

minutes

MEETING HELD ON **TUESDAY 19 MARCH 2019**

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CITY OF JOONDALUP

COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP ON TUESDAY 19 MARCH 2019.

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

ANNOUNCEMENT OF VISITORS

Mayor:

HON. ALBERT JACOB, JP

Councillors:

CR KERRY HOLLYWOOD	North Ward	
CR TOM McLEAN, JP	North Ward	
CR PHILIPPA TAYLOR	North Central Ward	
CR CHRISTOPHER MAY	Central Ward	
CR RUSSELL POLIWKA	Central Ward – <i>Deputy Mayor</i>	
CR CHRISTINE HAMILTON-PRIME	South-West Ward	
CR MIKE NORMAN	South-West Ward	
CR JOHN CHESTER	South-East Ward	<i>absent from 7.18pm to 7.20pm</i>
CR JOHN LOGAN	South-East Ward	<i>absent from 7.30pm to 7.37pm</i>
CR RUSS FISHWICK, JP	South Ward	
CR SOPHIE DWYER	South Ward	

Officers:

MR GARRY HUNT	Chief Executive Officer	<i>absent from 7.51pm to 7.53pm</i>
MR MIKE TIDY	Director Corporate Services	
MR JAMIE PARRY	Director Governance and Strategy	
MS DALE PAGE	Director Planning and Community Development	<i>absent from 8.15pm to 8.17pm</i>
MR NICO CLAASSEN	Director Infrastructure Services	
MR BRAD SILLENCE	Manager Governance	
MR CHRIS LEIGH	Manager Planning Services	
MR DANIEL DAVINI	Media Advisor	
MRS LESLEY TAYLOR	Acting Governance Coordinator	
MRS WENDY COWLEY	Governance Officer	

There were 49 members of the public and one member of the press in attendance.

DECLARATIONS OF INTEREST

Disclosures of Financial / Proximity Interest

Nil.

Disclosures of interest affecting impartiality

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

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	CJ023-03/19 - Local Government Act 1995 Review - Phase 2 Submission.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Fishwick is a member of the Local Government Advisory Board.

Name/Position	Cr Sophie Dwyer.
Item No./Subject	CJ026-03/19 - List of Payments made during the month of January 2019.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A payment was made to Cr Dwyer's employer.

PUBLIC QUESTION TIME

The following questions were taken on notice at the Ordinary Council Meeting held on 19 February 2019:

Mrs T Ritchie, Woodvale:

Re: Development Application – 80-82 Trailwood Drive, Woodvale.

Q1 *In relation to the development application for 80 – 82 Trailwood Drive, Woodvale, was the stated value of the development application provided inclusive or exclusive of GST?*

A1 The estimated cost of development for development applications is exclusive of GST.

The estimated cost for the proposed multiple dwellings at 80-82 Trailwood Drive, Woodvale, is \$2.2 million. As the cost exceeds \$2 million the applicant has a right to opt for the application to be determined by the Joint Development Assessment Panel.

Mr M Dickie, Duncraig:

Re: Greenhouse Gas Emissions.

Q1 In looking through the previous annual report, I recognise that the figures in this annual report for 2017-18 show the percentage of the City's greenhouse gas emissions, which is subject to carbon off-sets, has halved in the last two years from 18% in 2014-15 to only 9% last year. How does the City determine the amount of its emissions which are to be offset?

A1 The City currently offsets 100% of the greenhouse gas emissions from its vehicle fleet, therefore the amount of offsets purchased is determined by the amount of fuel consumed by the City's vehicle fleet. In 2017-18 purchased offsets were \$21,670 (exclusive GST).

Previously the City also purchased offsets for 75% of the electricity consumed at its contestable sites. This ceased in January 2016 when the City established a new contract for the supply of electricity to the City's contestable sites. Under the new supplier the City was unable to access an affordable offset product.

Instead the City reallocates the annual budget for the purchase of offsets for contestable sites to alternative measures to mitigate greenhouse gas emissions, including energy efficiency improvements in City buildings. In 2017-18 the budget reallocated was \$25,000 (exclusive GST).

Mr L Wright, Woodvale:

Re: Revised Draft Local Housing Strategy.

Q1 In relation to the minutes of the Council meeting held on 11 December 2012 – Revised Draft Local Housing Strategy the then Mayor Pickard, Crs Chester, Fishwick, Thomas, Corr and Ritchie declared either a financial or proximity interest, yet Mayor Pickard and Elected Members were present in the Council Chamber and voted on the matter, being carried by a 10/3 majority. Was this compliant with local government procedures?

A1 The Council's actions were compliant. In accordance with section 5.68 of the *Local Government Act 1995*, there is opportunity for the Council, having considered the extent of those Elected Members who have made declarations under section 5.65 of the *Local Government Act 1995*, to resolve that the interests so disclosed are trivial or insignificant, as to allow those Elected Members to return to the Chamber and participate in any debate.

On page 206 of the minutes for the Council meeting held on 11 December 2012, the minutes clearly indicate the relevant Elected Members disclosing an interest and leaving the Chamber as required, with a subsequent resolution of Council being carried (C83-12/12 refers) to allow those disclosing members the ability to participate in the meeting and vote on the *Revised Draft Local Housing Strategy* item in accordance with the *Local Government Act 1995*.

The following questions were submitted prior to the Council meeting on 19 March 2019:

Ms S Linstead, Greenwood:

Re: Proposed New Parish Centre at All Saints Catholic Church, 7 Liwara Place, Greenwood.

Q1 Please advise whether the church has submitted an application and had Council approval, or is it not required to?

Q2 If the church is not required to have Council approval for its plan, what avenues of appeal are open to residents opposed to the building due to its proximity to their bedrooms and living spaces?

Q3 What action would Council take to specify and monitor an appropriate Event Management Plan to protect residents from noise, traffic congestion, parking damage or obstruction and potential anti-social behaviour?

Q4 Does / will Council require the church to compensate it for any trees lost during construction, or establish new gardens to enhance the environment and reduce noise (cf the Halliwell Method.)?

Q5 Does / will Council require the church to submit plans for other sites on its grounds, or alternative architectural designs, and will they be available for public viewing?

