

agenda

Ordinary Meeting of Council

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

ON **TUESDAY 11 DECEMBER 2018**
COMMENCING AT **7.00pm**

GARRY HUNT
Chief Executive Officer
7 December 2018

www.joondalup.wa.gov.au

This document is available in alternate formats upon request

PUBLIC QUESTION TIME

Members of the public are requested to lodge questions in writing by 9.00am on

Monday 10 December 2018

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

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

PROCEDURES FOR PUBLIC QUESTION TIME

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

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

Questions asked verbally

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

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

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

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

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

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

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

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

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

CODE OF CONDUCT

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

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

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

Elected Members, Committee Members and employees must:

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

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

Civic Centre Emergency Procedures

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

Alarms

The City of Joondalup emergency system has two alarm tones:

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

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

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

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

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



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LATE ITEMS / ADDITIONAL INFORMATION

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

[*Additional Information181211.pdf*](#)

CITY OF JOONDALUP

Notice is hereby given that a Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 11 December 2018** commencing at **7.00pm**.

GARRY HUNT
Chief Executive Officer
7 December 2018

Joondalup
Western Australia

VISION

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

PRIMARY VALUES

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

DISTINGUISHING VALUES

Bold

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

Ambitious

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

Innovative

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

Enterprising

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

Prosperous

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

Compassionate

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

AGENDA

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

DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

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

Disclosures of Financial Interest/Proximity Interest

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

Name/Position	Mr Mike Tidy, Director Corporate Services.
Item No./Subject	CJ225-12/18 - Tender 026/18 Wide Area Network and Internet Services.
Nature of interest	Financial Interest.
Extent of Interest	Mr Tidy is a shareholder of Vocus Pty Ltd trading as Vocus Communications.

Disclosures of interest affecting impartiality

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

Name/Position	Cr John Logan.
Item No./Subject	CJ216-12/18 - Draft Regional Homelessness Plan 2018-19 – 2021-22.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan is a volunteer for charity and other community groups and is known to a number of stakeholders who participated in preparing the Draft Homelessness Plan.

PUBLIC QUESTION TIME

The following questions were taken on notice at the Council meeting held on 20 November 2018:

Ms N Woodley-Smith, Kallaroo:

Re: *Housing Opportunity Area No. 5.*

Q1 *Will Council please advise how many public statements were received regarding the dwelling proposed in Cromer Grove, Kallaroo and detailing how many were for and how many were against the proposal?*

A1 35 submissions were received consisting of 34 objections and one submission of support.

Q2 *When the City assesses waste management plans for multiple dwellings in order for Council's approval, what policies and other criteria are they assessed against?*

A2 Waste management plans are assessed on their merits with consideration given to the *Multiple Dwelling Development Waste Management Plan Guidelines* developed by WALGA. These guidelines are available on WALGA's 'wastenet' website at: <https://www.wastenet.net.au/planning-for-waste-management.aspx>.

Mr M Dickie, Duncraig:

Re: *C92-10/18 – Notice of Motion – Cr Mike Norman – Update of the City's Investment Policy to support greater percentage of divestment.*

Q1 *I refer to Item M4 in the overarching objectives of the City's Climate Change Strategy which states "to support and encourage the community to reduce their greenhouse gas emissions". What is the City doing to achieve this objective?*

A1 The City of Joondalup implements a number of community based initiatives throughout the year that aim to encourage the community to reduce greenhouse gas emissions. During the life of the *Climate Change Strategy* this has included:

- Delivery of the Think Green Energy Program to promote energy conservation and climate change awareness to the community including:
 - Delivery of Eco Audits for primary schools within the City.
 - Delivery of Home Eco Audits for residents within the City
 - Implementation of Eco Audits for cafes within the City.
 - Lessee Environmental Education Program which provided lessees of City buildings with information on how to reduce water and energy use.
 - Implementation of the Think Green Building Program which provides practical examples of environmental technologies that have been installed within City facilities.
- Delivery of community workshops such as the Sustainable Home and Sustainable Gardens series and sustainable transport initiatives through the City's Environmental Education Program.

Mrs A Edwards, Craigie:

Re: *CJ190-11/18 - Reconsideration of Proposed Telecommunication Infrastructure from State Administrative Tribunal – Lot 11609 (91) Camberwarra Drive, Craigie.*

Q1 *In relation to Camberwarra Park, is the City aware of any other telecommunication towers that have been placed in close proximity to a children's playground?*

A1 From the information available to the City, there are five telecommunications towers within parks and reserves that also contain playgrounds.

Mrs B Hewitt, Edgewater:

Re: *Hilltop Park, Edgewater – Irrigation not working.*

Q2 *I live opposite Hilltop Park in Edgewater and over the course of winter the City has taken out trees and replaced with saplings, weeded, fertilised and drilled holes in the park and with the winter rain it has become green and lush. Since the rain has stopped, the reticulation has not been working. Can the City give an indication when the reticulation will be repaired?*

A2 Hilltop Park is classified as a local recreation park and while it is irrigated the water source and major irrigation infrastructure (bore, pump, cabinet and controller) are located at Wedgewood Park, Edgewater. The City was aware of irrigation infrastructure issues effecting Hilltop Park. The required repairs have since been undertaken and the irrigation system is currently operational. City staff will continue to monitor this location on a regular basis.

PUBLIC STATEMENT TIME**APOLOGIES AND LEAVE OF ABSENCE****Leave of Absence previously approved**

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

REQUESTS FOR LEAVE OF ABSENCE – CRS MIKE NORMAN AND RUSS FISHWICK, JP - [107073]

Cr Mike Norman has requested Leave of Absence from Council duties covering the period 15 to 21 December 2018 inclusive.

Cr Russ Fishwick, JP has requested Leave of Absence from Council duties covering the period 1 to 20 February 2019 inclusive.

RECOMMENDATION

That Council **APPROVES** the requests for Leave of Absence from Council duties covering the following dates:

- 1 **Cr Mike Norman** **15 to 21 December 2018 inclusive;**
- 2 **Cr Russ Fishwick, JP** **1 to 20 February 2019 inclusive.**

CONFIRMATION OF MINUTES

MINUTES OF COUNCIL MEETING HELD 20 NOVEMBER 2018

RECOMMENDATION

That the Minutes of the Council Meeting held on 20 November 2018 be confirmed as a true and correct record.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

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

CJ234-12/18 - Confidential - Tender 023/18 Agreement: Provision of Bench Seats with Advertising.

PETITIONS

REPORTS**CJ212-12/18 DEVELOPMENT AND SUBDIVISION APPLICATIONS
– OCTOBER 2018**

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

PURPOSE

For Council to note the 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
TOTAL	14	15

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

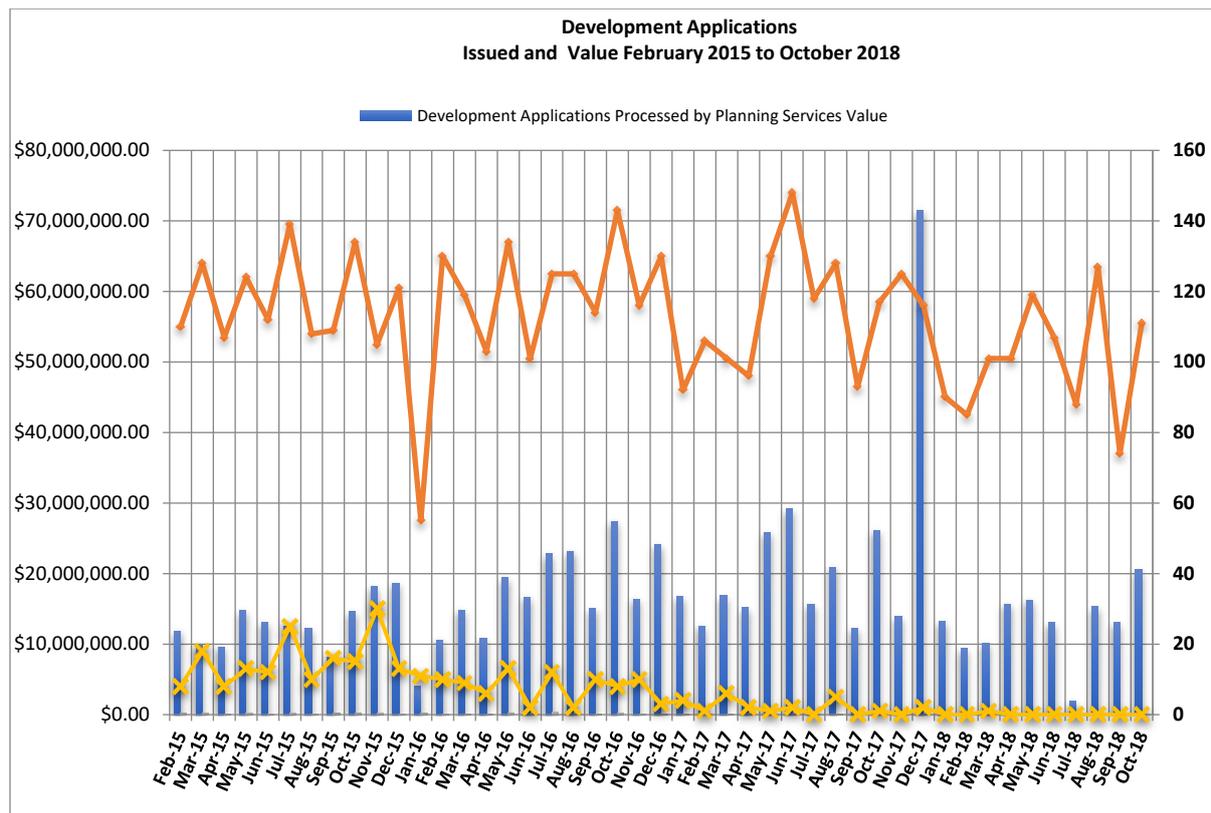
Development applications

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
TOTAL	111	\$20,540,881

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 Report CJ212-12/18 during October 2018;**
- 2 subdivision applications described in Attachment 2 to Report CJ212-12/18 during October 2018.**

Appendix 1 refers

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

CJ213-12/18 DEVELOPMENT APPLICATION FOR MEDICAL CENTRE (MODIFICATION TO PREVIOUS APPROVAL) AT LOT 74 (4-6/3) CASTLEGATE WAY, WOODVALE

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

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

Suburb/Location	Lot 74 (Suites 4-6, No. 3) Castlegate Way, Woodvale.
Applicant	Altus Planning.
Owner	Amanda Gerda Forbes, James Stuart Russell Forbes, Shane Alexander Smith.
Zoning	DPS Mixed Use – Additional Use (Veterinary Centre).
	MRS Urban.
Site area	3644.36m ² .
Structure plan	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.

	7.30am – 5.30pm	5.30pm – 10.00pm
Monday to Friday	3 practitioners	6 practitioners

	8.00am – 2.00pm
Saturday & Sunday	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:

Days	Operating hours
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:

Days	Operating hours
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 ² (1 bay per 50m ² NLA)	4.18
9 - Environ Skincare Products and Vitahealth Skincare	Office		
4, 5 and 6 - Castlegate Family Practice	Medical Centre	6 consulting rooms (5 bays per practitioner)	30
		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.
<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> (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).	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.	The site is currently compliant with the car parking provisions of the CMUSC LPP and has an overall surplus of four car parking bays. It is not considered that the proposal will exacerbate any existing parking issues as the additional practitioners will operate when other tenancies are closed.

Issues raised in submissions	Applicant response	Officer comments
	<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><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"> ○ <i>Light spill from vehicle headlights;</i> ○ <i>Noise from customers entering/exiting vehicles i.e. slamming doors;</i> ○ <i>Increase in traffic at night time;</i> ○ <i>Disturbance of resident's sleep.</i> 	<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.</p>

Issues raised in submissions	Applicant response	Officer comments
		<p>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>
<p><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></p>	<p><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>	<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>

Issues raised in submissions	Applicant response	Officer comments
		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.
<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](#)

CJ214-12/18 PROPOSED UNLISTED USE (FRESH PRODUCE MARKET) AT LOT 806 (11) INJUNE WAY, JOONDALUP

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

PURPOSE

For Council to determine 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

Suburb/Location	Lot 806 (11) Injune Way, Joondalup.
Applicant	Planning Solutions.
Owner	Hydrox Nominees Pty Ltd.
Zoning	LPS3 Centre. MRS City Central.

Site area	44,260m ² .
Structure plan	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 4,025m² 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 4,000m² 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 75m² of NLA.

Officer Comment

The existing free-standing buildings (excluded from this application) on-site equate to 4,746m² of floor space, with 11,892m² 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](#)

CJ215-12/18 PROPOSED SHOPPING CENTRE ADDITIONS (REFURBISHMENT AND EXTENSION) AT THE MULLALOO PLAZA SHOPPING CENTRE - LOT 251 (11) KOORANA ROAD, MULLALOO

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

PURPOSE

For Council to determine 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

Suburb/Location	Lot 251 (11) Koorana road, Mullaloo.
Applicant	Taylor Robinson Chaney Broderick.
Owner	Conflexa Pty Ltd.
Zoning	LPS Commercial.
	MRS Urban.
Site area	12,689.8m ² .
Structure plan	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
Commercial, Mixed-Use and Service Commercial Local Planning Policy		
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 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>

No	JDRP comment	Applicants response	City comment
2	The additions do not integrate with the existing shopping centre building or other existing built form within the area.	<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>Similarly, the surrounding buildings are also of very poor quality architecture, particularly the service station, medical centre, restaurant, and squash court.</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.
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.

No	JDRP comment	Applicants response	City comment
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.	<p>The child's play area is in keeping in scale with the centre and the potential food and beverage outlets.</p> <p>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.</p>	The additional information provided by the applicant ensures that the panel's concern regarding safety and visibility is addressed.
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.	The amended plans provided by the applicant include an enclosed loading dock which will mitigate noise when loading and unloading goods.

