that provides best value to the City is that of Vocus Communications and is therefore recommended.

## Issues and options considered

The City has a requirement for the wide area network and internet services. The City does not have the internal resources to supply the required services and as such requires an appropriate external service provider.

## Legislation / Strategic Community Plan / policy implications

### Legislation

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

### Strategic Community Plan

#### Key theme

Governance and Leadership.

#### Objective

Corporate capacity.

#### Strategic initiative

Adopt citizen-centric digital services as opportunities arise that support improved service delivery and accessibility by residents.

**Policy** Not applicable.

### **Risk management considerations**

Should the contract not proceed, the risk to the City will be high as the City will not be able to provide wide area network and internet services at selected locations of the City including the Administration Building, Winton Road Depot, Works Operation Centre, all City libraries and leisure centres.

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

### **Financial / budget implications**

<b>Account no.</b>	333.A3303.3310.0000, 333.A3303.3311.0000.
<b>Budget Item</b>	Wide area network and internet services.
<b>Budget amount (2018-19)</b>	\$ 585,600
<b>Amount spent to date</b>	\$ 173,986
<b>Proposed cost</b>	\$ 327,880
<b>Balance</b>	\$ 83,734

The balance does not represent a saving at this time as additional services may be required based on the schedule of rates.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

Not applicable.

### **COMMENT**

The evaluation panel carried out the evaluation of the submissions in accordance with the qualitative criteria in a fair and equitable manner and concluded that the offer representing best value to the City is that as submitted by Vocus Pty Ltd trading as Vocus Communications.

### **VOTING REQUIREMENTS**

Simple Majority.

## RECOMMENDATION

That Council **ACCEPTS** the tender submitted by Vocus Pty Ltd trading as Vocus Communications for the wide area network and internet services for the fixed lump sum of \$1,475,460 (GST exclusive) and schedule of rates for a period of three years with an option for a further two years for requirements as specified in Tender 026/18.

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11brf181204.pdf](#)*



## ITEM 15                      TENDER 031/18 SWEEPING OF URBAN AND ARTERIAL ROADS, CAR PARKS, PAVEMENTS AND PATHWAYS WITHIN THE CITY

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107596, 101515
<b>ATTACHMENT</b>	Attachment 1      Schedule of Items Attachment 2      Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### PURPOSE

For Council to accept the tender submitted by E W C S Unit Trust trading as Enviro Sweep for sweeping of urban and arterial roads, car parks, pavements and pathways within the City.

### EXECUTIVE SUMMARY

Tenders were advertised on 19 September 2018 through statewide public notice for the sweeping of urban and arterial roads, car parks, pavements and pathways within the City. Tenders closed on 9 October 2018. A submission was received from each of the following:

- E W C S Unit Trust trading as Enviro Sweep.
- Cleansweep WA Pty Ltd.
- Drainflow Services Pty Ltd.

The submission from E W C S Unit Trust trading as Enviro Sweep represents best value to the City. It demonstrated a thorough understanding of the City's requirements. It currently provides various sweeping services to WA local governments including the Town of Claremont and the Cities of South Perth and Nedlands. It is well established with significant industry experience and capacity to provide the services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by E W C S Unit Trust trading as Enviro Sweep for the sweeping of urban and arterial roads, car parks, pavements and pathways as specified in Tender 031/18 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).*

## **BACKGROUND**

The City has a requirement to engage a suitably resourced contractor for sweeping of urban and arterial roads, car parks, pavements and pathways within the City for 12 months of the year meeting annual program frequencies. The Contractor shall sweep all car parks, pavements and pathways in all suburbs once a year as a minimum requirement and carry out additional sweeps as required.

The City has a single contract in place with Cleansweep WA Pty Ltd which will expire on 13 January 2019.

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

## **DETAILS**

The tender for the sweeping of urban and arterial roads, car parks, pavements and pathways within the City was advertised through statewide public notice on 19 September 2018. The tender period was for three weeks and tenders closed on 9 October 2018.

### **Tender Submissions**

A submission was received from each of the following:

- E W C S Unit Trust trading as Enviro Sweep.
- Cleansweep WA Pty Ltd.
- Drainflow Services Pty Ltd.

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

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

### **Evaluation Panel**

The evaluation panel comprised three members:

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

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

### **Evaluation Method and Weighting**

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

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

Qualitative Criteria		Weighting
1	Capacity	50%
2	Demonstrated experience in completing similar projects	25%
3	Demonstrated understanding of the required tasks	20%
4	Social and economic effects on the local community	5%

### Compliance Assessment

All offers received were assessed as fully compliant.

### Qualitative Assessment

Drainflow Services Pty Ltd scored 59.7% and was ranked third in the qualitative assessment. The company has sufficient capacity to undertake the works. It demonstrated its understanding of the required tasks. The company demonstrated experience in providing stormwater drainage structures cleaning, jetting and educting services to a number of local governments. It also has experience providing sweeping services to four local governments (the Cities of Armadale, Nedlands, Wanneroo and the Town of Mosman Park). The volume of work or contract value of these contracts was not supplied. Two of the three referees supplied were not related to the examples of works provided for sweeping services.

Cleansweep WA Pty Ltd scored 65.3% and was ranked second in the qualitative assessment. The company demonstrated experience providing similar sweeping services to local governments including the Cities of Rockingham, Stirling and Melville. It provided a limited scope for each contract and did not include value or duration of works. The company is the City's incumbent contractor and has the capacity required to provide the services. It demonstrated a sound understanding of the required tasks.

Enviro Sweep scored 78.3% and was ranked first in the qualitative assessment. It currently provides sweeping services to numerous WA local governments including the Town of Claremont and the Cities of South Perth and Nedlands. It demonstrated a thorough understanding of the City's requirements. It is well established with significant industry experience and capacity to provide the services to the City.

Given the minimum acceptable qualitative score of 60%, Enviro Sweep and Cleansweep WA Pty Ltd qualified for stage two of the assessment.

### Price Assessment

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

The estimated expenditure over a 12-month period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tenders, the tendered rates offered by each tenderer have been applied to actual historical usage data of all scheduled items. This provides a value of each tender for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained. There is no guarantee that this will occur and actual costs will be paid on the actual usage in future.

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

<b>Tenderer</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Enviro Sweep	\$344,954	\$351,853	\$358,890	\$1,055,697
Cleansweep WA Pty Ltd	\$422,407	\$430,855	\$439,472	\$1,292,733

During 2017-18, the City incurred \$361,216 for sweeping of urban and arterial roads, car parks, pavements and pathways within the City.

### **Evaluation Summary**

<b>Tenderer</b>	<b>Price Ranking</b>	<b>Total Estimated Contract Price</b>	<b>Qualitative Ranking</b>	<b>Weighted Percentage Score</b>
Enviro Sweep	1	\$1,055,697	1	78.3%
Cleansweep WA Pty Ltd	2	\$1,292,733	2	65.3%

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

### **Issues and options considered**

The City has a requirement for sweeping of urban and arterial roads, car parks, pavements and pathways within the City of Joondalup for 12 months of the year meeting annual program frequencies. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

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

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

### **Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Integrated spaces.

**Strategic initiative** Provide for diverse transport options that promote enhanced connectivity.

**Policy** Not applicable.

### **Risk management considerations**

Should the contract not proceed, the risk to the City will be high as this service is essential to the City to keep roads and access ways free of litter, debris and shifting sand.