A1-5 The City has not received a development application for a “new Parish Centre” at All Saints Catholic Church, 7 Liwara Place, Greenwood. If a development application is received by the City it will be assessed against the relevant planning framework to determine its appropriateness, including (but not limited to) its impact in respect to noise, traffic, parking and landscaping.

The development application may be advertised to surrounding landowners / occupiers as part of the assessment process. However, this will be dependent on the proposal itself and whether any discretion is sought to ‘deemed-to-comply’ elements of the planning framework and further, whether these areas of discretion have the potential to impact surrounding landowners / occupants.

Ms M Campbell, Greenwood:

Re: Proposed New Parish Centre at All Saints Catholic Church, 7 Liwara Place, Greenwood.

Q1 In the event the function centre is to proceed, what protection will there be to ensure that those attending the facility will comply with legal parking?

A1 The City has not received a development application for a “new Parish Centre” at All Saints Catholic Church, 7 Liwara Place, Greenwood. If a development application is received by the City, it will be assessed against the relevant planning framework to determine its appropriateness, including (but not limited to) its impact in respect to noise, traffic, parking and landscaping.

The development application may be advertised to surrounding landowners / occupiers as part of the assessment process. However, this will be dependent on the proposal itself and whether any discretion is sought to 'deemed-to-comply' elements of the planning framework and further, whether these areas of discretion have the potential to impact surrounding landowners / occupants.

- Q2 *In the event the function centre is to proceed, will City Rangers undertake regular patrols to ensure those attending the facility are correctly using the space, abiding by the parking rules, with noise being kept to an appropriate level?*
- A2 The City responds to information regarding parking issues and noise complaints as they are received. Should the function centre progress and complaints be made, the City will respond appropriately.
- Q3 *I have concerns in the event of the function centre being approved that I will no longer be able to open our house windows due to excessive noise. Will I be compensated for the increase in electrical bills due to the fact that I will no longer be able to let my house cool down by the natural breeze?*
- A3 No. See also response provided for Question 1.
- Q4 *I invite Elected Members to visit my residence in order to fully appreciate my genuine concerns. Is this able to happen?*
- A4 Questions cannot be asked of individual Elected Members.
- Q5 *What steps will Council undertake to protect the peace and tranquillity of our street for both myself and other residents?*
- A5 See response provided for Question 1.

Mr J Raftis, Duncraig:

Re: *CJ033-03/19 - Review of Employee Resources and Efficiencies.*

- Q1 *If the City of Joondalup prides itself on being a leading Council, why do comparisons on value (such as dollars per 1,000 residents) against average values, instead of against the top five?*
- A1 The method of comparison is determined by PricewaterhouseCoopers who provide the infrastructure and analytics for the Australasian Local Government Performance Excellence Program which the City is a participant of.
- Q2 *Rate increases are compared to other councils but why not compare to economic indicators like inflation, given that the local government sector is entirely seen as inefficient?*
- A2 The comment that "the local government sector is entirely seen as inefficient" is a subjective view.

The comparison that has been used which, as indicated in the reference in the report, has been taken from the Western Australian Local Government Association, is a valid comparison of how the City of Joondalup has been able to deliver services and works with modest rate increases (based on average residential rate increases adjusted for increases in refuse charges) in comparison to the rate increases of other local governments.

There are many economic indicators with various levels of relevance to the local government industry. The Consumer Price Index is one of the least relevant since it attempts to measure price increases for household goods and services. An essential issue with comparison to any economic indicator however is that while the indicator is calculated on the same inputs from one year to the next the local government comparative isn't necessarily the same from one year to the next.

Consideration needs to be given to the specific services and project requirements as well as any additional services and requirements mandated by State legislation that the City has in a particular financial period. Changes in such requirements drive annual revenue and funding needs and, consequently, rates levied in any given year.

Q3 *Given a rate increase of 2.95% in 2018 and current inflation of 1.10% and Local Government Cost Index (LGCI) of 1.5%, will Council consider a much lower increase than 2.95% in 2019?*

A3 The setting of rates for 2019-20 will be considered by Council as part of its deliberations on the 2019-20 annual budget process. The requirement for rates revenue will result from the services, service levels and the projects that Council determines are necessary to be delivered to the community, in view of a local governments' legislated and discretionary service delivery requirements.

Q4 *Can we be provided the values for the top five best value local councils for table four on page 81?*

A4	1	\$354,000
	2	\$355,000
	3	\$385,000 - City of Joondalup
	4	\$394,000
	5	\$406,000

The following questions were submitted verbally at the Council meeting:

Mr S Zafiris, Woodvale:

Re: City of Joondalup Infill Targets.

Q1 *What are the punitive measures that the State Government can levy on the City of Joondalup should it not meet its infill targets?*

A1 Mayor Jacob advised the City of Joondalup has an infill target of 20,670 new dwellings under *Perth and Peel @ 3.5 million*, which it is seeking to achieve. Ultimately there are no punitive measures that a State Government can take, however using the City of Nedlands as an example, if a Council does not meet its infill targets, levies can be imposed upon them and that has happened in recent weeks or months.

Re: *Register of Delegated Authority.*

Q2 *Under the City of Joondalup Register of Delegated Authority specifically in relation to Local Planning Scheme No. 3, can the functional delegations be amended so that all approvals for multi-dwellings which fall under discretionary land use be removed as a delegation?*

A2 Mayor Jacob commented that could be done, however, any delegations are a decision of Council.

Mr S Sullivan, Woodvale:

Re: *Housing Opportunity Areas.*

Q1 *Can the City please advise Council and the community that when calculating dwelling yields in housing opportunity areas to meet the Western Australian Planning Commission's (WAPC) targets, was the density control of R60, that is one unit for every 150m² of land area, or R40 at one unit for every 220m², used in calculating the yield and the total number of units that would be generated through development in the Woodvale Housing Opportunity Area?*

A1 The Director Planning and Community Development advised the first iteration of the *Local Housing Strategy* that was advertised in 2010 was based on the lower densities. It is difficult to accurately predict the number of multiple dwellings that could be developed as a result. It is important to note the targets that were set are minimum targets, they are not maximum targets. The City needs to demonstrate how best to proceed in order to achieve those targets.