No	JDRP comment	Applicants response	City comment
		<p>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.</p> <p>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.</p>	<p>Noise impacts will also be managed through a delivery and waste management plan which has been recommended as a condition of approval.</p>
9	<p>Details required of the proposed wall and pylon signs as previously requested by the City.</p>	<p>Amended plans provided.</p>	<p>Amended plans provided illustrating the proposed pylon sign within the property boundaries.</p>
10	<p>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?</p>	<p>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.</p>	<p>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.</p>

No	JDRP comment	Applicants response	City comment
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 —

- (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 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](#)

Disclosures of interest affecting impartiality

Name/Position	Cr John Logan.
Item No./Subject	CJ216-12/18 - Draft Regional Homelessness Plan 2018-19 – 2021-22.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan is a volunteer for charity and other community groups and is known to a number of stakeholders who participated in preparing the Draft Homelessness Plan.

CJ216-12/18 DRAFT REGIONAL HOMELESSNESS PLAN 2018-19 TO 2021-22

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

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 homeless 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

Legislation There is no legislative requirement for local governments to have Regional Homelessness Plans.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Community spirit.

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 Report CJ216-12/18.

Appendix 5 refers

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

CJ217-12/18 STATUS OF PETITIONS

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

PURPOSE

For Council to note the status of outstanding petitions.

BACKGROUND

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

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

DETAILS

Issues and options considered

Attachment 1 provides a list of all outstanding petitions, which were received during the period 16 August 2016 to 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 Report CJ217-12/18;**
- 2 in relation to the petition requesting Council create a working group to review and develop appropriate signage guidelines and policy to allow small business to have a say on signage and place-making within the City of Joondalup, *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](#)

CJ218-12/18 MINUTES OF EXTERNAL COMMITTEES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	00033, 101515
ATTACHMENT	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).
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

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

EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of 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 Report CJ218-12/18;**
- 2 Mindarie Regional Council Minutes from the meeting held on 25 October 2018 forming Attachment 2 to Report CJ218-12/18.**

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

CJ219-12/18 DELEGATED AUTHORITY - TENDER 024/18 - SMART MONITORING AND MANAGEMENT - YELLAGONGA WETLANDS PROJECT

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

PURPOSE

For Council to 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 <i>Local Government Act 1995</i> .
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%.

CJ220-12/18 LIST OF PAYMENTS MADE DURING THE MONTH OF OCTOBER 2018

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENT	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of 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
AUTHORITY / DISCRETION	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 Report CJ220-12/18, 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 Report CJ220-12/18.

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

FUNDS	DETAILS	AMOUNT
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
	Total	\$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 Report CJ220-12/18, totalling \$13,554,251.92.

Appendix 7 refers

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

CJ221-12/18 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 OCTOBER 2018

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

PURPOSE

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

EXECUTIVE SUMMARY

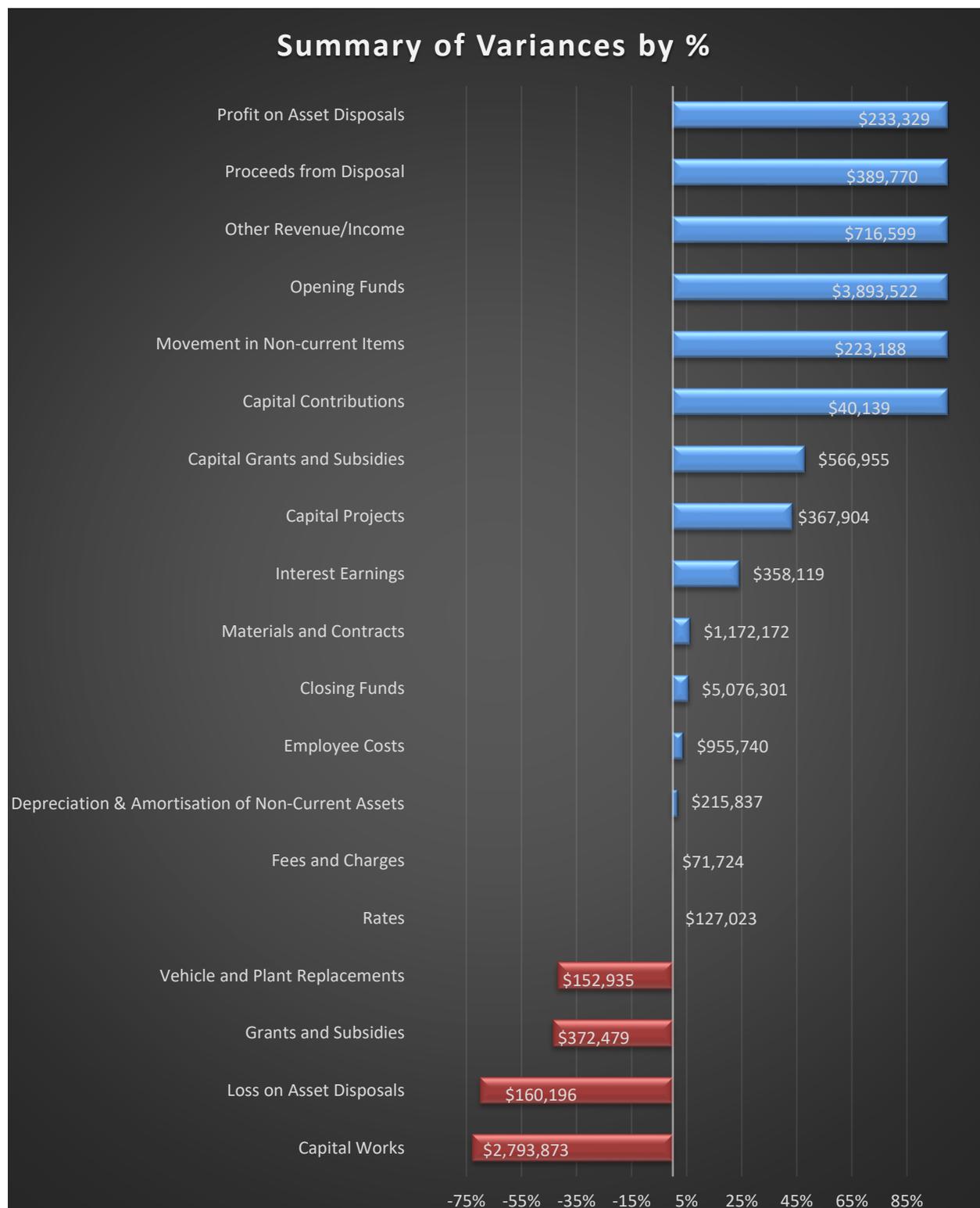
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. The figures in this report are compared to the adopted budget.

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.

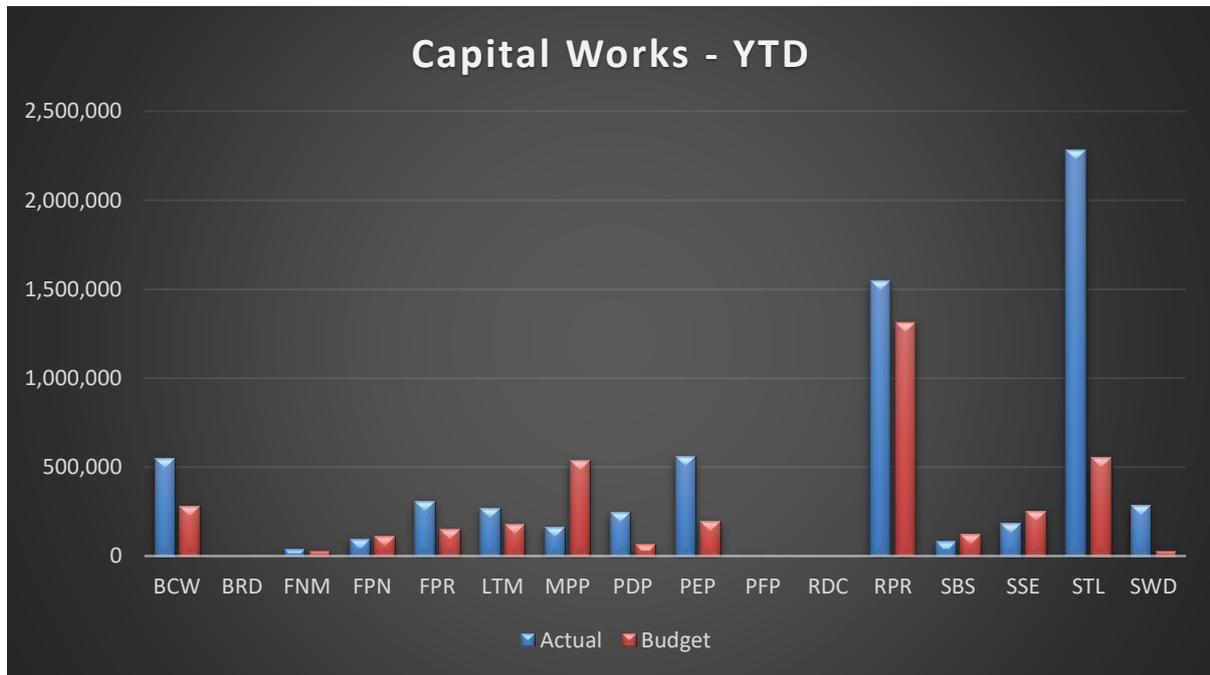
The key elements of the variance are summarised below:



The significant variances for October were:

Capital Works

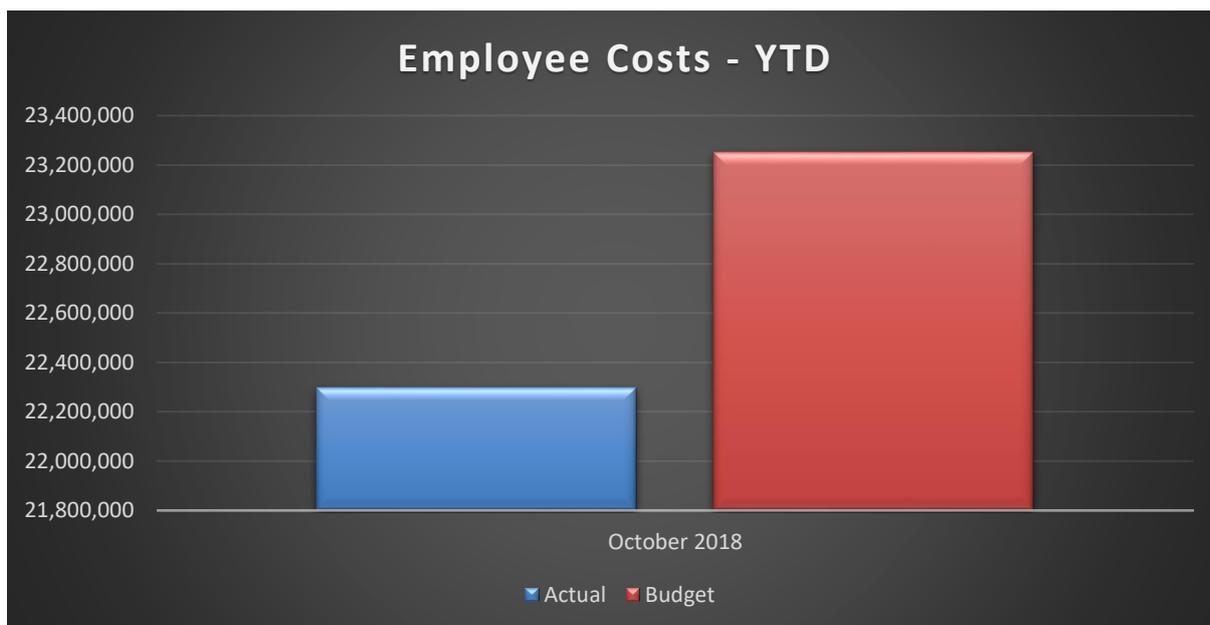
(\$2,793,873)



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

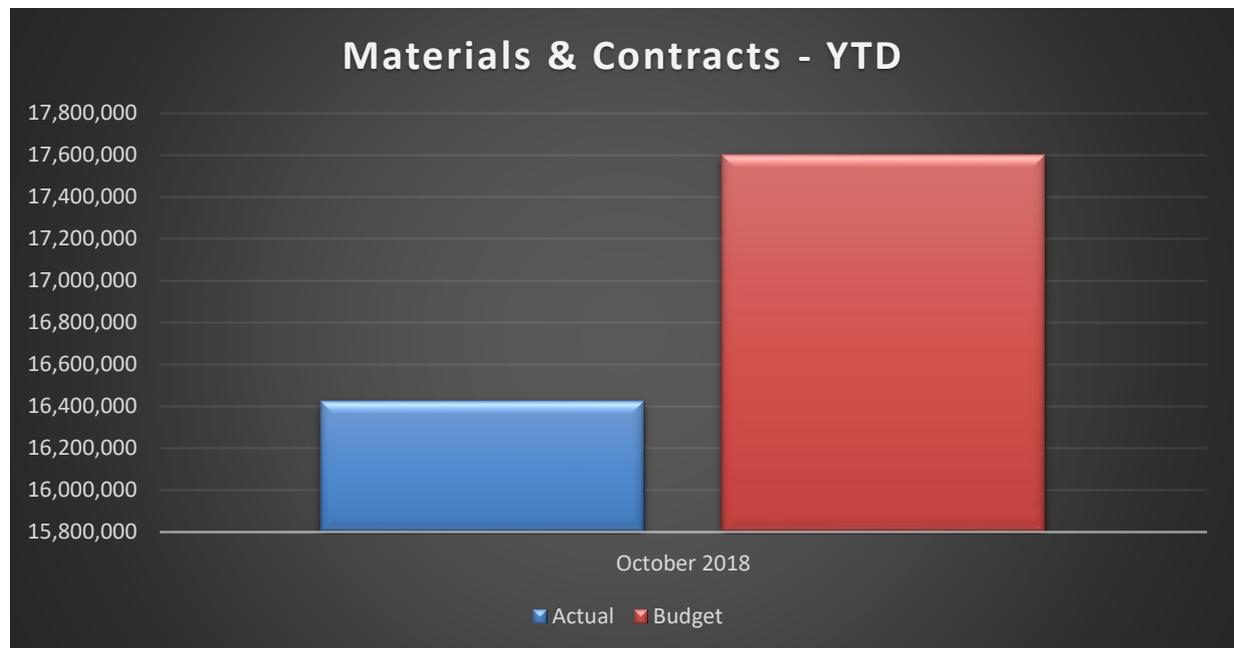
\$955,740



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 Report CJ221-12/18.