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

**Financial / budget implications**

<b>Account no.</b>	Various accounts.
<b>Budget Item</b>	Sweeping of urban and arterial roads, car parks, pavements and pathways within the City.
<b>Budget amount</b>	\$ 354,808
<b>Amount spent to date</b>	\$ 90,459
<b>Proposed cost</b>	\$ 159,210
<b>Balance</b>	\$ 105,139

The balance does not represent a saving at this time. The actual expenditure will depend on actual usage under the contract.

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

The provision of sweeping improves the safety and enhances the appearance of the City's roads, car parks, pavements and pathways.

**Consultation**

Not applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the submissions in accordance with the City's evaluation process and concluded that the offer submitted by Enviro Sweep represents best value to the City.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the tender submitted by E W C S Unit Trust trading as Enviro Sweep for sweeping of urban and arterial roads, car parks, pavements and pathways within the City as specified in Tender 031/18 for a period of three years at the submitted schedule of rates, with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).**

*Appendix 12 refers*

To access this attachment on electronic document, click here: [Attach12brf181204.pdf](#)

## **ITEM 16                      PROVISION OF INFRASTRUCTURE TO CATER FOR THE GROWTH DEMAND FOR SOCCER IN THE NORTHERN CORRIDOR – ADDITIONAL INFORMATION**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	00523, 101515
<b>ATTACHMENT</b>	Attachment 1    Community    Engagement    Outcomes Report - Survey of Football (Soccer) Clubs
<b>AUTHORITY / DISCRETION</b>	Advocacy - Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

### **PURPOSE**

For Council to consider a report on the provision of infrastructure to cater for the growth of soccer in the northern corridor of Perth.

### **EXECUTIVE SUMMARY**

At its meeting held on 20 February 2018 (C12-02/18 refers), Council requested a report from the Chief Executive Officer that analysed existing City facilities that could meet the growing needs of soccer that could:

- act as a regional venue that hosts National Premier League (NPL) fixtures
- meet the needs of Football West as a home of football.

Council has previously considered a report that considered Percy Doyle Reserve, Duncraig as a possible location to act as a regional venue to host NPL fixtures. However, after considerable investigation, at its meeting held on 26 June 2018 (CJ106-06/18 refers), Council agreed not to pursue the proposal.

During the investigation into the viability of Percy Doyle acting as a regional venue for NPL fixtures, discussions were held with Football West about co-locating its headquarters within the development that would then serve as a home of football. During these discussions it was revealed that the possible footprint proposed for Percy Doyle did not align with Football West's proposal and that operationally Football West's requirements would conflict with existing users of the site. Due to those factors it was agreed not to further pursue this site as a home of football.

Subsequent to that decision, Football West has advised they continue to work with both federal and state governments in an effort to find a suitable site and appropriate funding.

It is therefore suggested that due to the previous extensive research into attempting to find a regional facility to host NPL fixtures and a suitable site to house the headquarters for football that have proved unsuccessful, that Council agrees to take no further action in examining any of its sites to develop to meet these outcomes.

## BACKGROUND

At its meeting held on 20 February 2018 (C12-02/18), Council resolved as follows:

*“That Council REQUESTS the Chief Executive Officer to prepare a report for Council’s consideration in 2018 which, in recognition of the success and growth of soccer in the northern corridor, considers the needs of all soccer clubs within the City of Joondalup and determines the most strategic approach whereby these needs can be met into the future which should include, but is not limited to:*

- 1 the identification, in consultation with the local community, of future locations which could possibly host senior National Premier League as well as the full range of training and junior facility needs;*
- 2 engaging with Football West around a suitable home for soccer within the northern corridor.”*

Prior to and subsequent to the above resolution of Council, there have been a number of investigations into securing a location for NPL Games within the City of Joondalup, along with finding a suitable home for soccer.

Those investigations examined all City active reserves (62) and community facilities (34) and was narrowed to the following shortlist as potential sites that could cater for NPL:

- Beldon Park, Beldon.
- Caledonia Park, Currambine.
- Christchurch Park, Currambine.
- Hawker Park, Warwick.
- Littorina Park, Heathridge.
- Prince Regent Park, Heathridge.
- Warrandyte Park, Craigie.
- Santiago Park, Ocean Reef.

The City further pursued Beldon Park and Warrandyte Park as possible NPL facilities, however following detailed investigations and extensive community consultation, none of these sites were further progressed.

This item was deferred at the meeting of the Council held on 16 October 2018 to allow consultation to occur with soccer clubs within the City of Joondalup that maybe aspiring to NPL status.

## DETAILS

### Location for NPL fixtures

At its meeting held on 13 December 2016 (CJ236-12/16 refers), Council requested a report be developed to consider designating Percy Doyle Reserve as an NPL stadium site for use by Sorrento Football Club (SFC) as their home ground and by other City of Joondalup clubs for NPL matches, including potential scope of project, cost estimates and timing, to be prepared in consultation with Football West, SFC, Joondalup United Football Club (JUFC) and Edith Cowan University (ECU) Joondalup Football Club.

At that meeting, the resolution of Council was as a result of discussion in relation to finding a home venue for JUFC, who had recently been promoted to Football West's highest level of competition for football in Western Australia, the NPL. The City's attempt to find a suitable location for JUFC to host NPL fixtures was not successful.

Subsequent to that decision, a report was presented to Council at its meeting held on 26 June 2018 (CJ106-06/18 refers), where Percy Doyle was explored as a regional centre for NPL fixtures. The process including an in-depth feasibility study along with concept designs and detailed costings. In response to that report Council resolved:

*"That Council:*

- 1 NOTES the findings of the feasibility study and potential site and floor plans undertaken for the development of a regional National Premier League stadium at Percy Doyle Reserve, Duncraig;*
- 2 AGREES not to progress the development of a regional National Premier League stadium at Percy Doyle Reserve, Duncraig;*
- 3 REQUESTS the Chief Executive Officer to notify Football West, Sorrento Football Club, Joondalup United Football Club and Edith Cowan University Joondalup Football Club of its decision not to progress the development of a regional National Premier League stadium at Percy Doyle Reserve, Duncraig."*

#### Home of soccer – northern corridor

During the research to prepare the report ascertaining the viability of developing Percy Doyle Reserve into a regional NPL venue, preliminary discussions were held with Football West to ascertain if it could be developed to meet its needs to act as a home of soccer for it, not only in the northern corridor but the wider state of Western Australia.

These discussions revealed that the scope of a home of soccer for Football West did not align to what could be accommodated within the Percy Doyle foot print. Further if it did, then there would be significant operational challenges as use of the site by Football West would conflict with the needs of the existing user group, Sorrento Soccer Club.

Based on those discussions, the concept of a home of soccer within the City of Joondalup were not progressed at that time.

In recent discussions with Football West, they continue to work with both Federal and State Governments in an attempt to find a suitable site and appropriate funding.

A further longterm consideration is the current Mindarie Regional Council waste site at Tamala Park. This is located in the City of Wanneroo between Marmion Avenue and Connolly Drive just north of the City of Joondalup's northern boundary. The land is held in fee simple and is currently zoned Regional Open Space and / or Bush Forever and an interim zoning exists for 57 hectares of land under the classification 'public utility'. While not located within the City it is partly owned by the City along with six other local governments.