Q2 *If the response is yes to using those densities, why is development occurring at densities of approximately R80 and R100 in the housing opportunity areas that were originally coded R20/40 and R20/60 and did the City advise the community that developments with densities of R80 to R100 could occur as a consequence of the change by the City and the WAPC to the split density codings during the consultation process when this was occurring?*

A2 Mayor Jacob commented it is at the discretion of the WAPC and the State Government of the day. Any authority that a local government has, has been delegated to it under State regulation and State legislation. It would be stating the obvious to say that the State Government can amend the R-Codes when it sees fit and make such amendments.

The Director Planning and Community Development advised the City is not aware of any R80 or R100 development occurring in an R40/60 zone. The only area where development of those densities can occur is within activity centres where there is an approved *Activity Centre Plan*. At present the City is not approving applications with a density of R80 or R100, and applications are being approved within their maximum density.

Mr A Short, Woodvale:

Re: Housing Opportunity Areas.

Q1 What medium to long-term studies have been undertaken for those housing opportunity areas impacted by the rezoning to R40/60 with respect to the cumulative effects associated with new multi-dwelling developments on the likes of the road network, incorporating safety, parking excesses and parking overflow issues?

A1 The Director Planning and Community Development advised the consultants undertaking the new planning framework, which is currently being developed, have undertaken an analysis and research in relation to parking and detailed information will be captured within the consultant's report to be presented to the Council meeting to be held on 16 April 2019. As well, an analysis is currently being carried out to determine whether the street network will cope with the recommendations being proposed by the consultants.

Q2 What action has been taken by the City of Joondalup to manage the anticipated increase in traffic volumes from the Woodvale south-west rezoned area at the intersection of Whitford Avenue to Timbercrest Rise (which is identified as Project No. 45 on the Black Spot List for the City of Joondalup) and the T junction at Trailwood Drive and 'The Return' where I reside in Woodvale, noting that Trailwood Drive has also been identified as eligible for Black Spot funding?

A2 The Director Infrastructure Services advised no action is being considered at present as there are 44 projects in relation to intersections within the City of Joondalup that have a higher priority that are yet to be completed.

Mr P Barfoot, Woodvale:

Re: Petition opposing the Proposed Multi-Dwelling Development at 80-82 Trailwood Drive, Woodvale.

Q1 Would Council provide details of the 976 signature petition presented at this evening's Council meeting to the Joondalup Development Assessment Panel (JDAP) meeting to be held on Monday 25 March 2019, objecting to the proposed development at 80-82 Trailwood Drive, Woodvale?

Q2 Would the City's administration advise the two Elected Member representatives on the JDAP of the significant concerns that have been identified by residents with respect to the proposed development at 80-82 Trailwood Drive that seeks a number of discretions that do not meet the design elements or deemed-to-comply requirements of the R-Codes for multi-dwellings?

A1&2 Mayor Jacob advised that Council was not a participant in the JDAP process and has two Elected Members representatives as part of the five members of the JDAP. It would be more appropriate for those Elected Members to note your comments. The JDAP process is not subject to the direction of Council.

Mrs T Ritchie, Woodvale:

Re: Proposed Multi-Dwelling Development at 80-82 Trailwood Drive, Woodvale.

Q1 How does the City apply its assessment practices in relation to policies, processes and legislation consistently across multi-dwelling developments given they are a discretionary land use under LPS3?

A1 Mayor Jacob advised this is not a matter for Council. The Council does not operate under the JDAP process and there may be opportunity to present questions as part of the JDAP process, however this would need to be followed up by each individual.

Q2 On what grounds would the City exercise its discretion to permit multi-dwelling developments should they meet a higher standard of compliance to be considered suitable for approval rather than mediocre standards such as those pertaining to the proposed development at 80-82 Trailwood Drive given the number of discretions they are seeking?

A2 Mayor Jacob advised this is a question for the JDAP process, not a question for Council.

Mrs T William, Woodvale:

Re: Residential Parking Permits.

Q1 What plans have been implemented to manage the increase in traffic and parking numbers in the R60 areas such as the south-west corner of Woodvale, with its restricted parking and allocation of three parking permits per dwelling?

Q2 Will all multi-dwelling apartments be given three parking permits and where will those permit holders park?

A1&2 Mayor Jacob advised there is a review process of the housing opportunity areas currently taking place for which he would provide an update as part of his announcements later in the meeting. Mayor Jacob indicated a report on this matter would be presented to the Council meeting to be held on 16 April 2019.

Mrs S Apps, Woodvale:

Re: Proposed Multi-Dwelling Development at 80-82 Trailwood Drive, Woodvale.

Q1 What can the City do to help the residents who do not want to see large scale residential developments or flats in Woodvale or their local area?

A1 The Council first considered infill proposals in mid 2015, with a provision being included whereby multi-dwellings or apartments would not be permitted on lots of less than 2,000m². The provisions included by Council were subsequently removed by the WAPC and the state planning process. The City was encouraged to again look at its infill targets. Advice has been received from the Minister that it is unlikely to entertain the inclusion of any further provisions. As part of the report to be presented to Council at its meeting to be held on 16 April 2019, a range of provisions will be brought forward in an attempt to again address the concerns of multi-dwellings in urban areas.

Q2 *It is noted from the developer's website that this development has already been sold to the Housing Authority in May 2018. Can Council confirm this, as it clearly states Trailwood Drive on the website as well as showing an image of the proposed development?*

Cr Chester left the Chamber at 7.18pm.

A2 Mayor Jacob advised he was unable to confirm this, however was aware of the articles appearing on the developer's website. This proposal is not being considered by Council, but rather JADP and it is not a valid planning consideration who the developer may sell to.

C08-03/19 FIRST EXTENSION OF PUBLIC QUESTION TIME - [01122, 02154]

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

The Motion was Put and

CARRIED (11/0)

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

Mr L Wright, Woodvale:

Re: Declarations of Interest - Housing Opportunity Areas.

Q1 *Is the possibility of making profit from Council decisions deemed a trivial conflict of interest according to the City?*

Q2 *Was the Council's conduct in 2011 correct or was the conduct in 2012 and 2013 the correct local government procedure?*

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

Cr Chester entered the Chamber at 7.20pm.

Ms M O'Byrne, Kinross:

Re: City of Joondalup Significant Tree Register.