BACKGROUND

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

DETAILS

Issues and options considered

The Financial Activity Statement for the period ended 31 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

Key theme	Financial Sustainability.
Objective	Effective management.
Strategic initiative	Not applicable.
Policy	Not applicable.

Risk management considerations

In accordance with section 6.8 of the *Local Government Act 1995*, a local government is not to incur expenditure from its municipal funds for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.

Financial / budget implications

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

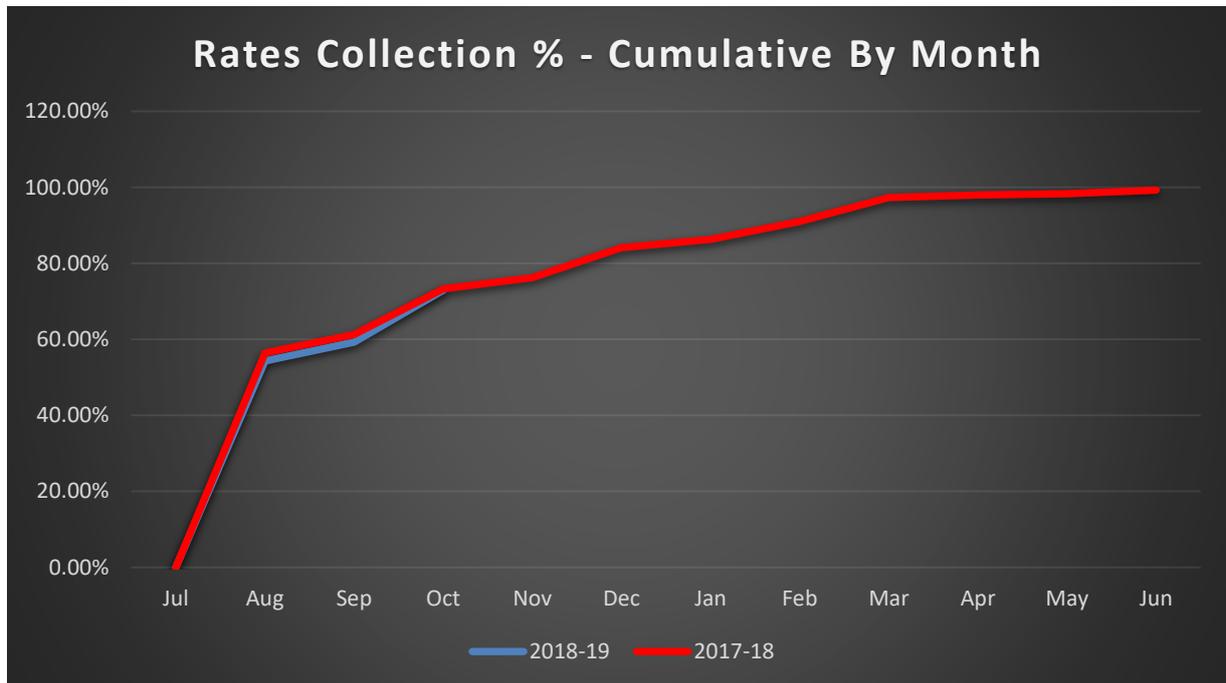
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

Consultation

In accordance with section 6.2 of the *Local Government Act 1995*, the annual budget was prepared having regard to the Strategic Financial Plan, prepared under Section 5.56 of the *Local Government Act 1995*.

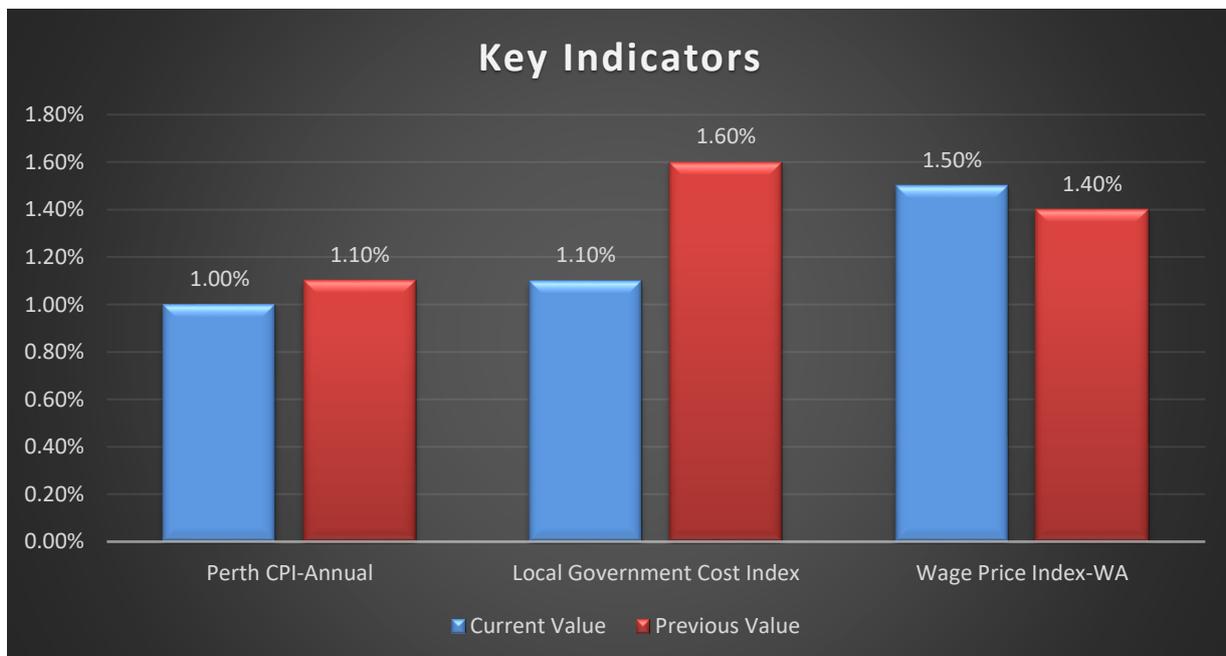
KEY INDICATORS

Rates Collection



Rates 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 Report CJ221-12/18.

Appendix 8 refers

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

CJ222-12/18 TENDER 020/18 PROVISION OF PLANTING, MAINTENANCE AND TRUCK WATERING SERVICES FOR THE CITY OF JOONDALUP'S LEAFY CITY PROGRAM

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

PURPOSE

For Council to accept the tender submitted by 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.

Tenderer	Installation of trees (May 2019 to August 2019)	Watering and maintenance of trees (September 2019 to August 2021)	Estimated Total Contract Price
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.

Tenderer	Estimated Total Contract Price	Price Rank	Weighted % Score	Qualitative Rank
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

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

CJ223-12/18 TENDER 022/18 SUPPLY AND INSTALLATION OF CONCRETE PATHS, DUAL USE PATHS, CROSSOVERS, HAND RAILS, PEDESTRIAN RAMPS AND ASSOCIATED WORKS

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

PURPOSE

For Council to accept the tender submitted by 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.

Tenderer	Year 1	Year 2	Year 3	Total
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

Tenderer	Price Ranking	Total Estimated Contract Price	Qualitative Ranking	Weighted Percentage Score
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

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

Improve the interface between the urban and natural environments.

Policy

Not applicable.

Risk management considerations

Should the contract not proceed, the risk to the City will be high as installation and 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

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

**CJ224-12/18 TENDER 025/18 CITY CENTRE LIGHTING UPGRADE
STAGE 3 AMENDMENT**

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

PURPOSE

For Council to 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

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

Strategic Community Plan

Key theme Community Wellbeing.

Objective Quality facilities.

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

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

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

Disclosures of Financial Interest

Name/Position	Mr Mike Tidy, Director Corporate Services.
Item No./Subject	CJ225-12/18 - Tender 026/18 Wide Area Network and Internet Services.
Nature of interest	Financial Interest.
Extent of Interest	Mr Tidy is a shareholder of Vocus Pty Ltd trading as Vocus Communications.

CJ225-12/18 TENDER 026/18 WIDE AREA NETWORK AND INTERNET SERVICES

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

PURPOSE

For Council to accept the tender submitted by 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 Comcentre 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 Comcentre 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:

Qualitative and Price Criteria		Weighting
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:

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

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.

Tenderer	Price Ranking	Contract Price	Qualitative Ranking	Weighted Percentage Score
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

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

CJ226-12/18 TENDER 031/18 SWEEPING OF URBAN AND ARTERIAL ROADS, CAR PARKS, PAVEMENTS AND PATHWAYS WITHIN THE CITY

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

PURPOSE

For Council to accept the tender submitted by 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.

Tenderer	Year 1	Year 2	Year 3	Total
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

Tenderer	Price Ranking	Total Estimated Contract Price	Qualitative Ranking	Weighted Percentage Score
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

Account no.	Various accounts.
Budget Item	Sweeping of urban and arterial roads, car parks, pavements and pathways within the City.
Budget amount	\$ 354,808
Amount spent to date	\$ 90,459
Proposed cost	\$ 159,210
Balance	\$ 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](#)

CJ227-12/18 PROVISION OF INFRASTRUCTURE TO CATER FOR THE GROWTH DEMAND FOR SOCCER IN THE NORTHERN CORRIDOR – ADDITIONAL INFORMATION

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	00523, 101515
ATTACHMENT	Attachment 1 Community Engagement Outcomes Report - Survey of Football (Soccer) Clubs
AUTHORITY / DISCRETION	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:

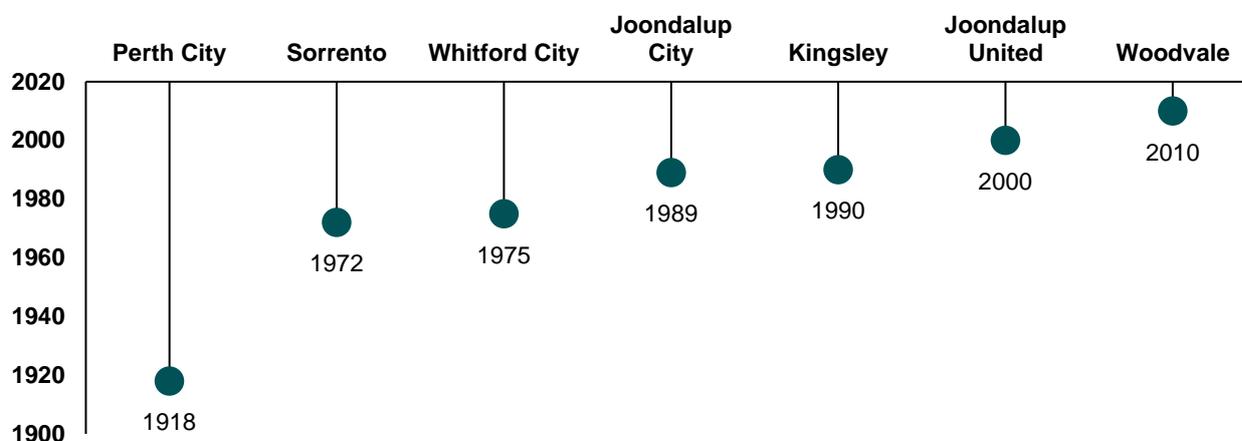
- AFC Joondalup – Flinders Park, Hillarys
- ECU Joondalup Soccer Club – ECU University
- Hillarys Football Club – Flinders Park, Hillarys
- Joondalup City Football Club – Iluka District Open Space, Iluka
- Joondalup United Football Club – Prince Regent Park, Heathridge
- Kingsley Senior Soccer Club – 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
Total teams	67	7	108	182

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
Total teams	6	2	8	11	14	41

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
Total teams	0	2	5	0	7

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.

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

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.

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

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.

Does your club support or oppose the establishment of a football facility built to National Premier League standards in the City of Joondalup:	N	%
Strongly oppose	0	0.0%
Oppose	0	0.0%
Neutral	2	28.6%
Support	1	14.3%
Strongly support	4	57.1%
Total responses	7	100.0%

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.

Who do you believe should be the most responsible for funding the establishment of a football facility built to National Premier League Standards:	N*	%
Clubs	4	57.1%
Football West	3	42.9%
Local government	5	71.4%
State government	7	100.0%
Federal government	3	42.9%
Other	1	14.3%
Total responses	7	100.0%

*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.

Would your club be interested in using such a facility as part of a shared-use arrangement:	N	%
Yes	3	42.9%
No	1	14.3%
Unsure	3	42.9%
Total responses	7	100.0%

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](#)

CJ228-12/18 JOONDALUP MENS' SHED – PROPOSED SITE

WARD	North	
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services	
FILE NUMBER	106060, 101515	
ATTACHMENT	Attachment 1	Site Plan - Works Operations Centre
	Attachment 2	Site Plan - 17 Winton Road, Joondalup
AUTHORITY / DISCRETION	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 Beenyup 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 ²	56.8m ²	52.2m ²
Workshop and Storage Area	470m ²	463m ²	7m ²
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%	
Total project cost	\$ 1,096,760

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. The DOE has responded to the City, indicating their in-principle support to extend the existing lease by up to 12 months.

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 50-70m²; 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:

Term:	Five years.
Further Terms:	One option of five years.
Annual Rent:	Peppercorn.
Outgoings:	The lessee is responsible for all outgoings 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 59m².

An annual saving is therefore estimated to be approximately \$7,200 in utilities and day to day maintenance, based on 59m² multiplied with an average cost per m² 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](#)

REPORTS – POLICY COMMITTEE – 3 DECEMBER 2018**CJ229-12/18 PROPOSED ELECTIONS CARETAKER POLICY**

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	107644, 101515
ATTACHMENT	Attachment 1 <i>Elections Caretaker Policy</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to adopt an *Elections Caretaker Policy*.

EXECUTIVE SUMMARY

The local government electoral process is one of the most significant local government activities undertaken which has the potential to call into question political neutrality and perceptions of bias. It is important therefore that the City refrains from any activities which could cast doubt on its neutrality and impartiality, or making decisions that could compromise or commit an incoming Council.