The future of this site post its use as a waste facility has not been finally determined but a future regional recreation facility has been identified as a strong possibility. The City has adopted a Strategic Position Statement in regard to this:



### *Tamala Park*

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

Should this proposal proceed Tamala Park could be a location for a significant regional facility that could accommodate soccer.

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

**Legislation** Not applicable.

### **Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Quality facilities.

**Strategic initiative**

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

**Policy**

- *Requests for New or Capital Upgrades to Existing Community Buildings Policy.*
- *Facility Hire Subsidy Policy.*

### **Risk management considerations**

Not developing a regional NPL stadium will result in the City remaining under increasing pressure to accommodate those clubs currently and aspiring to play NPL within their suburban locations, which given the specific venue requirements for such facilities may prove challenging.

However, given the level of research the City has undertaken in an attempt to find a suitable location and the level of community engagement, the City has exhausted all opportunities.

### **Financial / budget implications**

Accurate costings for an NPL facility or home of soccer would be based on a location by location basis. Given previous decisions of Council that Percy Doyle Reserve was the only possible location (since not supported), estimated costs for that site ranged between \$7.6 million and \$9.1 million, with a number of exclusions.

### **Regional significance**

With the number of football clubs within the City's district aspiring to compete at the NPL level, a regional venue would be better suited to house such fixtures rather than duplicating venue requirements at reserves located within the various suburbs of the City which may not be best suited to host NPL fixtures. However, an appropriate site is required for a development of this size and scale to ensure minimal noise, traffic and lighting impacts on nearby residents.

## Consultation

During the feasibility study for Percy Doyle Reserve a number of key stakeholders were engaged, however due to the preliminary nature of the project no community consultation was undertaken.

## COMMENT

Due to the extensive research the City has undertaken in attempting to find a site that could host NPL fixtures for JUFC and subsequently in attempting to develop Percy Doyle Reserve as a regional NPL site, it is determined that there is no suitable managed City site capable of hosting NPL fixturing or meeting the needs of Football West as a home of soccer.

## Additional Information

At its meeting held on 16 October 2018 (Item CJ180-10/18 refers), Council resolved as follows:

*That Item CJ180-10/18 Provision of Infrastructure to Cater for the Growth Demand for Soccer in the Northern Corridor BE DEFERRED to the 20 November 2018 Council meeting to allow the City's administration to consult with soccer clubs within the City of Joondalup that may be aspiring to NPL status.*

After the resolution of the Council, a total of 12 stakeholders were directly engaged by the City. Stakeholders identified included all junior and senior football (soccer) clubs in the City of Joondalup, namely:

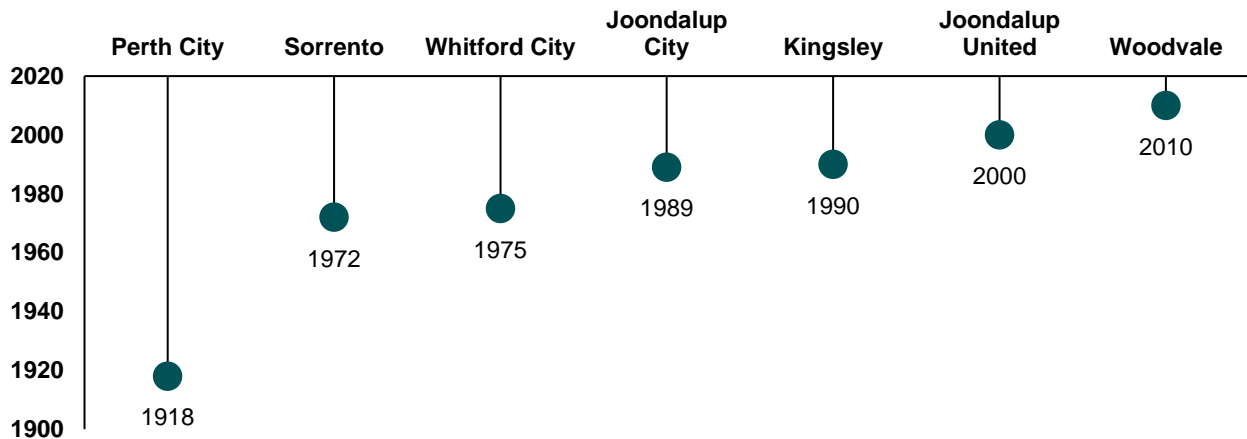
- AFC Joondalup – Flinders Park, Hillarys
- ECU Joondalup Soccer Club – ECU University
- Hillarys Football Club – Flinders Park, Hillarys
- Joondalup City Football Club – Iluka District Open Space, Iluka
- Joondalup United Football Club – Prince Regent Park, Heathridge
- Kingsley Senior Soccer Club – Chichester Park, Woodvale
- Perth City Soccer Club – Warrandyte Park, Craigie
- Sorrento Football Club – Percy Doyle Reserve, Duncraig
- WA Christian Football Association, Chichester Park Woodvale and Santiago Park, Ocean Reef
- Westside Football Club – Branston Park, Burns Beach
- Whitford City Football Club – Warrandyte Park, Craigie
- Woodvale Football Club – Timberlane Park, Woodvale.

Following an initial email on 9 November, and a follow up email on 16 November, a total of seven clubs provided valid responses representing 58% response rate. Responses were received from the following:

- Joondalup City Football Club.
- Joondalup United Football Club.
- Kingsley Senior Soccer Club.
- Perth City Soccer Club.
- Sorrento Football Club.
- Whitford City Football Club.
- Woodvale Football Club.

The engagement involved an online survey posing the following questions over a two week period:

- 1 *Club name and contact details*
- 2 *What year was the club established?*



- 3 *Has it been known by any other name?*

Club name — current:	Club name(s) — former:
Joondalup City Football Club	Heathridge Soccer Club
Joondalup United Football Club	—
Kingsley Soccer Club	—
Perth City Football Club	Perth City Soccer Football Club
Sorrento Football Club	Sorrento Soccer Club Sorrento Soccer, Sports & Social Club
Whitford City Football Club	Whitford City Soccer Club
Woodvale Football Club	Kingsley Junior Soccer Club

- 4 *How many junior teams did your club have in the 2018 winter playing season?*

A total of 182 junior teams were registered across the seven clubs who responded.

	Male	Female	Mixed	Total teams
Number of junior teams by club:	N	N	N	N
Joondalup City Football Club	15	3	22	40
Joondalup United Football Club	35	1	20	56
Kingsley Soccer Club	0	0	0	0
Perth City Football Club	0	0	0	0
Sorrento Football Club	0	0	35	35
Whitford City Football Club	0	0	24	24
Woodvale Football Club	17	3	7	27
<b>Total teams</b>	<b>67</b>	<b>7</b>	<b>108</b>	<b>182</b>

5 *How many senior men's teams did your club have in the 2018 winter playing season?*

A total of 41 men's teams were registered across the seven clubs who responded, with only six (14.7%) teams competing at NPL level.