Q1 *Other than the City of Joondalup website, what is the City doing to increase the number of trees nominated on the Significant Tree Register?*

A1 Mayor Jacob advised the Significant Tree Register is for relatively exclusive trees and that the City is looking to identify other suitable trees for listing on the register. Mayor Jacob stated the list is for significant trees such as the Marri tree located on Chichester Reserve that is listed due to the fact it is most likely one of the largest Marri trees on the Swan Coastal Plain and possibly in the Perth metropolitan area. Mayor Jacob advised this is the type of significant tree the City is looking to place on the register.

Q2 *What are the precise dimensions and significant features that determine the adoption of a tree into the Significant Tree Register since so few are on the register?*

A2 Mayor Jacob advised trees are nominated and listed on a case by case basis and that there are a range of parameters that provide a guide as to what trees should be listed such as age, girth, historical and aboriginal significance of the tree.

Mayor Jacob stated it is a subjective decision and is meant to be fairly exclusive within a community that does not have a lot of built heritage.

Mrs N Woodley-Smith, Kallaroo:

Re: *Results from the Housing Opportunity Areas Consultation Process.*

Q1 *Given ratepayers have expended \$500,000 to allow this process to take place, when will ratepayers get to see an unedited and unvetted copy of the experts' recommendations that have been presented to Council?*

Q2 *At the Council meeting to be held on Tuesday 16 April 2019, will ratepayers be provided with specific information in relation to each of the impact and capacity analyses that were undertaken by Taylor Burrell and Burnett which have informed these recommendations?*

A1&2 Mayor Jacob stated the report to be presented to the Council meeting to be held on Tuesday 16 April 2019 will be the one provided by the consultants. As yet, the report has not been received.

Mrs F Gilbert, Kallaroo:

Re: *Community Consultation – Staging of Moscow Circus – Belrose Park, Hillarys.*

Q1 *When the City agreed to provide this oval to a business, what analysis and planning was undertaken with respect to parking and noise issues; as well as what planning has been undertaken to address public safety as the business is advising patrons that if all street parking is taken in the area, patrons can park at Whitford City and cross four lanes of a major road to the event?*

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

Re: CJ023-03/19 – Local Government Act 1995 Review – Phase 2 Submission.

Q2 Given the absence of any community consultation or engagement on providing a community oval with no parking facilities to a business, why is the City asking its Elected Members not to support legislative changes requiring a local government to develop a community engagement charter?

A2 The Director Governance and Strategy advised the reason it is recommended that Elected Members do not support the legislative changes is that the City has many consultation policies in place. The City has a *Community Consultation and Engagement Policy* that provides a clear statement of its intent to become aware of community opinion in relation to consultation. In addition, the City has a comprehensive protocol and process that is aligned to the International Association of Public Participation Protocols. It should be at the discretion of a local government to be able to determine its own customer service and engagement activities.

C09-03/19 SECOND EXTENSION OF PUBLIC QUESTION TIME - [01122, 02154]

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

The Motion was Put and

CARRIED (12/0)

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

Mr R Repke, Kallaroo:

Re: *Moscow Circus – Hillarys.*

Q1 *Why has the City made a decision to host the Moscow Circus without having considered the need for toilet facilities, as well as traffic and parking?*

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

Mr A Murphy, Edgewater:

Re: *Housing Opportunity Areas.*

Q1 *Why, during the consultation period for the housing opportunity areas, was the question not asked of the ratepayers if they agreed with the housing opportunity strategy?*

A1 Mayor Jacob advised the question of whether or not the City wants to pursue infill development is beyond the Council Chamber. Mayor Jacob advised that infill targets are governed by state legislation and the State Government, with the City being required to meet those targets. It would be dishonest of the City to seek the views of residents and would give false hope for something that is out of the Council's control.

Q2 *Why was the question never asked of the ratepayer if they agreed with the strategy?*

A2 Mayor Jacob believed it would not add value to seek comments from ratepayers, stating that the City cannot change what is currently in place. The City is seeking positive feedback on a new strategy going forward and this new process will be presented to the April Council meeting.

Cr Logan left the Chamber at 7.30pm.

Mr M Moore, Edgewater:

Re: Joondalup Development Assessment Panel.

Q1 *With JDAP hearings, the Council provides a Responsible Authority Report which contains a recommendation to JDAP, how is it legitimate to say this Council does not have a role in JDAP hearings?*

A1 Mayor Jacob advised that the Council does not have a role in JDAP hearings.

Mr J Kenton, Padbury:

Re: List of Payments – Vehicle Servicing.

Q1 *Stamped page 121 lists an amount of \$2,232.05 for a 15,000 kilometre service on a Mitsubishi Triton. What was involved in this service?*

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

Cr Logan entered the Chamber at 7.37pm.

PUBLIC STATEMENT TIME

The following statements were submitted verbally at the Council meeting:

Mrs T Ritchie, Woodvale:

Re: C12-03/19 – Petition Requesting the Refusal of the Proposed Development of 12 Apartments at 80 and 82 Trailwood Drive, Woodvale.

Mrs Ritchie spoke with regard to a petition signed by 968 residents of Woodvale which objects to a proposed development of 12 apartments at 80 and 82 Trailwood Drive, Woodvale.

Mrs Ritchie stated that Woodvale residents feel that they are losing their sense of community and that the proposed development will have a detrimental impact on the suburb of Woodvale. Mrs Ritchie gave an overview of the main reasons for refusal as stated by residents of Woodvale.

Mrs Ritchie also questioned the cost of the development and whether the Joondalup Development Assessment Panel is the correct process to deal with this development.

Mr S Zafiris, Woodvale:

Re: C12-03/19 – Petition Requesting the Refusal of the Proposed Development of 12 Apartments at 80 and 82 Trailwood Drive, Woodvale.

Mr Zafiris spoke with regard to a petition signed by 968 residents of Woodvale which objects to a proposed development of 12 apartments at 80 and 82 Trailwood Drive, Woodvale.

Mr Zafaris advised that the petition was organised by concerned residents who went door to door in Woodvale. Mr Zafaris gave an overview of the results of the door knock which included statistics on the number of residents being unaware of the scale of the development, the number of residents opposed to the development and how residents were being informed through local resident meetings and word of mouth.

Mr Zafiris stated that the voice of the local community is sending a clear unanimous message; no excessively large scale residential developments in Woodvale.

Dr T Green, Padbury:

Re: Community Consultation.