Election caretaker conventions exist at both State and Federal government levels and have been introduced by a number of Western Australian local governments. The purpose of these conventions is to avoid bodies making major decisions prior to an election which would bind an incoming body (such as Parliament or Council); prevent the use of public resources in ways seen to be advantageous to, or promoting, elected members who are seeking re-election or new candidates; and to ensure the City and employees act impartially in relation to local government election process.

While there is no evidence to suggest that any such activity has occurred in City of Joondalup elections over recent times, good governance principles support the implementation of caretaker provisions that would assist to establish protocols of preventing actual and perceived advantage or disadvantage leading up to local government elections.

It is therefore recommended that Council ADOPTS the Elections Caretaker Policy as detailed in Attachment 1 to Report CJ229-12/18.

BACKGROUND

Caretaker conventions have existed at both the State and Federal level of government as:

- the dissolution of a Parliament means there is no popular Chamber to which the Executive Government can be responsible
- every State or Federal election brings with it the possibility of a change of government.

For these reasons, State and Federal governments assume a caretaker role during an election period from the time that a Parliament is dissolved to ensure that decisions are not taken which would bind an incoming government and limit its freedom of action.

Although local governments differ in that there can be no change of government, caretaker conventions may still be applied to place restrictions on the types of decisions and activities that may be undertaken by a local government in the period immediately before an election.

Restrictions on local government decisions and activities during a 'caretaker period' have the purpose of preventing actual or perceived advantage or disadvantage to a candidate that may be actually or perceived to arise from local government decisions, activities or use of public resources.

The previous Department of Local Government and Communities supported individual local governments considering implementing a caretaker period policy with respect to elections, as such a policy provides guidelines to protect the reputation of the local government's administration and its elected members. Any such policy should cover:

- decisions made by the Council
- materials published by the local government
- attendance and participation in functions and events
- use of local government resources
- access to local government information.

Several local governments have adopted election caretaker policies, including the Cities of Perth, Gosnells, Bayswater, Karratha and Vincent, Town of Cambridge and the Shires of Donnybrook-Balingup and Wyndham-East Kimberley. The Western Australian Local Government Association (WALGA) has recently created a template policy for local governments to use in creating their own caretaker conventions. As part of the Local Government Act Review process currently underway by the Department of Local Government, Sport and Cultural Industries, caretaker provisions have been highlighted as a matter for local government consideration.

DETAILS

The purpose of the *Elections Caretaker Policy* (as detailed in Attachment 1) is to:

- limit major decision-making that may bind an incoming Council
- ensure public resources and the Council decisions during this period are not seen to be advantageous to Elected Members seeking re-election
- provide guidance to ensure the continuation and transparency of ordinary business.

The period before an election may be subject to close scrutiny by the community and it suggested that Council and the City's administration acknowledge this through the implementation of a caretaker period that would commence from the close of candidate nominations. The proposed *Elections Caretaker Policy* provides guidance during this time to ensure the continuation of ordinary business for the City in a responsible and transparent manner that ensures elections are conducted in an ethical, fair and equitable manner and are publicly perceived as such.

The policy addresses the following matters:

- Decisions that are made by Council and the circumstances where a major decision may be undertaken.
- The role of the Chief Executive Officer during the caretaker period.
- Information and material published by the City, including on-line formats and social media.
- Attendance and participation in functions and events.
- Use of the City's resources.
- Access to information held by the City.

In the main the policy restricts the type of major policy decisions that can be made by Council during an election caretaker period. For the purposes of the policy a "major policy decision" means any decision:

- (a) relating to the employment, remuneration or termination of the Chief Executive Officer or any other designated senior employee, other than a decision to appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of their Contract of Employment), pending the Election Day result
- (b) relating to the City entering into a sponsorship arrangement with a total City contribution that would constitute Significant Expenditure, unless Council has resolved "in principle" support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget
- (c) relating to the City entering into a commercial enterprise as defined by section 3.59 of the *Local Government Act 1995*
- (d) that would commit the City to Significant Expenditure or actions that, in the Chief Executive Officer's opinion, are significant to the City's operations, strategic objectives and / or will have significant impact on the community
- (e) to prepare a report, initiated by an Elected Member or Council on a matter that, in the Chief Executive Officer's opinion, may be perceived as or is actually an election campaign issue
- (f) initiated through a Notice of Motion by an Elected Member, where the effect of that motion will change the status quo or, in the Chief Executive Officer's opinion, may be relevant to the circumstances described in sub-clauses (a) to (e) above
- (g) that adopts a new policy, service or service level or significantly amends an existing policy, service or service level, unless the decision is necessary to comply with legislation
- (h) that initiates or adopts a new *Local Planning Scheme*, amendment to a *Local Planning Scheme* or Planning Policy, unless in the Chief Executive Officer's opinion, is required for the orderly and proper land use planning within the district, but does not include any decision necessary in response to an emergency, either declared by the State or Federal Government or by the City in accordance with section 6.8(1)(c) of the *Local Government Act 1995*.

Notwithstanding there may be bona fide circumstances that require Council to make or announce a major policy decision during the caretaker period because, in the Chief Executive Officer's opinion, delaying the decision or announcement to occur after the caretaker period has reasonable potential to:

- (a) incur or increase legal, financial and/or reputational risk
or
- (b) cause detriment to the strategic objectives of the City.

In such situations the Chief Executive Officer will allow such matters to progress to Council, or other forums for a formal decision to be made or other form of action or advice.

Issues and options considered

Council can either:

- adopt the policy as presented
- adopt the policy as presented with further amendments
or
- not adopt the policy.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
Local Government (Elections) Regulations 1998.
Local Government (Rules of Conduct) Regulations 2007.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective

Effective representation.

Strategic initiative

Attract a diverse elected body that represents, promotes and reflects the composition of the community.

Policy

Code of Conduct for Employees, Elected Members and Committee Members (Code of Conduct).

Risk management considerations

There is no statutory requirement for a caretaker period to be implemented prior to elections, however such a policy would meet the intent of the *Local Government Act 1995* that seeks to ensure that local governments are efficient and effective and accountable to their communities.

The City's brand and image may be damaged if decisions are made that are not reflective of the community's desires during a caretaker period, or where there is a misuse of City resources for political gain.

Financial/budget implications

There are no financial implications associated with this report.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The primary purpose of any caretaker period is to avoid governments making major decisions that would bind an incoming government, prevent the use of public resources in ways that are seen as advantageous to, or promoting, the sitting government members who are seeking re-election, or new candidates, and ensuring government officials act impartially in relation to candidates.

It is considered that the implementation of the *Elections Caretaker Policy* will not only meet the above objectives but also provide for better decision-making and greater accountability, both of which are prescribed by section 1.3(2) of the *Local Government Act 1995* as significant intentions of the Act.

As part of the review of the *Local Government Act 1995* the Minister for Local Government has recently announced amendments will be made to the Act to introduce a mandatory code of conduct for elected members and the code will be extended to apply to all candidates in local government elections. This action may also assist with creating an impartial and unbiased election process for local governments. As part of the Local Government Act Review process currently underway by the Department of Local Government, Sport and Cultural Industries, caretaker provisions have been highlighted as a matter for local government consideration.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 December 2018.

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

RECOMMENDATION

That Council ADOPTS the *Elections Caretaker Policy* as detailed in Attachment 1 to Report CJ229-12/18.

Appendix 15 refers

To access this attachment on electronic document, click here: [Attach15agn181211.pdf](#)

CJ230-12/18 FREEMAN OF THE CITY OF JOONDALUP

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	89597, 101515
ATTACHMENT	Attachment 1 Revised <i>Freeman of the City of Joondalup Policy</i> Attachment 2 Current <i>Freeman of the City of Joondalup Policy</i>
AUTHORITY / DISCRETION	Legislative – includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to review the *Freeman of the City of Joondalup Policy* and adopt the revised *Policy* as part of the Policy Manual review process.

EXECUTIVE SUMMARY

The *Freeman of the City of Joondalup Policy* was adopted by Council at its meeting held on 21 November 2006 (CJ210-11/06 refers) to honour individuals who, through their personal endeavours and commitment, have made an outstanding contribution to the community.

Identified as part of the City's on-going Policy Manual Review process, the *Freeman of the City of Joondalup Policy* (the Policy) was benchmarked against other WA local governments to determine whether the policy remained relevant and appropriate. The review process indicated that the policy requires only minor amendments, namely:

- amend Objective, Statement and Award Criteria sections to clarify the requirement for outstanding contributions to the local and broader community, rather than to 'Australia' and 'Humanity'
- minor wording changes to improve readability.

The proposed minor amendments are not anticipated to impact the intent or application of the policy.

It is therefore recommended that Council ADOPTS the revised Freeman of the City of Joondalup Policy as detailed in Attachment 1 to Report CJ230-12/18.

BACKGROUND

At its meeting held on 21 November 2006 (CJ210-11/06 refers), Council adopted the *Freeman of the City of Joondalup Policy* to enable the City to honour individuals who, through their personal endeavours and commitment, have made an outstanding contribution to the community, Australia and humanity.

At a Special Council Meeting held on 10 December 2007 (JSC03-12/07 refers), Council resolved to bestow the honorary award of Freeman of the City of Joondalup on:

- Margaret Jane Cockman OAM CSTJ
- William (Bill) Harold Marwick OAM
- Nicolas (Nick) Trandos OAM JP.

The City has not bestowed any further honorary awards since 2007.

At its meeting held on 15 May 2012 (CJ093-05/12 refers), Council reviewed the “*Freeman of the City of Joondalup Policy*” with minor amendments as part of the 2012 Policy Manual Review. The policy has remained unchanged since this last review.

DETAILS

The City’s policies are regularly reviewed to ensure their continued relevance and applicability. The *Freeman of the City of Joondalup Policy* was identified as part of the 2018 Policy Manual Review.

Local Government Comparison

An analysis of other local government policies relating to ‘Honorary Freeman’ was undertaken to inform the review of the *Freeman of the City Policy*. Of the 29 metropolitan local governments benchmarked, 15 have a policy relating to ‘Honorary Freeman’. It should be noted that four of the local governments that do not have an existing policy have still awarded individuals the title of ‘Honorary Freeman’. A selection of these policies is summarised in the table below:

Name of Local Government	Existing Policy	Title of Freeman awarded
Town of Claremont	No	Yes
Town of Cottesloe	No	Yes
Town of East Fremantle	No	Yes
City of Nedlands	No	Yes
City of Bayswater	Yes	Yes
City of Cockburn	Yes	Yes
City of Gosnells	Yes	Yes
City of South Perth	Yes	Yes
City of Subiaco	Yes	Yes
City of Stirling	Yes	Yes
City of Swan	Yes	Yes
City of Wanneroo	Yes	Yes

Analysis shows that these policies are largely consistent with the *Freeman of the City of Joondalup Policy*, with all including key information regarding criteria for nominations, processes for decision-making and entitlements for award recipients. This research has informed the review of the City’s *Freeman of the City of Joondalup Policy* and indicates that the policy remains relevant and presents an appropriate position on awarding the title of ‘Honorary Freeman’.

Proposed Amendments

With no major changes identified within the policy review, the following minor amendments are recommended to the *Freeman of the City of Joondalup Policy*, as shown in Attachment 1 to this report:

- Amend Objective, Statement and Award Criteria sections to clarify the requirement for outstanding contributions to the local and broader community, rather than to 'Australia' and 'Humanity'.
- Minor wording changes to improve readability and ensure formatting consistency across all City policies.

Issues and options considered

Council has the option to either:

- adopt the revised *Freeman of the City of Joondalup Policy* as shown in Attachment 1 to this report
- suggest further modifications to the *Freeman of the City of Joondalup Policy* or
- retain the *Freeman of the City of Joondalup Policy* in its current format, as shown in Attachment 2 of this report.

The recommended option is to adopt the revised *Freeman of the City of Joondalup Policy*.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.

Strategic Community Plan

Key theme

Community Wellbeing.

Objective

Community Spirit.

Strategic initiative

To have proud and active residents who participate in local activities and services for the betterment of the community.

Policy

Freeman of the City of Joondalup Policy.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The *Freeman of the City of Joondalup Policy* continues to provide clear direction on the City's position to recognise individuals who make an outstanding contribution to the local and broader community. The proposed minor amendments further clarify that this recognition is based on contribution to the City of Joondalup community specifically.

The current policy states that the Freeman of the City of Joondalup is an award to honour the 'outstanding contribution to the community, Australia and humanity.' While the City is well-placed to identify an individual's contribution to the local and broader community, their contribution to Australia and Humanity is more difficult to quantify and assess. As such, it is considered appropriate that the revised *Freeman of the City of Joondalup Policy* be adopted by Council.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 December 2018.

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

RECOMMENDATION

That Council ADOPTS the revised *Freeman of the City of Joondalup Policy* as detailed in Attachment 1 to Report CJ230-12/18.

Appendix 16 refers

To access this attachment on electronic document, click here: [Attach16agn181211.pdf](#)

CJ231-12/18 'ART IN THE PARK' EVENT

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	103931, 101515
ATTACHMENTS	Nil
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider a request for the City to introduce a new 'Art in the Park' event.

EXECUTIVE SUMMARY

The City delivers five programs that facilitate opportunities for artists to sell their work including the Community Art Exhibition, Community Invitation Art Award, Spring Markets, Twilight Markets and the Joondalup Festival.

The City supports local arts associations through the provision of community funding. The Culture and Arts Development Fund is available to local community groups to apply for small grants to assist with initiatives such as 'Art in the Park' and no community visual arts associations have applied for funding against this concept. The audit results from the current 'Connecting Creatives' survey may prove this concept is supported and this data will be reviewed by Cultural Services in 2019.

In addition, the City provides financial support for the lease of the Joondalup Art Gallery located on Central Walk which provides the Joondalup Community Arts Association with a venue for local artists to exhibit and sell work.

In total the City supports arts and cultural development and local artists to sell and exhibit work at an operational cost of \$333,000 per annum. It is recommended the City does not progress the 'Art in the Park' concept because there are existing opportunities for local artists to sell work at City events or apply for funding to support such community-driven initiatives.