	National Premier League	State League	Amateur League	Metro-politan League	Masters League	Total teams
Number of senior men's teams by club:	N	N	N	N	N	N
Joondalup City Football Club	0	2	0	3	3	8
Joondalup United Football Club	3	0	4	0	4	11
Kingsley Soccer Club	0	0	4	1	1	6
Perth City Football Club	0	0	0	0	3	3
Sorrento Football Club	3	0	0	1	1	5
Whitford City Football Club	0	0	0	4	0	4
Woodvale Football Club	0	0	0	2	2	4
<b>Total teams</b>	<b>6</b>	<b>2</b>	<b>8</b>	<b>11</b>	<b>14</b>	<b>41</b>

6 *How many senior women's teams did your club have in the 2018 winter playing season?*

A total of seven women's teams were registered across the seven clubs who responded.

	National Premier League	State League	Metro-politan League	Masters League	Total teams
Number of senior women's teams by club:	N	N	N	N	N
Joondalup City Football Club	0	1	2	0	3
Joondalup United Football Club	0	0	0	0	0
Kingsley Soccer Club	0	0	0	0	0
Perth City Football Club	0	0	0	0	0
Sorrento Football Club	0	1	1	0	2
Whitford City Football Club	0	0	1	0	1
Woodvale Football Club	0	0	1	0	1
<b>Total teams</b>	<b>0</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>7</b>

7 *Is your club taking the necessary steps to ensure compliance with the National Premier League Compliance Regulations?*

These regulations are made by Football West Limited pursuant to the Football West Constitution. All clubs that are admitted to the NPL-WA Competition are bound by these regulations. Sorrento indicated that they already meet the Regulations and three clubs (Joondalup City, Kingsley and Woodvale) indicated they are currently taking steps to do so. This data is shown in the table and chart below.

<b>Is your club taking steps to meet the National Premier League Compliance Regulations:</b>	<b>N</b>	<b>%</b>
<b>Our club <u>already</u> meets the Compliance Regulations</b>	<b>1</b>	<b>14.3%</b>
Sorrento Football Club	1	14.3%
<b>Our club <u>is currently</u> taking steps to meet the Compliance Regulations</b>	<b>3</b>	<b>42.9%</b>
Joondalup City Football Club	1	14.3%
Kingsley Soccer Club	1	14.3%
Woodvale Football Club	1	14.3%
<b>Our club <u>is not</u> taking steps to meet the Compliance Regulations</b>	<b>3</b>	<b>42.9%</b>
Joondalup United Football Club	1	14.3%
Perth City Football Club	1	14.3%
Whitford City Football Club	1	14.3%
<b>Total responses</b>	<b>7</b>	<b>100.0%</b>

8 *Does your club aspire to compete at the National Premier League level?*

One club (Sorrento) indicated that they already compete at the National Premier League level and three clubs (Joondalup City, Joondalup United and Kingsley) indicated that they aspire to. This data is shown in the table and chart below.

<b>Does your club aspire to compete at the National Premier League level:</b>	<b>N</b>	<b>%</b>
<b>Our club <u>already</u> competes at the National Premier League level</b>	<b>1</b>	<b>14.3%</b>
Sorrento Football Club	1	14.3%
<b>Our club <u>does</u> aspire to compete at the National Premier League level</b>	<b>3</b>	<b>42.9%</b>
Joondalup City Football Club	1	14.3%
Joondalup United Football Club	1	14.3%
Kingsley Soccer Club	1	14.3%
<b>Our club <u>does not</u> aspire to compete at the National Premier League level</b>	<b>3</b>	<b>42.9%</b>
Perth City Football Club	1	14.3%
Whitford City Football Club	1	14.3%
Woodvale Football Club	1	14.3%
<b>Total responses</b>	<b>7</b>	<b>100.0%</b>

9 *Does your club support or oppose the establishment of a football facility built to National Premier League Standards in the City of Joondalup?*

Respondents were asked if their club supports or opposes the establishment of a football facility built to National Premier League standards on a 5-point scale from “strongly oppose” to “strongly support”. A total of five respondents indicated that they either “support” (one) or “strongly support” (four) the proposal and two respondents indicated “neutral”. This data is shown in the table and chart below.

<b>Does your club support or oppose the establishment of a football facility built to National Premier League standards in the City of Joondalup:</b>	<b>N</b>	<b>%</b>
<b>Strongly oppose</b>	0	0.0%
<b>Oppose</b>	0	0.0%
<b>Neutral</b>	2	28.6%
<b>Support</b>	1	14.3%
<b>Strongly support</b>	4	57.1%
<b>Total responses</b>	<b>7</b>	<b>100.0%</b>

10 *Who do you believe should be the most responsible for the funding the establishment of a football facility built to National Premier League standards?*

All respondents (seven) indicated that the state government should be responsible, five respondents indicated that local governments should be responsible, and four respondents indicated that clubs should be responsible. One respondent selected “other” and described a shared funding model. This data is shown in the table and chart below.

<b>Who do you believe should be the most responsible for funding the establishment of a football facility built to National Premier League Standards:</b>	<b>N*</b>	<b>%</b>
<b>Clubs</b>	4	57.1%
<b>Football West</b>	3	42.9%
<b>Local government</b>	5	71.4%
<b>State government</b>	7	100.0%
<b>Federal government</b>	3	42.9%
<b>Other</b>	1	14.3%
<b>Total responses</b>	<b>7</b>	<b>100.0%</b>

\*Numbers may not add up to total, as respondents may have selected multiple options.

11 *Would your club be interested in using such a facility as part of a shared -use arrangement?*

A total of three respondents indicated that they would be interested, and three respondents indicated that they are unsure. This data is shown in the table and chart below.

<b>Would your club be interested in using such a facility as part of a shared-use arrangement:</b>	<b>N</b>	<b>%</b>
<b>Yes</b>	3	42.9%
<b>No</b>	1	14.3%
<b>Unsure</b>	3	42.9%
<b>Total responses</b>	<b>7</b>	<b>100.0%</b>

12 *Any further comments?*

The following is a summation of further comments included:

- Agree an elite facility should be established within the City of Joondalup, but no existing clubs should lose its existing facilities because of this.

- There are a lot of clubs already within the City of Joondalup and Football West should not allow the establishment of any new clubs due to the limited facilities and number of players available.
- If an elite facility is constructed it should be on a shared use arrangement based on user pay principles.
- The current Joondalup Arena is an ideal site for such an elite facility or utilised in its current format when not being utilised for AFL.
- While soccer is a rapidly growing sport in the northern suburbs, funds should be allocated to grass root needs (floodlighting, storage, changerooms and the like) that benefit the wider community than constructing a facility that would meet the needs of a small group of clubs and players.
- The lack of support shown in the past for clubs competing at NPL level.

### **Further comment**

As requested by the Council, all relevant soccer clubs were invited to provide feedback regarding the provision of infrastructure matter that is being considered by the Council. Of the 12 clubs located within the City, 58% of the clubs provided feedback with four clubs (33%) either currently competing at NPL or aspiring to do so. In essence, each of those four clubs would have three teams each competing at NPL level requiring certain venue requirements, therefore such a facility would be provided to cater for a total of 12 teams across the City.

All responding clubs indicated that the State Government should be responsible for the funding of a regional NPL facility, with the City of Joondalup and respective clubs being also responsible.