Dr Green expressed disappointment that the City had not publicised its comments on the Local Government Act 1995 Review or held community consultation and questioned how Council could work in the community's best interests without consulting the community.

Dr Green stated that he would like the opportunity to be able to opt in on community consultation processes via a geographic and issue basis, advising that the current community engagement network is extremely limited and focuses mainly on broad interest areas.

Dr Green stated he would like further information on:

- when his local park is being sprayed with herbicide
- everything the City is proposing to do on key issues such Housing Opportunity Areas and planning policies
- the Ocean Reef Marina
- the dog beach
- all planned projects in Padbury.

Ms M O'Byrne, Kinross:

Re: Council Controlled Operations.

Ms O'Byrne spoke in relation to Council Controlled Operations and raised concerns regarding:

- Who would judge the qualifications of elected officials?
- What integrated controls are the community going to have in the running of such an organisation to ensure they are not paying for corrupt practices?
- What level of community interaction will be sufficient to guarantee utter transparency and accountability?
- Council Controlled Operations are beneficial enterprises acting under company law and can be sued for malpractice, how can ratepayers be isolated from results of such action?

Mr S Sullivan, Woodvale:

Re: Planning Process.

Mr Sullivan spoke in regard to the issues and concerns which have been raised by residents by the removal of density controlled provisions by the State Government without going through a scheme amendment process. Mr Sullivan noted that residents grapple with planning and the R-Codes and in understanding density coding.

The Chief Executive Officer left the Chamber at 7.51pm.

Mr R Repke, Kallaroo:

Re: Housing Opportunity Areas.

Mr Repke spoke in relation to a letter he received from Minister Saffioti in relation to Housing Opportunity Areas, noting that the letter stated that good Design Codes require consideration of:

- amenity of the local area
- enhancement of streetscape
- tree retention
- vibrant and liveable communities

- increase focus on landscape
- deep soil areas to encourage planting of trees
- natural ventilation
- sunlight penetration
- appropriate setbacks.

Mr Repke stated the City of Joondalup needed clear Design Codes and advised he requested the Minister stop all City of Joondalup approvals relating to Housing Opportunity Areas until the West Australian Design Policy is operational.

The Chief Executive Officer entered the Chamber at 7.53pm.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Nige Jones	19 to 24 March 2019 inclusive;
Cr Mike Norman	29 March to 5 April 2019 inclusive;
Cr Nige Jones	5 to 10 May 2019 inclusive.

C10-03/19

REQUESTS FOR LEAVE OF ABSENCE – CR RUSS FISHWICK, JP, CR SOPHIE DWYER AND CR KERRY HOLLYWOOD - [107864]

Cr Russ Fishwick, JP requested Leave of Absence from Council duties covering the period 23 March to 1 April 2019 inclusive.

Cr Sophie Dwyer requested Leave of Absence from Council duties covering the periods 5 to 12 May 2019 and 28 May to 3 June 2019 inclusive.

Cr Kerry Hollywood requested Leave of Absence from Council duties covering the period 23 July to 27 August 2019 inclusive.

MOVED Mayor Jacob, SECONDED Cr Poliwka that Council APPROVES the Requests for Leave of Absence from Council Duties covering the following dates:

1	Cr Russ Fishwick, JP	23 March to 1 April 2019 inclusive;
2	Cr Sophie Dwyer	5 to 12 May and 28 May to 3 June 2019 inclusive;
3	Cr Kerry Hollywood	23 July to 27 August 2019 inclusive.

The Motion was Put and

CARRIED (12/0)

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

CONFIRMATION OF MINUTES

C11-03/19

MINUTES OF COUNCIL MEETING HELD 19 FEBRUARY 2019

MOVED Cr Norman, SECONDED Cr Poliwka that the Minutes of the Council Meeting held on 19 February 2019 be CONFIRMED as a true and correct record.

The Motion was Put and

CARRIED (12/0)

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

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Joondalup Festival

Mayor Jacob stated curiosity and exploration are vital to the human spirit, and this year Joondalup Festival invites you to Explore the Galaxy, as the City seeks to inspire young and old.

Mayor Jacob informed the Festival would be held from Friday 5 April to Sunday 7 April, and promised to be a fun-packed three days of live entertainment and alfresco eating and drinking.

Mayor Jacob advised the Festival featured oversized and interactive art installations, circus, music, comedy, children's shows and more, there would be something to tickle everyone's fancy.

Mayor Jacob advised all events within the festival would be free and family friendly, including live music, International street performers and circus stars, children's activities and community projects including the Twilight Lantern Parade and Community Choral.

Download a free event program at the City's website joondalup.wa.gov.au

Business Forum

Mayor Jacob advised on Thursday 21 March he looked forward to welcoming David Eaton, WA Small Business Development Commissioner and CEO of the Small Business Development Corporation, to provide the keynote address at the City's first business forum of 2019.

Mayor Jacob informed it would be held in the Joondalup Resort's Lakeview Ballroom, the theme of the forum is support for small business. Mayor Jacob advised it is particularly relevant given that small and micro-sized enterprises (less than 20 employees) represent almost 98% of all businesses in Joondalup.

Mayor Jacob advised the City recognises that the success of the small business sector is a critical factor in increasing local employment opportunities, and as such it is vital that the business community is aware of programs, resources and opportunities available from all tiers of government to help them grow and prosper.

Mayor Jacob stated an audience of around 130 attendees is expected at Thursday morning's business forum.

Housing Opportunity Areas

Mayor Jacob advised on the HOA Consultation Report and the process that Council would be following in dealing with the proposed new planning framework for infill development.

Mayor Jacob stated the first phase of consultation for a new planning framework for infill development was completed late last year. On 26 February 2019, the City received a report from the consultant team that contains all feedback received during the consultation period, as well as consultant analysis of the feedback. This Consultation Report is available for viewing on the HOA webpage and via the City's website.

Mayor Jacob advised in relation to the Consultation Report, there are two important things to note:

- 1 The City had no role in compiling or editing the report. Therefore, City staff and Councillors will be unable to respond to queries about the content of the Consultation Report.
- 2 The Consultation Report will not form part of the draft new planning framework and the Council will not be asked to formally consider or endorse the content of the report.