BACKGROUND

At the meeting of the Policy Committee held on 11 June 2018, a request for a report relating to 'Art in the Park' that would be an event that would allow artists to exhibit their work in a suitable outdoor space.

It is understood that the premise behind an 'Art in the Park' event is for artists to attract a large audience to exhibit their work outdoors in a park or reserve with artisan displays and retail booths.

This type of opportunity may attract artists who work across a variety of mediums including but not limited to paintings, sculpture, ceramics, jewellery, fibre, glass, woodwork, photography, folk art, drawing, fashion and textiles.

The purpose of this type of alfresco event is to:

- assist in the creation of a vibrant City that attracts residents as well as visitors
- continue to build an awareness and appreciation of the arts and culture amongst residents
- provide opportunity for artists to generate income through selling their works.

DETAILS

In Western Australia there are a range of comparative event models for 'Art in the Park' ranging from large-scale tourist events through to smaller grass roots community driven projects. Some of these ventures include partnerships or investment from local or state government.

'Art in the Park' models delivered by external or community providers:

Event	Location
Sculpture by the Sea	Cottesloe Beach, Cottesloe
Made on The Left Christmas Markets	Princess May Park, Adelaide Street, Fremantle
Perth Hills Artisan Markets	Mundaring Christian College, Parkerville
Markets By The Sea	Whitfords Nodes Park, Hillarys
Beaufort Street Art Market	Barlee Street Carpark, Mount Lawley
Creative Community Markets	St Mary's Anglican Church Hall, Kelmscott
Kalamunda Artisan Market	Central Mall and Town Square, Kalamunda
Mount Hawthorn Artisan Festival	Laneways, Mount Hawthorn
Mosman Craft Markets	McCabe Street, Mosman Park

'Art in the Park' models delivered by local or state government partnerships:

Event	Location
Perth Makers Market	Heathcote Cultural Precinct, Applecross
Fremantle Bazaar	Fremantle Arts Centre, Fremantle
Art in the Park	Gosnells Town Centre, Gosnells
Old Perth Road Markets	Old Perth Road and Guildford Road, Bassendean
Manjar Markets	Mandurah Terrace, Mandurah

The City has an already expansive annual arts and events program that affords artists selling opportunities for artworks. Such programs include the following:

- 1 Arts and Events program (Markets and Art Exhibitions) \$233,000.
- 2 Community Funding Program (Culture and Arts Development Fund) \$25,000.
- 3 Provision of the Joondalup Art Gallery (partnership with the Joondalup Community Arts Association) \$75,000.

In total the City spends \$333,000 on these activities.

In addition to the City coordinated events, there are a number of external groups/associations that also provide artists further selling opportunities.

1 Arts and Events program (Markets and Exhibitions)

The City's annual arts and events contains five programs that facilitate opportunities for artists to sell their work at the events listed below.

Event	Location	Month/ Recurrence	Provision	Participant fee	Cost to the City
Community Art Exhibition	Lakeside Joondalup Shopping City	June x 1	Amateur or hobbyist artists to exhibit and sell their work. Limit of one piece of work.	\$27	\$57,000
Community Invitation Art Award	Lakeside Joondalup Shopping City	October x 1	Professional artists exhibit and sell their work by invitation. Limit of three pieces of work.	\$0	\$69,000
Spring Markets	Central Walk (outdoors)	September-October x 4	Stallholders sell quality, unique merchandise. No limitations.	\$49-\$60 entry fee per market	\$87,000
Twilight Markets	Central Walk (outdoors)	December x 4	Stallholders sell quality, unique pre-Christmas gifts. No limitations.	\$49-\$60 entry fee per market	
Joondalup Festival (market place)	Central Walk (outdoors)	March x 1	Stallholders sell quality, unique merchandise during the Joondalup Festival weekend. No limitations.	\$147-\$294 entry fee per market	\$20,000 (allocated in the Joondalup Festival budget)

2 Community Funding Program (Culture and Arts Development Fund)

Additional to the arts and events program the City delivers the Community Funding Program (Culture and Arts Development) that is available to community groups and not-for-profit visual arts associations operating within the City. A total pool of \$25,000 is divided across two funding rounds (March and October) in a financial year.

Visual arts associations eligible for Community Funding include (but are not exclusive to):

- Joondalup Community Arts Association
- Wanneroo Joondalup Art Society
- North Coast Art Club
- Pastel Society of WA
- Northern Exposure Photography Group.

The funds priorities are to support events, projects or programs that:

- encourage new partnerships and collaborations with other cultural and arts groups or individuals
- provide access to arts and cultural activity within the City to groups not previously engaged
- demonstrate sustainable and/or long-term artistic and cultural benefit for the City
- support community involvement in the City's existing cultural program.

The key objectives of the fund are as follows:

- To increase the number and variety of arts and cultural activities available within the City of Joondalup.
- To positively contribute to the well-being of the artistic and cultural nature of the community.
- To support the development of arts and cultural groups within the City of Joondalup.
- To enhance the cultural fabric of the City of Joondalup.

Under these key objectives the proposed 'Art in the Park' event would qualify for funding should a local community group apply to deliver this event.

3 Provision of Joondalup Art Gallery (partnership with the Joondalup Community Arts Association)

The Joondalup Community Arts Association (JCAA) is a local visual arts association, formed in October 2003 with a seven-member volunteer board. In 2004, the JCAA with support from the City, opened the blend(er) Gallery (re-named Joondalup Art Gallery in July 2014) at 4/48 Central Walk. The gallery's role is to exhibit artwork, conduct workshops, provide a focal point for the enhancement of the local visual arts scene and provide a cultural focus for the City Centre. The City leases the space from a private owner at an annual cost of \$75,000 and the gallery is sub-leased to the JCAA. There is a Memorandum of Understanding that outlines the partnership between the City of Joondalup and the JCAA.

The Joondalup Art Gallery's objectives include presenting museum and commercial exhibitions, promoting selling opportunities for local artists and provision of a workshop space for learning and skill-based development for the local arts community. The City currently provides important support to the JCAA through the provision of a lease and the "Art in the Park" concept could be explored as a program for the Joondalup Art Gallery to deliver as a community-led initiative.

The objectives of the Joondalup Community Arts Association (JCAA) are as follows:

- Provide arts leadership, advocacy and support for individuals and organisations.
- Remain a viable creative centre that contributes to a vibrant and enriched cultural experience within the Joondalup Community and outlying areas.
- Nurture involvement and participation from all sectors of the community and provide a focus for arts and cultural development.

- Engage participants, spectators and creators in transformative arts experiences.
- Stimulate increased creativity, imagination, skills and knowledge.
- Strive for national and international recognition of best practice community arts and excellence in the visual arts.

The deliverables of the Joondalup Community Arts Association (JCAA) are as follows:

- Provide exhibition space for solo, group and collaborative exhibitions to different sectors of our community to include CoJ, JCAA members, professional artists, community artists, schools and other interested parties within the community (JCAA will schedule minimum 40 weeks of exhibits per year.)
- Develop partnerships and collaborations with other organisations that will broaden networking and lead to increased activity and interest in the JCAA and JAG.
- Source outside funding such as grants and sponsorships to sustain viability and diversity of exhibitions. Additional income is generated through membership fees, gallery and workshop hire costs, concessions on sales and donations.
- Encourage ongoing activities in the workshop space to include painting, drawing, children's classes and workshops, demonstrations and discussion on different topics and areas of interest.

'Art in the Park' models

For consideration on how other local governments successfully support such initiatives, two delivery models of 'Art in the Park' concepts are explored below at the City of Melville and the City of Gosnells.

Perth Makers Market, Heathcote (City of Melville)

The City of Melville hosts six events per year at the Heathcote Cultural Precinct. The City works in an in-kind partnership with an external commercial contractor by allowing access to a venue/outdoor site and office space for a reduced fee and other support such as marketing, parking, toilets facilities and dedicated staff member support. The external contractor is responsible for procuring artists as stallholders. The operator charges each stallholder a fee and coordinates the event with the intention of profiting from the outcome. Called 'Perth Makers Market', there are requirements that the stalls feature locally-made quality art and craft products.

Now in its third year, Perth Makers Market is attracting 80-150 stallholders and regular crowds of hundreds of visitors, with the external contractor making an ongoing profit. The City has made a long-term commitment to continuing its subsidy of the event. The external contractor is expanding this business model into other venues.

Expenses	Exclusive of GST
Salaries and wages (staffing) – event held six times per year	\$ 10,000
In-kind subsidy	
Office Space	\$ 1,000
Carpark maintenance	\$ 15,000
Cleaning	\$ 7,000
TOTAL	\$ 33,000

Art in the Park, Gosnells (City of Gosnells)

In October 2018, the City of Gosnells ran 'Art in the Park' as a new initiative. The City invited art associations to participate and provided all infrastructure, marketing and associated costs. Local art groups included painters, wood turners, potters and crafts such as crochet, macramé and knitting. Participants were encouraged to sell their wares and demonstrate their skills to the community.

A City officer dedicated to the event was a liaison for the arts associations. There were 11 stalls hosted in the intimate, shaded courtyard site and attracted a small crowd. The annual event was not designed to be self-sustaining.

Expenses	Exclusive of GST
Advertising	\$ 3,000
External Contractors	\$ 1,500
Photography/Videography/Social Media	\$ 2,100
In-kind subsidy	
Salaries and wages (staffing)	\$ 3,400
TOTAL	\$10,000

For comparative purposes of a one-off event facilitated by the City of Joondalup (including the hire of marquees), the costing below is from one of the City's Twilight and Spring Markets.

Expenses	Exclusive of GST
Advertising	\$ 3,000
Hire of equipment	\$ 7,000
External Contractors	\$ 1,500
Photography/Videography/Social Media	\$ 1,000
In-kind subsidy	
Salaries and wages (staffing) – one event	\$ 1,500
TOTAL	\$14,000

Issues and options considered

There are three issues in relation to the delivery of the 'Art in the Park' concept:

Issue 1

The success of the Heathcote 'Art in the Park' model is in part due to its recurring nature during the months of warmer weather as an ongoing event. Patrons know that the art-driven events are well organised, advertised and seek them out. Hosting this concept as a one-off event would not have the ongoing credibility or reliability with the public. However, there are challenges with external event contractors wishing to utilise City reserves for recurring events that include planning approvals and concerns about the impact on bushland and grassed areas.

Were the City interested in endorsing the Heathcote 'Art in the Park' model a clear long-term commitment by Council (such as a five year Memorandum of Understanding) would be required to ensure a suitable contractor is found and thus allow the shaping of the fees and charges subsidy in the budget pack. It would also allow for long term planning and be a more appealing commercial proposal for an external contractor.

Issue 2

Staffing of both comparative models involves a considerable contribution from City staff from different business units including marketing, parks, rangers, asset management and cultural services.

Issue 3

There is no budget for this event.

In response to the identified issues, there are five options in relation to the delivery of the 'Art in the Park' concept.

Option 1 - External Contractor

The City seek an external contractor and a suitable site to develop the 'Art in the Park' concept as a commercial proposition and provide a new budget in 2019-20 to establish a new event called 'Art in the Park' at an operational cost of \$10,000.

Option 2 - Community-based Group Initiative

The City encourages local community arts associations to apply for Community Funding (Culture and Arts Development) to run the 'Art in the Park' concept event as a grass roots community initiative. This option would be funded through community funding as a small grant to local community groups at a grant cost of \$1,000-\$5,000.

Option 3 - City run event

The City establishes an 'Art in the Park' concept as a grass roots approach similar to the City of Gosnells model that includes the provision for marquee hire and provides a new budget in 2019-20. It would be managed and coordinated by existing City resources and indicative operational costs would be based on the comparative delivery model of the City of Joondalup's Twilight and Spring Markets of \$14,000 for one market.

Option 4 - Continue current service levels with no 'Art in the Park'

The City continue with current service provision of the Community Art Exhibition, Community Invitation Art Award, Spring Markets, Twilight Markets and the Joondalup Festival and investigate new ways to encourage local artists to participate in these events.

Option 5 – Reduce current programming

The City could introduce an 'Art in the Park' event by reducing its current program. To do this a more detailed review would need to be undertaken.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Cultural development.

Strategic initiative

- Invest in publicly accessible visual art that will present a culturally-enriched environment.
- Actively engage event promoters to host iconic, cultural and sporting events within the City.
- Promote local opportunities for arts development.

Policy

Visual Arts Policy.

Risk management considerations

Failure of the event poses a reputational risk.

20 Year Strategic Financial Plan impact

The City has a sizeable operating deficit (\$6.1 million projected for 2018-19) but is forecasting to improve operating results in the next few years and steadily move to surplus. However, the improvement is predicated on some critical assumptions which may or may not come to pass. If there are any new projects which increase the operating expenditure, without reducing existing operating expenditure, this hinders the City's ability to address the operating deficit.

The City already spends \$333,000 per year on various activities which provide opportunities for artists, and this expenditure is a part of the City's operating deficit. If the City were to increase the expenditure of these activities by introducing an Art in the Park project, without reducing existing expenditure, it could increase the expenditure by up to \$10,000, so the total expenditure of all these activities would be \$343,000 per year. If an Art in the Park activity proceeded as an annual event it would be worthwhile only doing so within existing expenditure.

All amounts quoted in this report are exclusive of GST.

Sustainability implicationsEconomic

It may be considered an economic risk, should the event fail with low attendance or poor uptake from local artists for participation. The City has a 'Connecting Creatives' survey in process which may provide clearer feedback as to the need for this event. Any damage to City infrastructure and reserves may be an economic risk.

Environmental

The City would need to put regulatory approvals in place to ensure the event adheres to City standards such as Risk Management Plan, Occupational Health and Safety Standards, preservation and booking of reserves.

Social

By delivering an 'Art in the Park' event there may be significant social and economic benefits to the community's participation in the arts through the following social outcomes:

- An increase in the number and variety of arts and cultural activities available within the City.
- To positively contribute to the well-being of the artistic and cultural nature of the community.
- To support the development of arts and cultural groups and individual artists within the City and provide a self-sustaining model for artists to make an income through recurring markets.
- Increase visitation and engagement with local business and practicing artists.