The role of local government in the sport and recreation industry is primarily to encourage increased participation in sport through the provision of community-based facilities that benefit the wider community. Participation in sport and recreation has beneficial impacts on the health and welfare of citizens and the cohesion of the community. Local government should not really be in the business of sporting excellence through the provision of elite facilities that benefit small groups of the community. The major players in the provision of such infrastructure should either rest with the State or Federal Governments, or the relevant national or State Sporting Associations.

The research indicates there is a strong level of support amongst those four clubs aspiring to play NPL to establish a regional NPL facility, however the other clubs located within the City have not indicated a need for the facility, with one club suggesting funds would be better spent at the grass roots of the sport where the wider community would benefit in growing participation in the game of soccer.

Regardless of the results of the survey, they do not overcome the fact that through extensive research undertaken by the City that has been presented to the Council, there is no suitable City Managed location to accommodate the infrastructure required to meet the requirements of Football West for NPL fixtures.

### **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council AGREES to take no further action in examining any of its sites within the City of Joondalup to develop into a facility to host National Premier League fixtures or act as a home of soccer for the sport in the northern corridor.**

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf181204.pdf](#)*



## ITEM 17 JOONDALUP MENS' SHED – PROPOSED SITE

<b>WARD</b>	North	
<b>RESPONSIBLE DIRECTOR</b>	Mr Nico Claassen Infrastructure Services	
<b>FILE NUMBER</b>	106060, 101515	
<b>ATTACHMENT</b>	Attachment 1	Site Plan, Works Operations Centre
	Attachment 2	Site Plan, 17 Winton Road, Joondalup
<b>AUTHORITY / DISCRETION</b>	Review - Council reviews a decision made by officers.	

### PURPOSE

For Council to approve 17 Winton Road, Joondalup as the preferred site from which to locate a Mens' Shed Facility within the City of Joondalup.

### EXECUTIVE SUMMARY

The Joondalup Mens' Shed (JMS) was established in 2010 and is currently accommodated in the former Padbury Senior High School Manual Arts Building under a lease arrangement with the Department of Education (DOE) that expires in December 2019.

Since its establishment in 2010 the City has worked closely with the JMS to try and identify a suitable location from which to construct a new facility for its use. The City has liaised with the DOE to ensure security of tenure for the JMS at their current premises while a more permanent arrangement is resolved.

Many potential sites have been identified and evaluated over this period, with most deemed unsuitable to meet the needs of the JMS, unable to satisfy land use requirements or the City's expectations with regard to appropriate positioning, visibility and access. The costs associated with constructing a new purpose-built facility have also been assessed as prohibitive, prompting the City to concentrate on the identification of sites capable of refurbishment rather than development.

The result has been the identification of the City's current building maintenance depot at 17 Winton Road, Joondalup, (Winton Road) as the most appropriate site from which to establish a mens' shed facility. To enable this to occur, significant extension works are first required at the City's main Works Operations Centre (the WOC) in Craigie to accommodate the relocation of staff and the subsequent centralisation of operational activities by the City. This will also provide an opportunity for the City to pursue operational efficiencies where appropriate.

Preliminary investigations estimate construction works at the WOC to be approximately \$1.1 million, including allowances for design and building contingencies and professional fees. Works include the extension of office and workshop areas and associated electrical and hydraulic upgrades, as well as increases to car parking areas.

For the JMS to relocate to the facility at Winton Road, it is likely that a power upgrade will be required to accommodate JMS' machinery and equipment, with a further allowance to move the machinery and equipment from the former Padbury Senior High School site to Winton Road. It is not anticipated that any further works will be progressed by the City at the Winton Road site, enabling the JMS to seek external funding opportunities to undertake any refurbishment works they may deem necessary in the future.

It is recommended that the City's contribution towards the JMS would be in the form of a heavily subsidised peppercorn lease arrangement at the Winton Road property and the costs associated with relocating the JMS and completing a power upgrade at the site.

## **BACKGROUND**

The JMS was established in August 2010 with the aim of addressing mens' social, physical and mental health and wellbeing by engaging men to connect, share and learn new skills and interests across the local Joondalup community and surrounding regional suburbs.

The establishment of the JMS was initiated within the community and the group has managed to negotiate provisional accommodation while exploring opportunities for a more permanent location to support their activities over the long-term. The JMS is temporarily accommodated at the former Padbury Senior High School Manual Arts Building through a lease arrangement with the DOE. The current lease will cease in December 2019, following a two year extension granted by DOE in 2017.

The City has been in discussions with the JMS since November 2010, following a request for the City to consider the allocation of land to construct a new facility or identify an appropriate existing facility to accommodate their activities.

At its meeting held on 22 November 2011 (CJ2015-11/11 refers), Council endorsed a portion of Reserve 34330, Lot 9541 (16) Sail Terrace, Heathridge as the preferred site for the construction of a freestanding building for the JMS.

The City commenced work on a concept plan for a proposed two-storey facility, however, the estimated costs exceeded \$2.2 million, and given Lotterywest funding was unlikely to be secured at the time, Council requested the City to investigate alternate options at its meeting held on 23 October 2012 (CJ202-10/12 refers), namely:

- 1      proceed with the two-storey facility on the Heathridge Leisure Centre site and provide JMS with additional time to raise funds
- 2      explore other options at Heathridge including the refurbishment of currently under-utilised rooms and the construction of a single storey facility
- 3      undertake further research on alternative sites
- 4      work with the JMS and DOE to secure a longer-term lease at the former Padbury Senior High School site.

At its meeting held on 23 June 2013 (CJ092-06/13 refers) an update on the options identified above was provided to Council. Direction was given to progress option four by securing an extended lease for the JMS at the former Padbury Senior High School site and to request the Chief Executive Officer to cease work on the exploration of a permanent location until January 2017. As a result of this decision, the City immediately ceased progress on the JMS project.

At the Council meeting held on 16 August 2016 (C45-08/16 refers), a Notice of Motion was carried by Council requesting a revocation of its decision of 23 June 2013 and for a report to be developed that investigates suitable City-owned and non-City owned sites with the potential to be leased or provided for the JMS.

As a result of this request, the City has investigated the feasibility of several sites in discussion with Elected Members and the JMS, including a variety of Crown-managed and City-owned land, as well as non-City owned land options. These investigations highlighted multiple issues as follows:

- A lack of available and appropriately-sized locations for this type of activity on City-owned or managed land, due to the extent of development that has already occurred across the City.
- Significant costs associated with construction works at each site; all being in excess of \$2.7 million to pursue.
- Inconsistent land uses, requiring lengthy processes to amend the City's District Planning Scheme No.2 and / or requirements to seek a power to lease or licence from the Department Planning, Lands and Heritage ("DPLH") on Crown Land.
- Potential utilisation conflicts at sites where available carparking was limited.
- Limited capacity for alternative or complementary uses to work effectively within a purpose-built workshop facility, which reduces the City's options for off-setting construction costs.
- A lack of affordable and appropriately sized commercial locations from which the extensive equipment and machinery of the JMS could be accommodated.