Instead, the Consultation Report is one of the key inputs that have been used by the consultants to inform development of the new planning framework, and has been provided to the community for information and in the interests of making the process of developing the new planning framework as transparent as possible.

Mayor Jacob advised with respect to the new framework itself, the framework will comprise two important documents – a new local planning policy and a scheme amendment. The consultants have almost completed development of these documents, which will be presented to Council for consideration at its meeting to be held on 16 April 2019.

Mayor Jacob reiterated it is important to note that the purpose of the report to Council in April will be to seek Council's agreement to advertise the draft new planning framework for public consultation. The report will not be seeking Council's support for, or final endorsement of, the content of the framework at this stage.

Mayor Jacob advised if Council decides to endorse the new planning framework for public consultation, the relevant documents need to be sent to the Environmental Protection Authority (EPA) and the Western Australian Planning Commission. Once these authorities give the go-ahead to advertise the documents, the City will commence a second, formal engagement process with the community and other stakeholders to ensure the details of the new framework are understood and to seek comment / feedback from the community on the draft new planning framework.

Mayor Jacob advised details of the second round of consultation will be provided soon.

Mayor Jacob stated only once consultation has been undertaken on the draft new planning framework, will Council be requested to formally consider the merits of the draft new planning framework and any submissions received from the public during the consultation period.

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

Nil.

PETITIONS**C12-03/19****PETITION REQUESTING THE REFUSAL OF THE PROPOSED DEVELOPMENT OF 12 APARTMENTS AT 80 AND 82 TRAILWOOD DRIVE, WOODVALE – [05386, 21107]**

Cr Poliwka tabled a 968 signature petition on behalf of residents of the City of Joondalup requesting the refusal of the proposed development of 12 apartments at 80 and 82 Trailwood Drive, Woodvale.

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

- 1 Petition in relation to the refusal of the proposed development of 12 apartments at 80 and 82 Trailwood Drive, Woodvale.**

The Motion was Put and

CARRIED (12/0)

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

REPORTS**CJ021-03/19 DEVELOPMENT AND SUBDIVISION
APPLICATIONS – JANUARY 2019**

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	07032, 101515
ATTACHMENTS	Attachment 1 Monthly Development Applications Determined – January 2019 Attachment 2 Monthly Subdivision Applications Processed – January 2019
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 January 2019.

EXECUTIVE SUMMARY

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

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

This report identifies the development applications determined by the administration under delegated authority powers during January 2019 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during January 2019 (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 January 2019 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	5	3
Strata subdivision applications	10	17
TOTAL	15	20

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

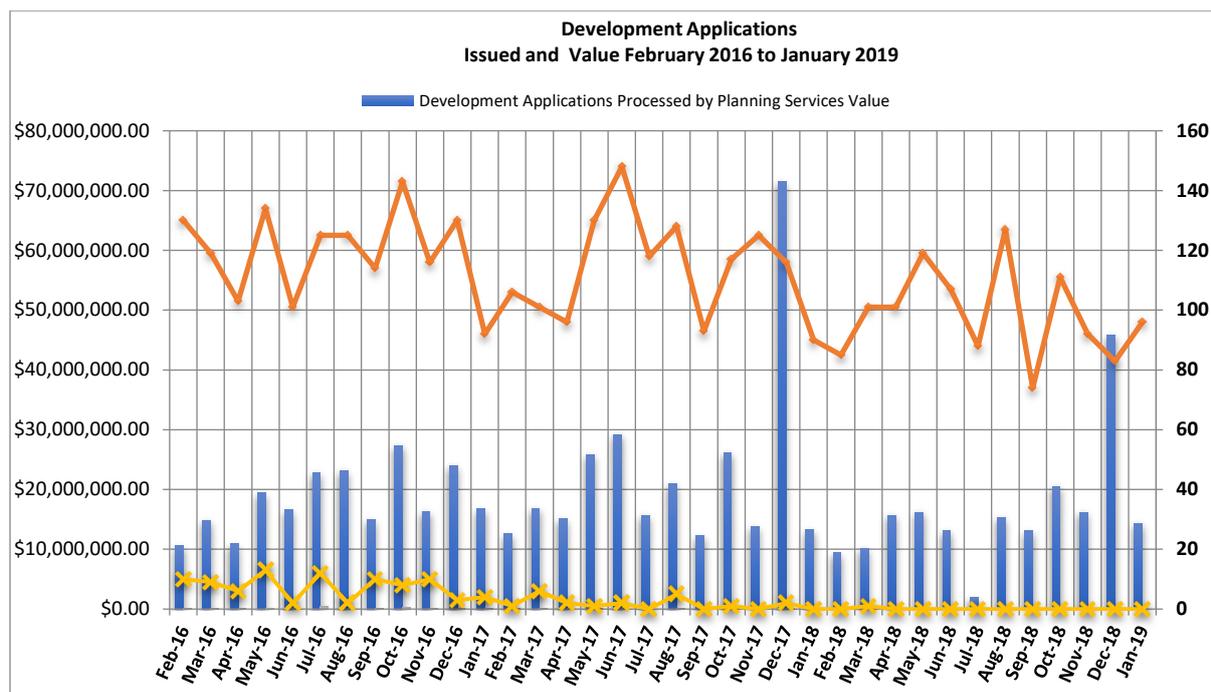
Development applications

The number of development applications determined under delegated authority during January 2019 is shown in the table below:

	Number	Value (\$)
Development applications processed by Planning Services	96	\$ 14,365,479
TOTAL	96	\$ 14,365,479

Of the 96 development applications, 13 were for new dwelling developments in housing opportunity areas, proposing a total of 23 additional dwellings.

The total number and value of development applications determined between February 2016 and January 2019 is illustrated in the graph below:



The number of development applications received during January 2019 was 86.

The number of development applications current at the end of January was 297. Of these, 15 were pending further information from applicants and 12 were being advertised for public comment.

In addition to the above, 186 building permits were issued during the month of January with an estimated construction value of \$54,040,737.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation

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

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Quality built outcomes.

Strategic initiative

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

Policy

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

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 96 development applications were determined for the month of January with a total amount of \$52,195.23 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.