COMMENT

The 'Art in the Park' model can be presented in numerous formats. There are examples that have failed or are not self-sustaining. The most successful commercial model is operated as a recurring (rather than a one-off annual) event.

The City of Joondalup has ample parks and reserves which may support a one-off event however adopting a recurring model in one specific park presents logistical challenges and requires a clear long-term commitment and regulatory approvals to ensure ease of trade.

The City funds the lease of the Joondalup Art Gallery to the Joondalup Community Art Association for this group to offer artists opportunity to sell art in a gallery setting. During the recent Kaleidoscope Festival, the Joondalup Community Art Association volunteers extended their opening hours and reported approximately seven hundred visitors each day and made eleven sales over the three-day period. For this reason, local artists are encouraged to apply for marketplace stalls and participate in the existing annual City events.

The City of Joondalup supports local arts associations through the provision of the Culture and Arts Development Fund. None of the visual arts associations have applied for funding against the 'Art in the Park' concept. The audit results from the current 'Connecting Creatives' survey may prove this concept is supported and this will be reviewed by Cultural Services in 2019.

In addition, the City provides financial support for the lease of the Joondalup Art Gallery located on Central Walk which provides the Joondalup Community Arts Association with a venue for local artists to exhibit and sell work. It is recommended the City does not progress the 'Art in the Park' concept because there are existing opportunities for local artists to sell work at City events or apply for funding to support such community-driven initiatives.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 3 December 2018.

The original recommendation as presented by City officers to the committee is as follows:

That Council:

- 1 *DOES NOT PROGRESS the 'Art in the Park' concept as a new event because there are opportunities for local artists to sell work at existing City events;*
- 2 *REQUESTS the Chief Executive Officer to encourage local artists and arts associations to consider applying for Community Funding to realise an 'Art in the Park' event.*

The committee's subsequent recommendation to Council is as follows (changes identified):

That Council:

- 1 *DOES NOT PROGRESS the 'Art in the Park' concept as a new event because there are opportunities for local artists to sell work at existing City events;*
- 2 *REQUESTS the Chief Executive Officer to encourage local artists, arts associations and other local associations more generally to consider applying for Community Funding to realise an 'Art in the Park' event.*

RECOMMENDATION

That Council:

- 1 **DOES NOT PROGRESS the 'Art in the Park' concept as a new event because there are opportunities for local artists to sell work at existing City events;**
- 2 **REQUESTS the Chief Executive Officer to encourage local artists, arts associations and other local associations more generally to consider applying for Community Funding to realise an 'Art in the Park' event.**

REPORTS OF THE CHIEF EXECUTIVE OFFICER**CJ232-12/18 CITY OF JOONDALUP DELEGATION TO JINAN AND HUZHOU**

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	52469, 101515
ATTACHMENT	Nil
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to endorse a delegation to visit Jinan and Huzhou to advance economic development opportunities for the City and its key stakeholders.

EXECUTIVE SUMMARY

The City of Joondalup has received an invitation from the Foreign Affairs Office of the City of Jinan to send a formal delegation to negotiate a new three-year exchange agreement for the Sister City Relationship between Joondalup and Jinan. In addition, it is proposed that the delegation will meet with key Jinan government and industry representatives to discuss and advance economic opportunities.

The City has also received an invitation to send a formal delegation to the City of Huzhou to negotiate the establishment of a formal Economic Cooperation Agreement to enable both Cities to jointly pursue bi-lateral economic opportunities within health, education, tourism and VET sector services.

Indications from the Cities of Jinan and Huzhou are that March 2019 would be an ideal time for the City to send formal delegations. A delegation to Jinan will provide the newly elected Mayors of both Cities with an opportunity to negotiate and sign a new three-year Sister City Exchange Agreement to advance key aspects of the relationship including socio-cultural, environmental and economic exchanges.

It is proposed to send a delegation to Jinan and Huzhou in March 2019 led by the Mayor and that the Chief Executive Officer and/or Chief Executive Officer's representative also represent the City and participate in the delegation in accordance with normal protocols. It is further proposed that the City invites key City stakeholders to participate in the delegation. The delegation is proposed for a period of seven days with two days travel time included.

It is therefore recommended that Council APPROVES the City sending a formal delegation to Jinan and Huzhou from 24 to 30 March 2019 to renegotiate a new three-year exchange plan with Jinan and negotiate a formal Economic Exchange Agreement with Huzhou as well as support key City stakeholders to advance economic opportunities.

BACKGROUND

The City of Joondalup has a Sister City Relationship with the City of Jinan. The signing of a Memorandum of Understanding which was endorsed by Council at its meeting held on 25 July 2000 (CJ183-07/00 refers) marked the commencement of the relationship. In 2004, the two Cities signed an official protocol agreement formalising the Sister City Relations between the two Cities (CJ007-02/04 refers).

At its meeting held on 1 November 2005 (CJ224-11/05 refers), Council endorsed a long-term Relationship Plan to assist in guiding the growth and continuity of the Jinan-Joondalup Sister City Relationship. The plan highlighted the following four key focus areas for the relationship:

- Relationship Management.
- Social-Cultural Exchange.
- Environmental Exchange.
- Economic Exchange.

The Sister City Relationship has included a number of inbound and outbound delegations. The most recent delegations include the following:

- An inbound delegation in May 2016 led by Mr Shi Wenjin, Deputy Director of the Jinan Municipal People's Congress and representatives from the Jinan Foreign Affairs Office, Urban and Rural Construction and Environmental Protection Office, and Jinan Urban Management Bureau. The Delegation met with key City representatives to discuss major City projects and economic exchange opportunities and visited the Resource Recovery Facility in Neerabup.
- An outbound delegation to Jinan in September 2017 to attend and present at a major water conservation conference as well as commence discussions on the priorities for a new three-year agreement to advance key aspects of the Sister City Relationship. The City of Joondalup delegation consisted of former Mayor Troy Pickard, Councillor Mike Norman, Councillor Sophie Dwyer, Mr Garry Hunt (Chief Executive Officer) and Mr Steve Marmion (Economic Development Advisor). The delegation was joined by Professor Sam Huang from the ECU School of Business and Law, Tourism and Services Marketing. ECU has significant networks in Jinan particularly with the University of Jinan and has a number of International students from China studying at ECU. A report was provided to Council on 10 October 2017 (CJ163-10/17 refers) providing the highlights and outcomes from the visit.

Council endorsed the International Economic Development Activities Plan (IEDAP) at its meeting in April 2017 (CJ042-04/17 refers) and the City subsequently appointed an International Economic Development Advisor to coordinate the implementation of the Plan. The IEDAP identifies priority activities relating to investment attraction by way of coordination and participation in trade and investment missions aligning with identified target markets and opportunities including health/medical (aged care, including midwifery, nursing), education and tourism as high value target sectors.

In alignment with the IEDAP, the City has led two trade delegations to China in November 2017 and June 2018. Both delegations included representatives from the City's key stakeholders including:

- ECU's School of Nursing and Midwifery
- ECU's School of Engineering
- Bethanie Aged Care
- Australian Medical Association (WA)
- The National Electrical and Communications Association (NECA).

DETAILS

Jinan

The Foreign Affairs Office in Jinan has invited the City to send a delegation to Jinan in March 2019. Both the City of Joondalup and the City of Jinan have elected new Mayors since the last delegation and it is appropriate that a formal delegation is arranged to ensure that appropriate introductions and formal meetings are held in line with the Sister City protocols. The delegation to Jinan will also focus on the formalisation of a new three-year exchange agreement between Joondalup and Jinan as well as developing tangible and commercially attractive opportunities between Jinan and the City's key stakeholders.

Huzhou

The City's trade delegations to China which have involved visits to Shanghai, Huzhou and Beijing have resulted in significant outcomes for the City and its key stakeholders. The November 2017 trade delegation resulted in Memorandum of Understandings (MoU's) executed between key agencies in China and ECU, Bethanie Aged Care, AMA and NECA which provide the mechanism for pursuing joint economic development projects.

Incorporated into the MoU's were commitments by all parties to develop a bi-annual aged care conference, alternating between Shanghai and Joondalup. Joondalup hosted the conference at the Joondalup Resort from 12 – 14 September 2018 which was opened by the Hon. Roger Cook, Minister for Health.

The trade delegations also visited the City of Huzhou where City officials expressed an interest in establishing a more formal Economic Cooperation Agreement with the City of Joondalup and actively pursuing bi-lateral economic opportunities within health, education, tourism and VET sector services. An agreement was signed which enables the key stakeholders within the health and education sectors of both Cities to progress economic opportunities. The Economic Cooperation Agreement aligns with the key priorities in the City's IEDAP. The City's role is to facilitate the meetings with key government officials and the City's key stakeholders who are parties to the agreement.

In addition, the following agreements were signed in Huzhou:

- The AMA(WA) signed an Amicable Cooperation Agreement to facilitate a closer working relationship between the AMA(WA) and The Peoples Third Municipal Hospital (largest tertiary hospital) through training opportunities in the areas of geriatric health, health management and mental health, as well as exploring opportunities for other academic and medical exchanges.

- ECU School of Nursing and Midwifery signed an MoU with The People's Third Municipal Hospital to undertake exchange/education programs with an in-country delivery component.
- ECU School of Engineering (Motorsports) presented to Huzhou Vocational Education and Technology Institution. Agreement was reached to appoint key personnel to progress a student exchange program and has requested City of Joondalup assistance to facilitate the approval of an "Articulation Agreement" with the City of Huzhou, to proceed with course development and delivery in country.
- ECU, AMA(WA), and Bethanie Aged Care, have committed to develop a program for The People's Third Hospital (Huzhou) to undertake a study tour to Joondalup with an element of hospital visitation, ECU visitation, senior management round table, aged care (including dementia) visitation and potentially some competency-based education programs.

A tour of Mogan Mountain, which includes around 30 eco-tourism resorts within the Huzhou province was also undertaken. Discussions were held regarding direct tourism exchange opportunities with Joondalup.

Considering the activities outlined above, it is timely for the City to consider leading a formal delegation to Jinan followed by a formal delegation to Huzhou. Given the status of the Sister City Relationship with Jinan, it is appropriate that the itinerary commences in Jinan to allow both newly elected Mayors to meet and formalise their relationship. It is proposed that the delegation is led by the City and includes key City stakeholders. It is anticipated that the itinerary to both Jinan and Huzhou will include formal functions, meetings, and tours in line with key activities prioritised in the IEDAP.

Significantly, representatives from the Huzhou Foreign Affairs Office recently visited Perth for the ISAP2018 Aged Care Conference which was also attended by seven representatives from the Hospitals in Huzhou. Discussions were initiated with Bethanie and AMA (WA) on their interest in participating in a new "wellness" development project in the City of Huzhou. The officials have confirmed that the Huzhou Government will fund the development and have invited the AMA and Bethanie to participate in a consultancy/management/education role. The AMA and Bethanie have both expressed strong interest in participating in such a project.

Recent communications and mutual visits between the Cities of Joondalup and Huzhou have consolidated sound relationships with active economic exchange opportunities being progressed across a number of sectors including eco-tourism, destination marketing, health and education. A formal delegation to the City of Huzhou will provide the required status to progress a number of these initiatives for the mutual benefit of the City of Joondalup and its key stakeholders and the City of Huzhou.

The City has been in regular contact with the City of Jinan, City of Huzhou and the City's key stakeholders to ascertain interest in future delegations. To date, the AMA (WA), Bethanie Aged Care, Black Swan Health (a health service located in Joondalup which provides primary and mental health services) and the ECU School of Engineering have all indicated preliminary interest in representatives of their agencies participating in a City led delegation.

Indications from the Cities of Jinan and Huzhou are that March 2019 would be an ideal time for the City to send formal delegations. A delegation to Jinan will provide the newly elected mayors of the Cities of Joondalup and Jinan with an opportunity to negotiate and sign a new three-year Sister City exchange agreement to advance key aspects of the relationship including socio-cultural, environmental and economic exchanges.

It is proposed that Mayor Jacob leads the Delegation and that the Chief Executive Officer and/or designated representatives also represent the City and participate in the delegation in accordance with normal protocols. It is also proposed that the City pay all costs including airfare, accommodation and incidentals associated with the delegation for the Mayor and Chief Executive Officer and/or designated representatives.

In the past Elected Members have been invited to participate in such delegations with costs to be met from the annual conference and training allowances provided to Elected Members.

It is further proposed that invitations are issued to the following organisations to participate in the delegation on the basis that these organisations have been involved in previous outbound delegations and/or play a critical role in the achievement of a number of core areas in the IEDAP:

- Australian Medical Association (WA) - signed an Amicable Cooperation Agreement to facilitate a closer working relationship between the AMA (WA) and The Peoples Third Municipal Hospital (largest tertiary hospital) through training opportunities in the areas of geriatric health, health management and mental health, as well as exploring opportunities for other academic and medical exchanges. The AMA brand is highly regarded in China and the delegation presents opportunities for the AMA who have, as a direct result of previous delegations, established a training facility for international students in Joondalup.
- Bethanie Aged Care - China considers aged care service providers in Australia to be high quality, as a result there is demand from Asian markets in particular to learn from local operators in areas such as facility development, aged care and the training and education of professionals in this industry. Bethanie have participated in two City-led trade delegations and are gaining traction with a number of commercially attractive proposals.
- Edith Cowan University School of Engineering - (Motorsports) presented to Huzhou Vocational Education and Technology Institution during the most recent trade delegation. Both parties have expressed interest in progressing a student exchange program.
- North West Metropolitan TAFE – offers a range of Vocational and Educational Training (VET) courses and Higher Education courses that will be of interest to International students.
- National Electrical Training College – NECA are well advanced with finalising an exchange program for electrical trainees with an in-country delivery component in Shanghai and are keen to explore other opportunities in China.
- Black Swan Health – the health and medical sector has been identified as one of Joondalup's high value sectors in the IEDAP, based on capabilities in a wide range of areas including ehealth, cancer care, exercise science, mental health, health and wellness, nursing and midwifery. Black Swan Health have indicated an interest in discussing opportunities to establish a traditional Chinese medicine clinic in Joondalup.
- Local tourism operators – the Cities of Jinan and Huzhou have indicated interest in pursuing tourism initiatives.