Through these investigations the City has determined that the most feasible site from which to establish a Mens' Shed Facility within the boundaries of the City of Joondalup is at 17 Winton Road, Joondalup. Compared to previous locations considered by the City, this site offers the following benefits:

- The property is centrally located and held in freehold by the City, enabling a tenure arrangement to be easily entered into with the JMS.
- The site is currently located within a light industrial area, which is consistent with the type of workshop activities undertaken by the JMS from a land-use perspective.
- There is secure parking and CCTV available, as well as solar panels from which to reduce the daily operating costs of the JMS.
- The total footprint of the existing Winton Road facility is comparable to the JMS' current premises at the former Padbury Senior High School, with the capacity to undertake extensions in the future if deemed necessary.

The obvious limitation of this option is the requirement to relocate the City's building maintenance operations team from Winton Road to the WOC in Craigie in order to provide a vacant facility for use by the JMS. This report provides an overview of the considerations to achieve this outcome and the recommended tenure arrangement that could apply between the JMS and the City if supported by Council.

## **DETAILS**

### Works Operations Centre – Capacity

The WOC, located off Ocean Reef Road in Craigie, is contained within a Reserve that is vested in the Water Corporation for management purposes. The City currently leases a portion of the Reserve (some 2.72 hectares) from the Water Corporation, with the remainder of the site encompassing the Beenyp Wastewater Treatment Plant and Public Transport Authority Depot.

The City relocated to the WOC in 2007-08, having been previously based at a joint facility with the City of Wanneroo in the suburb of Ashby. Following the split of the Cities of Wanneroo and Joondalup in 1999 and the subsequent rapid growth experienced north of the City, it was no longer deemed feasible to operate from a joint location. As such, the City of Joondalup negotiated a lease arrangement with the Water Corporation and a new operations facility was constructed in Craigie at a cost of \$6.7 million. The site now houses most of the City's extensive fleet assets, waste services operations, management of abandoned items on public land, native plant nursery and is the base for over 170 staff responsible for the delivery of parks, engineering and natural areas services.

The City's building maintenance services are still delivered from the Winton Road depot in Joondalup, as a former over-flow site for operational activities. The current car parking and office areas contained within the WOC are at capacity and as such, extensions to existing facilities will be required to enable the relocation of operations from Winton Road to the WOC.

This will include sufficient office space for the transfer of staff; storage for building maintenance supplies including cleaning products, paints and fire services equipment; workshop areas to accommodate carpentry and painting services; and sufficient carparking for the City's internal cleaning and building maintenance fleet. Consideration will also need to be given to relocating materials currently stored in the areas in which the facility extensions would encompass.

Attachment 1 illustrates the areas that will be affected by the proposed extensions and modifications at the WOC site.

In order to maximise opportunities for operational efficiencies, consideration has also been given to consolidating storage, amenity and carparking facilities where possible. The table below provides an overview of the extent of spatial efficiencies that could be gained from relocating operations from Winton Road to the WOC:

Area	Winton Road – Current	WOC – Proposed	Area Saved
Office and Amenities	109m <sup>2</sup>	56.8m <sup>2</sup>	52.2m <sup>2</sup>
Workshop and Storage Area	470m <sup>2</sup>	463m <sup>2</sup>	7m <sup>2</sup>
Carparking	approx. 25 car bays	approx. 14 car bays	11 car bays

Consideration will also be given to identifying potential administrative efficiencies over time, should Council support the consolidation of services at the WOC site.

#### Estimated Capital Costs

Based on recent rates supplied by an external quantity surveyor, it is anticipated that the total cost of construction for works at the WOC will be approximately \$1.1 million. The table below provides an overview of the major components included in this estimate, which excludes escalation costs.

Component	Estimated Cost
Workshop extension and mezzanine storage	\$427,375
Office extension	\$147,680
Installation of photovoltaic panels	\$40,000
External service upgrades – (power and hydraulic)	\$57,000
External works – carpark modifications, site clearing and preliminaries	\$159,353
Provisional sums	\$46,000
Design contingency – 10%	\$219,352
Building contingency – 5%	
Professional Fees – 10%	
<b>Total project cost</b>	<b><u>\$1,096,760</u></b>

The City has also investigated, through an external services consultant, the potential power requirements at the Winton Road site based on current levels of equipment and machinery used by the JMS. The investigation revealed that a power upgrade is likely, with estimated costs in the region of \$110,000. Further to these costs, the City will also need to consider the logistical requirements of relocating large machinery and equipment from the JMS' current premises in Padbury to the Winton Road site. An allowance of \$15,000 has been estimated to cover these costs. This takes the total cost of the project to approximately \$1.23 million.

### Project Timeframes

With regard to timeframes, it is estimated that all design, tender and construction works at the WOC could be completed within an 18 month period following a decision of Council to proceed. However, this timeframe would be contingent upon Council also providing a delegation of authority to the Chief Executive Officer (CEO) to accept tenders for construction works above the current delegated tender acceptance threshold of \$350,000. If approved, the City would be able to progress the construction process sooner and thereby limit the potential impacts on the DOE in extending their current lease with the JMS, which expires in December 2019. In anticipation of a decision of Council on this matter, the City has informed the DOE of a potential need to extend the current lease arrangement with the JMS and is awaiting a response.

A power upgrade at Winton Road would be undertaken concurrently with these works to enable the JMS to relocate as soon as possible after construction works at the WOC are completed.

### Works Operations Centre – Lease

The City's current lease was entered into in June 2007 for a term of 20 years with a further two, five year options. This takes the full lease term, inclusive of both options, to June 2037. As of December 2018 the City has approximately 18.5 years left under the current lease arrangement.

While it is not anticipated that the City's tenure at the WOC site would cease to continue over the long-term, it should be noted that recent changes to the Australian Accounting Standards that will take effect in 2019-20 require that an asset and corresponding liability be recognised in the City's books in respect of this land lease. As part of this process, it is appropriate to review the ongoing treatment of depreciation on the buildings and structures on the site, which the City owns. Given the expectation of continued use of the land in the long-term, the City has always depreciated these building assets over their expected useful lives, rather than over the lease term on the land. Historically, the annual financial impact arising from the difference in treatment has not been considered material and the City has not considered it necessary to treat depreciation on these building assets differently to the other assets located on City land.

However, as the City is preparing to reflect the financial impact of the land lease in the 2019-20 budget process, it is appropriate to consider the treatment of depreciation on these building assets in the context of the proposed construction on the site.

If the City were to progress \$1.1 million worth of construction works at the WOC, by applying depreciation over the remaining term of the land lease of approximately 17 years as opposed to the expected useful life of the building asset of approximately 70 years, the annual building depreciation costs would increase from approximately \$16,000 per annum. to potentially \$65,000 p.a., without including the escalation of annual depreciation for the existing facilities that are located on the site to be consistent with this treatment.

Although the City has no reason to vary the expectation that the site will continue to be available in the long-term beyond the end of the existing lease, in order to try and address this issue and ensure the City has greater security of tenure, consideration is being given to the City's options to potentially acquire the site. It is intended that this matter is addressed through the 2019-20 budget process with actions already commenced to investigate the feasibility of the initiative.

#### Winton Road – Joondalup Mens' Shed

The Winton Road site has been confirmed by the JMS as their preferred location for a Mens' Shed Facility due to the availability of secure parking, its central location, current workshop use and existing solar panels to reduce operating costs.