MOVED Mayor Jacob, SECONDED Cr McLean that Council NOTES the determinations and recommendations made under delegated authority in relation to the:

- 1 development applications described in Attachment 1 to Report CJ021-03/19 during January 2019;**
- 2 subdivision applications described in Attachment 2 to Report CJ021-03/19 during January 2019.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf190312.pdf](#)

CJ022-03/19**EXECUTION OF DOCUMENTS**

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	15876, 101515
ATTACHMENT	Attachment 1 Documents executed by affixing the Common Seal during the period 5 February 2019 to 26 February 2019.
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 5 February 2019 to 26 February 2019.

EXECUTIVE SUMMARY

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

It is therefore recommended that Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 5 February 2019 to 26 February 2019, as detailed in Attachment 1 Report CJ022-03/19.

BACKGROUND

For the period 5 February 2019 to 26 February 2019, five documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Section 70 Notification	2
Withdrawal of Caveat	1
Licence	2

DETAILS**Issues and options considered**

Not applicable.

Legislation / Strategic Community Plan / Policy implications**Legislation****Strategic Community Plan**

Key theme	Governance and Leadership.
Objective	Corporate capacity.
Strategic initiative	Demonstrate accountability through robust reporting.
Policy	Not applicable.

Risk management considerations

Not applicable.

Financial / budget implicationsCurrent financial year impact

Not applicable.

Future financial year impact

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr McLean that Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 5 February 2019 to 26 February 2019, as detailed in Attachment 1 to Report CJ022-03/19.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf190312.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	CJ023-03/19 - Local Government Act 1995 Review - Phase 2 Submission.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Fishwick is a member of the Local Government Advisory Board.

CJ023-03/19**LOCAL GOVERNMENT ACT 1995 REVIEW – PHASE 2 SUBMISSION****WARD**

All

RESPONSIBLE DIRECTORMr Jamie Parry
Governance and Strategy**FILE NUMBER**

103278, 101515

ATTACHMENTSAttachment 1 DLGSC Discussion Papers
Attachment 2 City of Joondalup Draft Submission

(Please note: Attachment 1 is only available electronically)

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 endorse the City's Phase 2 submission to the Department of Local Government, Sport and Cultural Industries (the Department) in response to its *Local Government Act 1995* (the Act) discussion papers.

EXECUTIVE SUMMARY

In September 2018 the Minister for Local Government announced Phase 2 of the consultation process on the Local Government Act Review and called on Western Australians to help shape the future of local government in their community by having a say on the reform of the Act. The Department suggests the review aims to empower local governments to better deliver quality governance and services to Western Australian communities now and into the future.

The Department has prepared a series of discussion papers and online surveys for public comment. The discussion papers are focussed on the State Government's vision for local governments to be agile, smart and inclusive. Phase 2 of the review is focused on the following key topic areas within three themes:

- Agile
 - Beneficial enterprises.
 - Financial management.
 - Rates, fees and charges.

- Smart
 - Administrative efficiencies / local laws.
 - Council meetings.
 - Interventions (Council Conduct and Governance).
- Inclusive
 - Community engagement.
 - Integrated planning and reporting.
 - Complaints management.
 - Local government elections.

The City has developed a submission in relation to the Department's released discussion papers around Phase 2 of the Act Review (Attachment 2 refers). The responses to the discussion papers are, in the main, based on the City's comprehensive submissions to the Metropolitan Local Government Review Panel of December 2011; May 2012; April 2013, and other previously endorsed positions. The Western Australian Local Government Association has also called for submission that will be progressed through WALGA State Council.

It is therefore recommended that Council:

- 1 *ENDORSES the City of Joondalup submission, provided as Attachment 2 to Report CJ023-03/19, in response to the Department of Local Government; Sport and Cultural Industries' invitation to comment on its Phase 2 discussion papers on the review of the Local Government Act 1995;*
- 2 *NOTES the City's submission in part 1 above will be used to respond to the Western Australian Local Government Association's request for feedback on Phase 2 of the Local Government Act Review.*

BACKGROUND

In 2017 the State Government announced a review of the Act which is the first significant reform of local government conducted in more than two decades. The objective of the review, conducted in phases, is for Western Australia to have a new, modern Act that empowers local governments to better deliver for their communities. In November 2017 the Department released a discussion paper that is structured around Phase 1 of the review of the Act. Phase 1 focused on:

- making information available online
- meeting public expectations for accountability
- meeting public expectations of ethics, standards and performance
- building capacity through reducing red tape.

At its meeting held on 20 February 2018 (CJ012-02/18 refers), Council endorsed the City's submission to the Phase 1 consultation process. In August 2018 the Minister for Local Government, the Hon. David Templeman MLA announced the outcomes and positions of the Phase 1 review consultation process and identified various changes would now proceed to the drafting of an Amendment Bill.

In September 2018 the Minister for Local Government further announced Phase 2 of the consultation process and called on Western Australians to help shape the future of local government in their community by having a say on the reform of the Act, which aims to empower local governments to better deliver quality governance and services to Western Australian communities now and into the future.

The Department has prepared a series of discussion papers (Attachment 1 refers) and online surveys for public comment. The discussion papers are focussed on the State Government's vision for local governments to be agile, smart and inclusive. Phase 2 of the review is focused on the following key topic areas within three themes:

- Agile
 - Beneficial enterprises.
 - Financial management.
 - Rates, fees and charges.
- Smart
 - Administrative efficiencies / local laws.
 - Council meetings.
 - Interventions (Council Conduct and Governance).
- Inclusive
 - Community engagement.
 - Integrated planning and reporting.
 - Complaints management.
 - Local government elections.

DETAILS

The City supports the proposed framework of undertaking the review in two phases being modernising local government (Phase 1) and services to the community (Phase 2). Further, the City supports the review's principles and vision.

The City provides the comments and recommendations within its submission in relation to the Department's released discussion papers around Phase 2 of the Act review. However, the various Phase 2 discussion papers and fact sheets provided by the Department have not provided definitive options in terms of changes or indeed what specific drafting will be made in the legislation; but rather a series of closed questions, in survey form, with limited opportunity to provide context or justification around ideas for change.

In view of this, the City's response aims to be brief in its approach; is focused on the ideas presented in the discussion papers; and whether the City supports such ideas, but more importantly coupled with justification to its stated positions. The City's Phase 2 submission is based on the ideas presented in the 10 key topic areas, as detailed below:

- Part 1 - Agile
 - Beneficial enterprises.
 - Financial management.
 - Rates, fees and charges.
- Part 2 - Smart
 - Administrative efficiencies / local laws.
 - Council meetings.
 - Interventions (Council Conduct and Governance).
- Part 3 - Inclusive
 - Community engagement.
 - Integrated planning and reporting.
 - Complaints management.
 - Local government elections.