All costs associated with participating stakeholders will be borne by the stakeholders or their respective organisations.

The delegation will provide the City with an opportunity to leverage the high value sectors nominated in the IEDAP namely:

- Education and training (international education and attraction of international students)
- Health and Medical – (aged care, nursing and midwifery, e-health, mental health, wellness and cancer care)
- Tourism (tourism operators working collaboratively to present attractive tourism packages).

Issues and options considered

Council may choose to either:

- support the delegation and approve the attendance and invitation of the delegates as outlined
- support the delegation and alter the composition of the City attendees and invitees from external agencies
or
- not support the delegation and advise the Cities of Jinan and Huzhou of its decision.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

Strategic initiative Foster strategic alliances to deliver key transformational projects and initiatives in partnership with key stakeholders.

Policy *Elected Members Entitlements Policy.*

Risk management considerations

There are two key risks associated with this report as follows:

- Should Council decide not to support the proposed delegation there may be a negative impact on the goodwill that has been developed with the Cities of Jinan and Huzhou given that an invitation has been extended to the City to send a formal delegation. Specifically, the invitation from Jinan is intended to provide the newly elected Mayors from both Cities the opportunity to meet and sign a new exchange agreement.
- The proposed delegation aligns with the priority actions in the IEDAP and there is a risk that some of the key deliverables in the Plan will not be achieved if the delegation does not proceed.
- Costs associated with the delegation may be viewed negatively by the community.

Financial / budget implications

\$20,000 has been proposed in the 2018-19 Budget for the Sister City Relationship. The costs associated with the proposed outbound delegation are anticipated to be approximately \$19,000. It should be noted that costs are estimates only at this stage.

2018-19 financial year impact

Account no.	532.A5302.3365.5003.
Budget Item	Jinan Sister City Relationship.
Budget amount	\$ 20,000
Amount spent to date	\$ 0
Proposed cost	\$ 19,000
Balance	\$ 1,000

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

The Sister City Relationship between the City of Joondalup and the City of Jinan has been developed with the intent of achieving positive social/cultural, economic, and environmental exchange opportunities.

In addition, the City's *Strategic Community Plan* includes the aspiration of becoming 'a global City: bold, creative and prosperous'. This aspiration, along with the key theme of "Economic Prosperity, Vibrancy and Growth" and the key objectives "CBD of the North" and "Destination City", relate directly to the implementation of the IEDAP including delivery of trade delegations. In order for the Joondalup City Centre to remain a sustainable economic centre, securing appropriate international trade links with the business community is critical.

Consultation

Not Applicable

COMMENT

The proposed City led delegations to Jinan and Huzhou align with the City's Council endorsed International Economic Development Activities Plan. The IEDAP was specifically developed to provide clear guidance to the City on the key opportunities, priorities and specific activities to facilitate international relationships and progress international initiatives for the benefit of the local economy.

The IEDAP notes the importance of not only building on existing relationships such as the Sister City Relationship with the City of Jinan, but to extend and identify additional opportunities within China in general. The initiatives also align with the City's Strategic Position Statement on Economic Development – International Activity endorsed by Council at its meeting held on 19 April 2016 (CJ055-04/16 refers).

The participation of the City's key stakeholders in the delegation will provide opportunities to progress the key priorities and opportunities in the IEDAP to drive economic growth in the City. The City has a key role in terms of facilitating relationships between key stakeholders and government agencies in Jinan and Huzhou in order to achieve the outcomes in the IEDAP as well as key business priorities for participating organisations.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 **ACCEPTS** the invitation from the Jinan Municipal People's Government to send a delegation to Jinan to formalise introductions between the Mayor of Joondalup and Mayor of Jinan, meet with key Jinan government and industry representatives to advance economic exchange opportunities and negotiate and sign a new Joondalup – Jinan Sister City Economic Cooperation Agreement in alignment with the City's *International Economic Development Activities Plan*;
- 2 **ACCEPTS** the invitation from the City of Huzhou to send a delegation to formalise introductions between the Mayor of Joondalup and Mayor of Huzhou, to meet with key Huzhou government and industry representatives to advance economic exchange opportunities and to re-negotiate an Economic Exchange Agreement with the Mayors of both Cities;
- 3 **APPROVES** the travel period from 24 March to 30 March 2019;
- 4 **ENDORSES** a formal delegation comprising the Mayor to lead the Delegation and the Chief Executive Officer and/or his designated representative(s) to represent the City in the delegation;
- 5 **APPROVES** the associated costs for airfares, accommodation, and incidental expenses for the Mayor, Chief Executive Officer, and/or the Chief Executive Officer's designated representative(s) estimated at \$19,000 (exclusive of GST) being charged to Budget Items Jinan Sister City Relationship and Economic Development Activities;
- 6 **ENDORSES** the following stakeholders being invited to be part of the official delegation:
 - 6.1 Edith Cowan University – School of Engineering;
 - 6.2 North West Metropolitan TAFE;
 - 6.3 Australian Medical Association (WA);
 - 6.4 Bethanie Aged Care;
 - 6.5 National Electrical College Association;
 - 6.6 Black Swan Health;
 - 6.7 Local tourism operators;
- 7 **NOTES** that all costs associated with stakeholder attendance will be borne by the stakeholders or their organisations;
- 8 **APPROVES** an invitation being extended to Elected Members wishing to participate in the formal delegation with all expenses being charged to individual Elected Member Conference and Travel Allowance Budgets in accordance with the *Elected Members' Entitlements Policy*.

**CJ233-12/18 REVISED PROPOSAL FROM THE DEPARTMENT OF
PLANNING, LANDS AND HERITAGE REGARDING
THE RESTORATION AND MANAGEMENT OF DUFFY
HOUSE, LOT 69 (108) DUFFY TERRACE,
WOODVALE**

WARD	Central
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	81629, 101515
ATTACHMENT	Attachment 1 Aerial Map of Duffy House
AUTHORITY / DISCRETION	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 revised offer from the Department of Planning, Lands and Heritage (DPLH) for a funding contribution towards the restoration of Duffy House at Lot 69 (108) Duffy Terrace, Woodvale.

EXECUTIVE SUMMARY

Duffy House is located on Lot 69 (108) Duffy Terrace, Woodvale within the Yellagonga Regional Park and may be the oldest surviving building in the City of Joondalup. It is associated with the prominent Duffy family who were early Wanneroo settlers and long-time Wanneroo residents.

Due to the cultural significance of the building, the City has made several attempts since 2009 to seek the listing of Duffy House on the *State Register of Heritage Places*. The Heritage Council of Western Australia (HCWA) has on each occasion determined that the cultural heritage value of Duffy House does not meet the threshold for entry into the register.

The property is currently owned by the Western Australian Planning Commission (WAPC) with a view to facilitate its eventual transfer to another government agency / organisation.

Having been abandoned for several years the facility has deteriorated to the extent that it presents a potential hazard to the community; prompting the WAPC to seek approval for its demolition in 2017. The City opposed the demolition proposal and the DPLH subsequently offered \$150,000 in funding towards the restoration of the building, providing the City accepts the ongoing management of the property.

The proposal was presented to Council at its meeting held on 26 June 2018 (CJ112-06/18 refers), in which direction was provided for the Chief Executive Officer (CEO) to renegotiate the level of funding offered by the DPLH due to the estimated costs to restore the building obtained by the City, exceeding the offer presented. It was also requested that the site be remediated of any potential asbestos contamination before future land management arrangements would be considered by the City.

As a result of this decision, the DPLH has provided a revised and final offer to the City of \$300,000 (GST inclusive) towards the costs of restoring Duffy House and the construction of basic ancillary infrastructure to support the building's use. Confirmation has also been provided that all asbestos containing material has been removed from the site and that an interim tenure arrangement could be pursued to enable the City to undertake works on the property.

To mitigate any further deterioration of Duffy House, it is recommended that Council accepts the revised funding offer from the DPLH and agrees to list the project as part of the 2018-19 mid-year budget review process. It is also recommended that works only extend to the restoration of Duffy House at this stage, whilst the future use of the facility and associated infrastructure is presented to Council for consideration in early 2019. The \$300,000 funding contribution offer is the extent of the funding proposed for this project.

BACKGROUND

Suburb/Location:	Lot 69 (108) Duffy Terrace, Woodvale.
Applicant:	Not applicable.
Owner:	Western Australian Planning Commission.
Zoning:	DPS Parks and Recreation.
	MRS Parks and Recreation.
Site Area:	5.23ha.
Structure Plan:	Not applicable.

Duffy House is located on Lot 69 (108) Duffy Terrace, Woodvale. It is a single storey limestone cottage with brick quoining and a corrugated iron roof. Duffy House may be the oldest surviving building in the City of Joondalup and is associated with the prominent Duffy family, who were early Wanneroo settlers and long-time Wanneroo residents. It was constructed between 1911 and 1913, within the area now known as Yellagonga Regional Park, adjacent Beenyup Swamp.

Due to the cultural significance of the building, Council resolved at its meeting held on 17 November 2009 (CJ240-11/09 refers), to include Duffy House within the City's *District Planning Scheme No. 2 – Heritage List*. Council also requested the Heritage Council of Western Australia (HCWA) to consider including Duffy House on the *State Register of Heritage Places*.

In January 2013 the City was notified of the outcome of the HCWA's assessment, indicating the property was likely to have some cultural heritage value, but did not meet the threshold for entry into the *State Register of Heritage Places*.

While occupied continuously for several decades, Duffy House has remained abandoned since approximately 2009. This has resulted in significant deterioration of the building and the attraction of anti-social activities in and around the site. A number of complaints have been received from the local community in recent years, due to the escalating incidences of anti-social behaviour and the potential hazard the building presents in its current state.

In 2015, the WAPC acquired the property at Lot 69 (108) Duffy Terrace, Woodvale from the Duffy family as the land was reserved as 'Parks and Recreation' under the State Government's *Metropolitan Regional Scheme*. Acting on behalf of the WAPC, the DPLH approached other government stakeholders, including the Department of Parks and Wildlife and the City of Joondalup, to discuss a long-term solution for Duffy House. At the time, the WAPC was considering undertaking works to the building to prevent further deterioration and sought dollar-for-dollar funding from the City to complete the works. At that time the City declined the request, as the building was located on land owned by the WAPC.

With the building continuing to deteriorate, the WAPC submitted to the City in August 2017 a development application for the proposed demolition of Duffy House. The City responded to the request indicating that it did not support the proposal and at the meeting of Council held on 12 December 2017 (C95-12/17 refers), a Notice of Motion was raised, requesting the Heritage Council of Western Australia to urgently consider the inclusion of Duffy House on the *State Register of Heritage Places* to ensure the existing structure is protected from demolition and from falling into further disrepair.

On the 26 April 2018, the City was notified by the HCWA that the latest assessment of Duffy House found that it did not have sufficient cultural heritage significance to be included on the *State Register of Heritage Places*. As a result of the HCWA's advice, the DPLH presented, as described in its terms, a final offer to the City to:

- survey out a curtilage and access easement for Duffy House for the purpose of enabling transfer of the surveyed property to the State of Western Australia and the issue of a Management Order in favour of the City of Joondalup
- include a power to lease within the Management Order
- request from the WAPC up to \$150,000 in funding from the *WAPC Area Assistance Grants Scheme* towards the restoration of the building
- note that provision of the funding would be strictly dependent on the City accepting management of the property and being responsible for all further costs of restoration
- require that a decision is provided to the DPLH by 30 June 2018 or the WAPC will proceed to reactivate the current development application for demolition of the building as a matter of priority due to the public risk currently posed by the facility in its current state.

To assess the feasibility of the offer presented by the DPLH, the City investigated the costs of restoring Duffy House and other complementary infrastructure that could support potential future uses of the building. The estimated costs to restore the building alone were estimated to be \$178,750 ex GST. Other infrastructure included:

- the construction of an access road and carpark from crushed limestone (\$35,280 excluding GST)
- fencing along the access road building surround and carpark (\$14,550 excluding GST)
- construction of a freestanding universal access toilet in a similar style and character as Duffy House (\$44,950 excluding GST).

The total construction costs were estimated to be approximately \$273,530 excluding GST.

Whilst undertaking a site inspection, the City also discovered a large amount of asbestos fragments across the property. The DPLH was notified and subsequently arranged for all asbestos materials to be removed from the site.

At its meeting held on 26 June 2018 (CJ112-06/18 refers), Council formally considered the offer presented by the DPLH and resolved, inter alia, the following:

That Council:

- 1 *CONTINUES to advocate for the protection of Duffy House located on Lot 69 (108) Duffy Terrace, Woodvale;*
- 2 *NOTES the estimated costs associated with its restoration and complementary infrastructure to support potential future uses for Duffy House;*

- 3 *NOTES that the City has no budgeted funds for the potential restoration or future management of Duffy House;*
- 4 *NOTES that should Council commit to accepting a future management arrangement for Duffy House, that any potential works could not commence on the property until a Land Management Order was issued to the City, as the property is currently owned and managed by the Western Australian Planning Commission;*
- 5 *REQUESTS the Chief Executive Officer to liaise with the Department of Planning, Lands and Heritage regarding their proposed offer to ensure the following:*
 - 5.1 *that Lot 69 (108) Duffy Terrace, Woodvale is remediated from any potential asbestos contamination prior to the City considering any future land management arrangements;*
 - 5.2 *that any potential funding contributions offered under the Western Australian Planning Commission Area Assistance Grants Scheme are renegotiated to better reflect the costs associated with the restoration of Duffy House and works required to effectively protect and activate the site.*

The City subsequently notified DPLH of Council's decision.

DETAILS

On 29 November 2018, the City received a revised and final offer from the DPLH for an increased amount of \$300,000 incl. GST (or \$272,727 ex GST), under the *WAPC Area Assistance Grant Scheme* and confirmation that all asbestos containing material has been removed from the site.

The offer also confirmed, and described in its terms, that the WAPC was prepared to:

- work with the City to define to the satisfaction of the City an area of land containing Duffy House and a suitable curtilage, an access road and carparking
- be responsible for the cost of the survey of the land and the costs to transfer the land to the State of Western Australia to create a Crown Reserve with a Management Order to the City of Joondalup with a power to lease
- upon acceptance by the City of the offer and receipt of a tax invoice for \$300,000 (including GST).