Compared to their existing premises the current footprint of the Winton Road facility is slightly smaller by approximately 50-70m<sup>2</sup>; due mainly to a reduction in amenity areas. Notwithstanding these differences, the whole site provides sufficient storage, carparking and extension opportunities should the JMS successfully secure external grant funding or pursue fundraising activities to undertake these additional works.

The City also utilises a small portion of the Winton Road site for storing its Community Transport Program and Youth Services vehicles and equipment and for the temporary accommodation of stray animals that are managed by Ranger Services. It is anticipated that these uses would continue at the site in the event that the JMS leased the facility. The JMS has indicated they have no issue with this proposed arrangement.

#### Proposed Lease – Joondalup Mens' Shed

If the City were to enter into a lease arrangement with the JMS, it is recommended that the following terms and conditions are adopted:

<b>Term:</b>	Five years.
<b>Further Terms:</b>	One option of five years.
<b>Annual Rent:</b>	Peppercorn.
<b>Outgoings:</b>	The lessee is responsible for all outgoing including utilities, public liability insurance, cleaning and non-structural maintenance costs.

It is recommended that the potential leased area apply to the building footprint, with an additional allowance to account for potential future expansion. The full lease term of 10 years would enable the City to assess the ongoing sustainability of the group and their capacity to independently manage the Winton Road facility.

While the DOE currently cover all outgoing expenses for the JMS at their existing premises, the City has reviewed the JMS' recent financial statements to ascertain their capacity to manage the costs of a future lease. Based on the audited accounts provided, the City is satisfied that the JMS should be able to meet their obligations under a potential future lease arrangement with the City; due in part to the availability of solar panels at Winton Road to offset their greatest daily cost of power consumption.

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

It is considered that Council has two options:

- approve Winton Road as the preferred site from which to locate a Mens' Shed Facility and support the consolidation of the City's operational services at the WOC or
- do not approve Winton Road as the preferred site for a Mens' Shed Facility.

Should Council choose not to proceed with Winton Road as the preferred site, there is a risk that the JMS will be unable to secure further tenure with the DOE at their current premises, which may jeopardise their ability to continue delivering services to the local community.

Since 2010, the City has investigated multiple sites in consultation with Elected Members and the JMS, with Winton Road offering the best option to date from which to establish a Mens' Shed Facility. As such, it is not recommended that any further sites are considered at this stage in the project with all plausible options having been exhausted.

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

#### **Legislation**

*Local Government Act 1995.*

#### **Strategic Community Plan**

##### **Key theme**

Community Wellbeing.

##### **Objective**

Quality facilities.  
Community spirit.

##### **Strategic initiative**

- Support a long-term approach to significant facility upgrades and improvements.
- Promote the sustainable management of local organisations and community groups.

##### **Policy**

*Asset Management Policy.*

### **Risk management considerations**

The main risks associated with the project are as follows:

- Securing an extended lease between the DOE and the JMS. This risk should be mitigated if Council confirms a preferred site and proceeds with the construction works to satisfy the DOE that the project is progressing.
- The ongoing capacity for the JMS to independently operate the facility at Winton Road given their reliance on DOE for several years to fund their operating costs. This will be mitigated should Council agree to subsidise their lease and retain solar panels at the site to reduce the JMS' daily expenditure requirements.

### **Financial / budget implications**

The total estimated capital cost for the recommended project works is \$1.23 million. Currently listed for the Joondalup Mens' Shed Project in the City's *Five Year Capital Works Program* is \$3 million, which includes \$2.5 million in 2018-19 (\$750,000 municipal funds and \$1.75 million unconfirmed grant funds) and \$500,000 in 2019-20 (unconfirmed grant funds). The project also has an additional \$200,000 in unspent municipal funds that were carried forward from 2017-18.

As the recommended option is to undertake works at the WOC and not at Winton Road, the City will not be able to attract any external grant funding, as the costs are associated with the expansion of City operations and not the JMS.

In total, the City's listed contribution towards the project is \$950,000. If Council were to pursue the recommended works at the WOC and associated costs of relocating the JMS to Winton Road, an additional \$275,000 would be required to fully fund the project with municipal funds.

Future financial year impact**Establishment Costs and Funding**

The total one-off cost to the City is estimated to be \$1.23 million, with no external funding assumed. The Joondalup Mens Shed project is already included in the adopted *20 Year Strategic Financial Plan* (SFP), with a net contribution by the City of \$950,000. The overall net costs are now estimated at \$1.23 million, the additional \$275,000 could be met either from municipal funds or reserve funds without causing any funding issues for other capital projects.

**Depreciation**

As previously indicated, the annual depreciation impacts at the WOC are based on the remaining 17 year term of the lease. Therefore, the annual increase in depreciation caused by the potential \$1.1 million extension to the WOC is \$65,000. The \$110,000 upgrade to the power supply at Winton Road will increase depreciation by approximately \$2,000 per year, making the overall increase in depreciation for the project \$67,000.

**Utilities/Day to Day Maintenance**

It is recommended that the JMS will have responsibility for the ongoing utilities and day to day maintenance at Winton Road, with the City retaining responsibility for structural maintenance and capital replacement.

The City's financial impact on utilities and day to day maintenance will be a saving at Winton Road, but an additional cost from the extension at the WOC. The net difference in areas the City is responsible for is a reduction of approximately 59m<sup>2</sup>.

An annual saving is therefore estimated to be approximately \$7,200 in utilities and day to day maintenance, based on 59m<sup>2</sup> multiplied with an average cost per m<sup>2</sup> of \$122 (based on 2017-18 Winton Road costs).

**Operating Income**

It is assumed there would only be a peppercorn lease rate of \$1 per annum.

**Net Operating Impact**

The overall net impact in operating results for the Joondalup Mens' Shed is approximately \$60,000. This is calculated as \$67,000 in additional depreciation costs, less a saving of \$7,200 in utilities and day to day maintenance.

**Operating Deficit / 20 Year Strategic Financial Plan**

The SFP assumed an overall capital cost of \$3.25 million, with additional depreciation of \$54,000 per annum. The SFP did not include any other assumption for changes in utilities or day to day maintenance or lease income, so the overall net impact in the SFP is \$54,000.

The revised impacts are now estimated at approximately \$60,000, which is \$5,800 more than the \$54,000 assumed in the 20 Year SFP.

**Regional significance**

Not applicable.



## **Sustainability implications**

The City has considered for several years the most sustainable option for establishing a Mens' Shed Facility that is financially affordable over the long term and able to ensure a diversity of activities within the community.

The Australian Men's Shed movement has grown in momentum in recent years in response to men's health issues, as well as a gap in low cost meaningful activities. The mens' shed is a community facility for men and women to benefit from mentoring and skill sharing opportunities and to work on personal or community manual arts and craft projects.

With an ageing population, there is the potential for a continuing demand for facilities that accommodate manual arts-type activities, which are a low-cost option for the community to participate in.

## **Consultation**

The City has engaged with the JMS over the past eight years to investigate and identify a site that was appropriate, affordable and presented the least disruption to the community based on land use and proximity to residents. The JMS fully support the selection of Winton Road as their preferred site.

## **COMMENT**

The mens' shed is a well established initiative that provides the opportunity for men and women to meet and share skills and experiences in a supportive environment. The health, social and skill development benefits are invaluable to strengthening the community. Several local governments have also provided support to mens' sheds through the provision of land and other forms of support and assistance. In the case of the JMS, their popularity continues to grow with a diversification of services now offered to younger community members seeking support and opportunities for skill development.

To facilitate the continued operation of the JMS, alternate premises are required to enable the DOE to expand their operations at the former Padbury Senior High School site. While expenditure of \$1.23 million is required to facilitate the relocation of JMS to Winton Road, this is significantly less than the previous projected amounts that were in excess of \$2.7 million in order to construct a purpose-built facility. The benefits of consolidating the City's operational activities to one site are also noted.

## **VOTING REQUIREMENTS**

Absolute Majority.

## **RECOMMENDATION**

### **That Council:**

- 1** **NOTES that the following amounts are currently listed within the City's Five Year Capital Works Program for the Joondalup Mens' Shed Project:**
  - 1.1** **\$2,500,000 (\$950,000 municipal funds, inclusive of \$200,000 in unspent carry forwards from 2017-18 and \$1,750,000 in unconfirmed grant funding) in 2018-19;**

- 1.2 \$500,000 (unconfirmed grant funding) in 2019-20;
- 2 NOTES that the likelihood of the City receiving significant external grant funding for the Joondalup Mens' Shed project is limited;
- 3 NOTES that the estimated cost to proceed with extension works at the City's Works Operations Centre in Craigie is \$1,100,000 and the estimated cost to relocate the Joondalup Mens' Shed to 17 Winton Road, Joondalup and undertake a power upgrade to the site is \$125,000;
- 4 APPROVES 17 Winton Road, Joondalup as the preferred site for the location of a Mens' Shed Facility;
- 5 ENDORSES the development of a lease agreement with the Joondalup Mens' Shed with the following conditions:
  - 5.1 Five year period with one option to extend for a further five years;
  - 5.2 Rental to be set at a peppercorn rate of \$1 per annum;
  - 5.3 The Joondalup Mens' Shed to be responsible for rates and taxes and all outgoings, including utilities, public liability insurance, cleaning and non-structural maintenance costs;
- 6 APPROVES proposed construction works to proceed at the City's Works Operations Centre in Craigie including site works and services, extensions to the workshop and administration facilities and construction of additional carparking, to facilitate the relocation of the Joondalup Mens' Shed to 17 Winton Road, Joondalup;
- 7 REQUESTS that a further \$275,000 (municipal funds) be listed for consideration in the 2019-20 *Capital Works Program* to fund the short-fall in estimated costs to complete construction works at the City's Works Operations Centre in Craigie and to facilitate the relocation of the Joondalup Mens' Shed to 17 Winton Road, Joondalup;
- 8 BY AN ABSOLUTE MAJORITY and in accordance with section 5.42 of the *Local Government Act 1995* DELEGATES authority to the Chief Executive Officer to accept tenders for the proposed construction works at the City's Works Operations Centre in Craigie subject to the price of tenders not exceeding \$1,100,000;
- 9 REQUESTS the Chief Executive Officer to investigate options for how the City may seek to secure long-term tenure at the Works Operations Centre site in Craigie.

Appendix 14 refers

To access this attachment on electronic document, click here: [Attach14brf181204.pdf](#)

## **REPORT OF THE CHIEF EXECUTIVE OFFICER**

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

## **REPORTS REQUESTED BY ELECTED MEMBERS**

## **CLOSURE**



## DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

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

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

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

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

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

## DECLARATION OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

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CITY OF JOONDALUP**

<b>Name/ Position</b>	
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<b>Nature of Interest</b>	Financial Interest* Proximity Interest* Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
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**QUESTION TO BE ASKED AT  
BRIEFING SESSION/COUNCIL MEETING**

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

**QUESTIONS**

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Please submit this form at the meeting or:

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

**Please note that:**

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



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

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

**STATEMENT**

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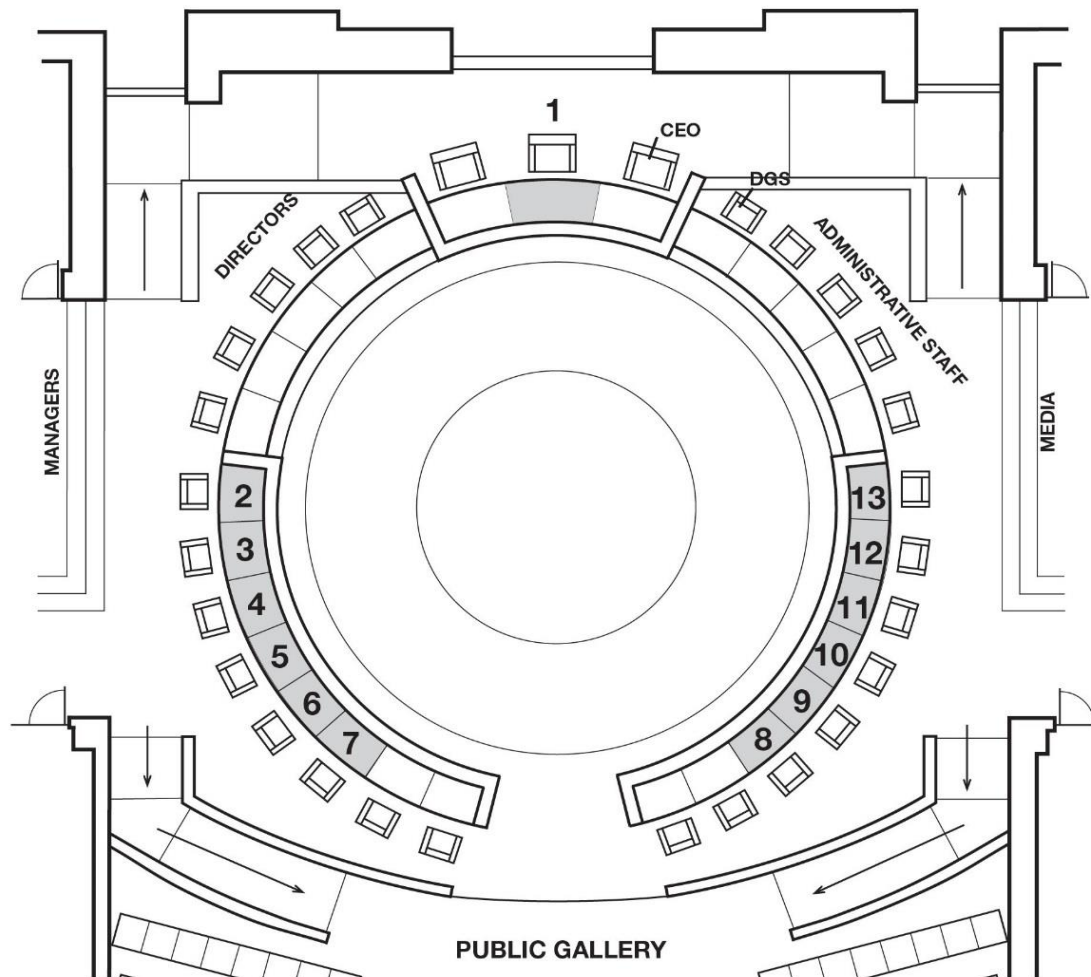
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Please submit this form at the meeting.

**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)