The offer also indicated that no further revisions would be considered and that if the City rejected or did not accept the offer by 31 December 2018, the DPLH would seek to proceed with the demolition of Duffy House, without further delay, as a duty of care requirement.

Issues and options considered

Options presented for Council's consideration include:

- 1 *Decline the revised offer presented to the City by the DPLH.*

The risk associated with this option is that the DPLH have indicated they will proceed with the demolition of Duffy House should the City choose to decline the offer. This is inconsistent with Council's current position, which acknowledges the cultural heritage value of the building, as identified within the *District Planning Scheme No. 2 – Heritage List*.

2 *Accept the revised offer as presented to the City by the DPLH.*

This option is recommended, given the increased grant funding offered by the DPLH, which more closely aligns with the estimated costs to restore Duffy House and potential options for activating the site in the future.

Legislation / Strategic Community Plan / policy implications

Legislation *Land Administration Act 1997.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

Strategic initiative Not applicable.

Policy *District Planning Scheme No.2 – Heritage List.*

Risk management considerations

The risks associated with this matter include the following:

- Continued issues with anti-social activities at the site if the demolition or restoration of Duffy House is delayed.
- Community expectations with regard to the City and the WAPC / DPLH expeditiously resolving the matter.
- Concerns that the current state of the facility may present a safety risk to the community from persons accessing the site.
- The financial burden for the City if Council opts to restore and manage Duffy House over the long-term and an appropriate and effective use for the facility is unable to be identified and implemented.

Financial / budget implications

The City has no current funds budgeted for the restoration or ongoing management of Duffy House and no future funding options have been listed within the City's *Five Year Capital Works Program* or *20 Year Strategic Financial Plan*.

As previously identified within this report, the estimated costs of restoring Duffy House is \$178,750 excluding GST, with additional costs associated with implementing complementary infrastructure and ongoing maintenance and operating costs that are yet to be determined and which are dependent on the potential future use of the facility. The \$300,000 funding contribution offer is the extent of the funding proposed for this project.

Regional significance

Duffy House is located within a Regional Open Space area with a cultural heritage value that is aligned to the history of both the Cities of Joondalup and Wanneroo.

Sustainability implications

Not applicable.

Consultation

Mrs Jessica Stojkovski MLA, Member of Kingsley has been liaising with the City around this matter for a period of time.

Engagement with the community has been largely informal to date, with interactions occurring mainly in reaction to events at the site that have caused concerns for local residents living near Duffy House.

Neither the City of Joondalup, nor the WAPC or DPLH have undertaken any formal engagement or consultation activities with the community to ascertain the level of support for either protecting or demolishing Duffy House.

If Council opts to accept responsibility for restoring Duffy House, it may be prudent to undertake a community engagement activity to seek feedback and input from the local community as to what acceptable future uses of the site should be considered.

COMMENT

Council has previously indicated its support for the protection and acknowledgement of the heritage value of Duffy House through its identification within the *District Planning Scheme No. 2 – Heritage List*. As such, the proposal of a financial contribution towards the restoration of Duffy House offered by the DPLH provides an opportunity for Council to consider a long-term solution for the facility.

Duffy House is located in an isolated area within Yellagonga Regional Park, approximately 268 metres east of Duffy Terrace and 1.05 kilometres from Whitfords Avenue. This positioning reduces the opportunity for passive surveillance, attracting anti-social activities that are further exacerbated by the building's lack of occupancy for several years.

There are also no formal or informal linkages within Yellagonga Regional Park that would encourage increased activity in the area to improve passive surveillance opportunities. As such, if Duffy House is restored, the building may still be at risk to vandalism if the location is not sufficiently activated.

Through discussions with Departmental and Ministerial stakeholders, potential options for activating the site have been briefly considered, such as commercially leasing the building as a tea room /café, connecting the facility through a future Heritage Trail or utilising the space for an artist in-residence. The feasibility of these options are yet to be considered in detail and would require further analysis in order to assess the merits of each.

At this stage, the City is not in a position to recommend any specific activation options. If Council seeks to restore Duffy House and accept the ongoing management of the property, it may be advisable to undertake a community engagement process to seek public feedback on preferred options for future uses of the facility.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION**That Council:**

- 1 ACCEPTS the revised offer presented by the Western Australian Planning Commission for a funding contribution of \$300,000 (GST inclusive), under the Area Assistance Grants Scheme;**
- 2 REQUESTS the Chief Executive Officer to negotiate a future management arrangement for Duffy House with the Western Australian Planning Commission;**
- 3 AGREES to list the restoration of Duffy House at Lot 69 (108) Duffy Terrace, Woodvale as a grant funded project as part of the 2018-19 Mid-Year Budget Review Process for an amount of \$300,000 (GST inclusive);**
- 4 NOTES that the Western Australian Planning Commission has the capacity to provide the City with an interim tenure arrangement to enable the commencement of works at the site;**
- 5 NOTES that the City will commence with restoration works at Duffy House as soon as practicable;**
- 6 NOTES that a further report will be presented to Council in 2019 to consider potential options for activating the site over the long-term.**

Appendix 17 refers

To access this attachment on electronic document, click here: [Attach17agn181211.pdf](#)

CJ234-12/18 APPOINTMENT OF A DEPUTY MEMBER TO MINDARIE REGIONAL COUNCIL

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	03149, 101515
ATTACHMENT	Nil
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to appoint an elected member to deputise for Cr Russ Fishwick, JP at any meetings of the Mindarie Regional Council held between 1 February and 20 February 2019.

EXECUTIVE SUMMARY

The Mindarie Regional Council (MRC) was established for the management of waste and comprises the following local governments:

- City of Joondalup
- City of Perth
- City of Stirling
- City of Wanneroo
- Town of Vincent
- Town of Victoria Park
- Town of Cambridge.

Each local government is represented on the MRC, with the City of Joondalup being represented by Cr Russ Fishwick, JP and Cr Mike Norman.

Cr Russ Fishwick, JP has applied for leave of absence for the period 1 February to 20 February 2019, which includes a scheduled meeting of the MRC to be held on 7 February 2019, at the City of Joondalup. Previous legal advice requires that where the City requires to be represented in the absence of a nominated member to the MRC it must do so by specific resolution for a specified period.

It is therefore recommended that Council:

- 1 *In the absence of Cr Russ Fishwick, JP and in accordance with the provisions of section 52 of the Interpretation Act 1984, APPOINTS an elected member as a deputy member to act on behalf of Cr Russ Fishwick, JP and represent the City at any meetings of the Mindarie Regional Council to be held between 1 February and 20 February 2019;*
- 2 *ADVISES the Mindarie Regional Council of its decision.*

BACKGROUND

The Mindarie Regional Council (MRC) was established for the management of waste and comprises the following local governments:

- City of Joondalup
- City of Perth
- City of Stirling
- City of Wanneroo
- Town of Vincent
- Town of Victoria Park
- Town of Cambridge.

Each local government is represented on the MRC, with the City of Joondalup being represented by Cr Russ Fishwick, JP and Cr Mike Norman.

DETAILS

Cr Russ Fishwick, JP has applied for leave of absence for the period 1 February to 20 February 2019, which includes a scheduled meeting of the MRC to be held on 7 February 2019, at the City of Joondalup. Previous legal advice requires that where the City requires to be represented in the absence of a nominated member to the MRC it must do so by specific resolution for a specified period.

This advice indicated that there is no power for member Councils to appoint permanent deputies to the MRC. Consequently, if the City's appointed member to the MRC is unable to attend the meeting, a nominated deputy cannot just attend in his or her place. Instead, the City needs to appoint a person to act in place of the member on each occasion when the member cannot attend.

Issues and options considered

The options available to the Council are to:

- agree to appoint another elected member to act in the place of Cr Fishwick, JP during his absence
or
- not agree to appoint another member.

Legislation / Strategic Community Plan / policy implications

Legislation

Interpretation Act 1984.

Section 52(1) and (2) of the *Interpretation Act 1984* states:

“Where a written law confers a power or imposes a duty upon a person to make an appointment to an office or position, including an acting appointment, the person having such a power or duty shall also have the power:

Where a person so appointed to an office or position is suspended or unable, or expected to become unable, for any other cause to perform the functions of such office or position, to appoint a person to act temporarily in place of the person so appointed during the period of suspension or other inability but a person shall not be appointed to so act temporarily unless he is eligible and qualified to be appointed to the office or position; and

To specify the period for which any person appointed in exercise of such a power or duty shall hold his appointment.

For the purposes of subsection (1)(b), “cause” includes:

- *Illness*
- *Temporary absence from the State*
- *Conflict of interest.*

The key provisions, which create problems for the appointment of deputies, are the word ‘unable’ in subsection 1(b) and the requirement to specify the period of appointment in subsection 1(c)”.

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

The risk to the City of Joondalup is that if another member is not appointed to represent the City in the absence of Cr Fishwick, JP, then the City will not be fully represented and therefore not have its allocated voting rights on matters before the MRC.

Financial / budget implications

Not applicable.

Regional significance

The Mindarie Regional Council is the primary Waste Management Authority for a number of metropolitan local government authorities. The City’s representation at MRC meetings is of critical importance to the regional management of waste.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

It is considered to be of regional and strategic importance that Council exercises its ability to be represented at each and every meeting of the MRC. It is recommended that a deputy member be appointed to represent the City at any meetings of the Mindarie Regional Council to be held during the period of Cr Fishwick's proposed leave of absence.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 In the absence of Cr Russ Fishwick, JP and in accordance with the provisions of section 52 of the *Interpretation Act 1984*, APPOINTS an elected member as a deputy member to act on behalf of Cr Russ Fishwick, JP and represent the City at any meetings of the Mindarie Regional Council to be held between 1 February and 20 February 2019;**
- 2 ADVISES the Mindarie Regional Council of its decision.**

**CJ235-12/18 CONFIDENTIAL - TENDER 023/18 AGREEMENT:
PROVISION OF BENCH SEATS WITH ADVERTISING**

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	107550, 101515
ATTACHMENT	Attachment 1 Summary of tender submissions Attachment 2 Summary of Contract value breakdown Attachment 3 Summary of Green Seats Submission Attachment 4 Independent Probity Advisor report <i>(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only).</i>
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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

information that has a commercial value to a person.

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

URGENT BUSINESS

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

CLOSURE



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

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

Name/ Position	
Meeting Date	
Item No/ Subject	
Nature of Interest	Financial Interest * Proximity Interest* Interest that may affect impartiality* <i>* Delete where not applicable</i>
Extent of Interest	
Signature	
Date	

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

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

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



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

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

QUESTIONS

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Please submit this form at the meeting or:

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

Please note that:

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



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

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

STATEMENT

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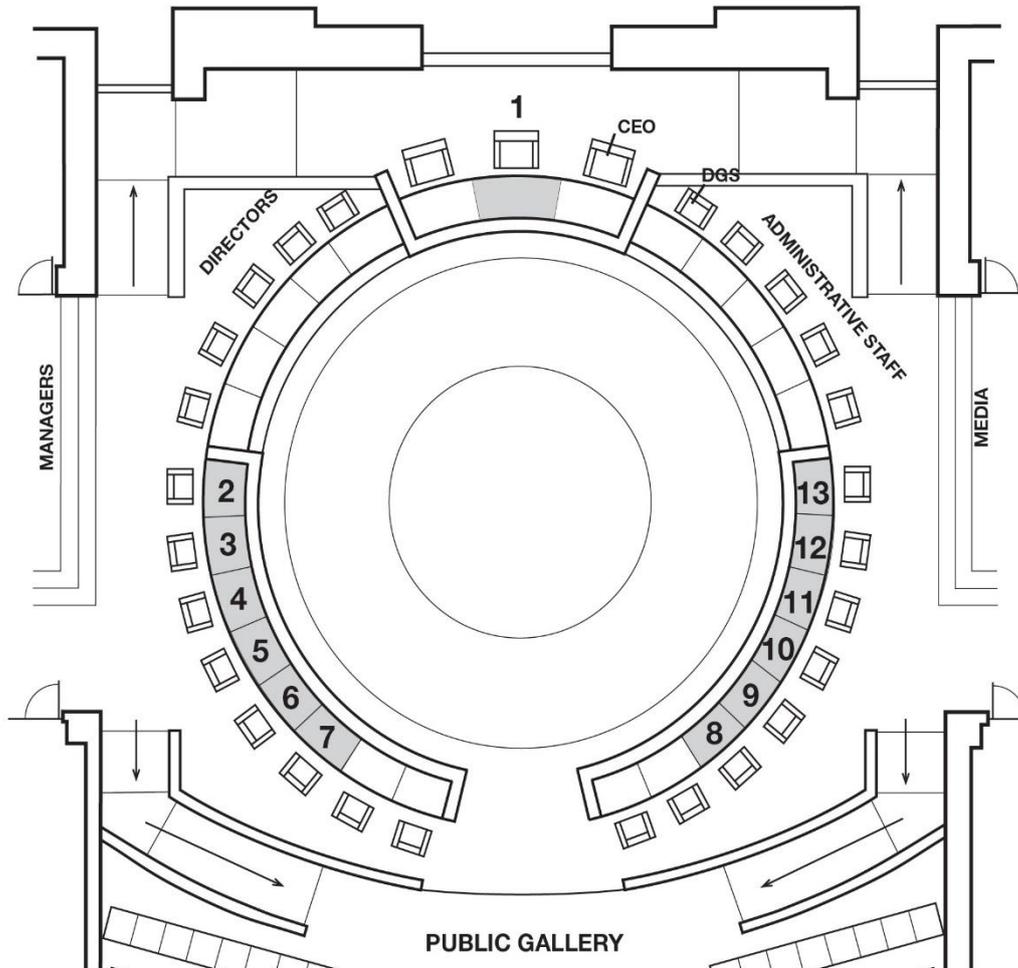
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Please submit this form at the meeting.

Please note that:

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

Council Chamber – Seating Diagram



Mayor

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

North Ward

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

North-Central Ward

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

Central Ward

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

South-West Ward

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

South-East Ward

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

South Ward

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