Issues and options considered

Council may choose to either:

- endorse the City's submission
- endorse the City's submission with further amendments
or
- not endorse the City's submission.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995* and associated Regulations.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

Strategic initiative Participate in State and Federal policy development processes affecting local government.

Policy Not applicable.

Risk management considerations

Providing a response to the Department's discussion papers enables the City to contribute to the review and potential amendments to the *Local Government Act 1995* and therefore, the future purpose and role of local government.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The City's submission is, in the main, based on the City's comprehensive submissions to the Metropolitan Local Government Review Panel of December 2011; May 2012; April 2013; previously endorsed positions to a range of discussion papers and industry feedback requests.

The Western Australian Local Government Association (WALGA) has also requested feedback to the WALGA State Council, through the various WALGA Zone meetings, on Phase 2 of the Act review and the City's submission will be used as a basis to respond to WALGA's request for feedback.

COMMENT

The City has been an active and cooperative participant in all legislative and reform reviews, surveys and analysis of the local government sector, including the WA Local Government Association *Systemic Sustainability Study* in 2006 and the Ministerial-initiated voluntary Local Government reform initiative in 2009, and Metropolitan Local Government Reform Process 2011-2013.

Through the Phase 1 and Phase 2 consultation processes, the Minister and the Department have stated the review attempts to modernise the Act to empower local governments to better deliver for their communities, as well as to remove red tape and overly burdensome bureaucracy. Local governments, due to their existence as being a product of statute, are bureaucratic in nature and are required to comply with numerous reporting and oversight regimes.

However, some of the suggestions being made in the discussion paper in both Phase 1, and now again in Phase 2, are by their very nature contributing to red tape as opposed to reducing it. This includes requiring additional policies to be made; additional administrative / governance requirements to be implemented; or additional levels of oversight to be had.

Overall, the Act should remain principle-based in which local governments have the flexibility and ability to operate in, with good governance principles and standards in mind. Considering the capacity of different local governments, a size and scale compliance regime should be introduced based on possible banding methodology, similarly used by the Salaries and Allowance Tribunal for allowance and salaries for local governments.

The City recognises that its response to the discussion papers is but one element of the consultation to be undertaken and will consider further discussion papers and information distributed by the Minister of the Department on issues that have been identified over the last eight years including advocacy positions agreed by the sector. This will include a request for local governments to submit additional items for consideration in the Act review process as well as providing more definitive positions once they become clearer.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 ENDORSES the City of Joondalup submission, provided as Attachment 2 to Report CJ023-03/19, in response to the Department of Local Government; Sport and Cultural Industries' invitation to comment on its Phase 2 discussion papers on the review of the *Local Government Act 1995*;
- 2 NOTES the City's submission in part 1 above will be used to respond to the Western Australian Local Government Association's request for feedback on Phase 2 of the Local Government Act Review.

MOVED Cr Fishwick, SECONDED Cr Dwyer that Council:

- 1 in response to the Department of Local Government; Sport and Cultural Industries' invitation to comment on its Phase 2 discussion papers on the review of the *Local Government Act 1995*, ENDORSES the City of Joondalup submission, provided as Attachment 2 to Report CJ023-03/19, subject to the following amendments:
 - 1.1 that the City does not support the establishment of a Local Government Commission;
 - 1.2 that the City supports compulsory voting in local government elections;
 - 1.3 that the City does not support the removal of the requirement to report a local government's monthly list of payments to Council;
- 2 NOTES the City's submission in part 1 above will be used to respond to the Western Australian Local Government Association's request for feedback on Phase 2 of the Local Government Act Review.

AMENDMENT MOVED Mayor Jacob, SECONDED Cr Hamilton-Prime that an additional Part 1.4 be added to the motion to read as follows:

"1.4 that the City SUPPORTS removing the exemption for lease for life tenancies;"

The Amendment was Put and

CARRIED (9/3)

In favour of the Amendment: Mayor Jacob, Crs Chester, Dwyer, Fishwick, Hamilton-Prime, Hollywood, Logan, Norman and Taylor.

Against the Amendment: Crs May, McLean and Poliwka.

Director Planning and Community Development left the Chamber at 8.15pm.

The Original Motion, AS AMENDED being:**That Council:**

- 1 in response to the Department of Local Government; Sport and Cultural Industries' invitation to comment on its Phase 2 discussion papers on the review of the *Local Government Act 1995*, ENDORSES the City of Joondalup submission, provided as Attachment 2 to Report CJ023-03/19, subject to the following amendments:
 - 1.1 that the City does not support the establishment of a Local Government Commission;
 - 1.2 that the City supports compulsory voting in local government elections;
 - 1.3 that the City does not support the removal of the requirement to report a local government's monthly list of payments to Council;
 - 1.4 that the City SUPPORTS removing the exemption for lease for life tenancies;
- 2 NOTES the City's submission in part 1 above will be used to respond to the Western Australian Local Government Association's request for feedback on Phase 2 of the Local Government Act Review.

It was requested that the Motion be voted upon separately.

The Director Planning and Community Development entered the Chamber at 8.17pm.

The Original Motion, AS AMENDED being:**That Council:**

- 1 in response to the Department of Local Government; Sport and Cultural Industries' invitation to comment on its Phase 2 discussion papers on the review of the *Local Government Act 1995*, ENDORSES the City of Joondalup submission, provided as Attachment 2 to Report CJ023-03/19, subject to the following amendments:
 - 1.1 that the City does not support the establishment of a Local Government Commission;

Was Put and**CARRIED (9/3)**

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

Against the Motion: Crs Chester, May and Poliwka.

The Original Motion, AS AMENDED being:

That Council:

- 1 in response to the Department of Local Government; Sport and Cultural Industries' invitation to comment on its Phase 2 discussion papers on the review of the *Local Government Act 1995*, ENDORSES the City of Joondalup submission, provided as Attachment 2 to Report CJ023-03/19, subject to the following amendments:

- 1.2 that the City supports compulsory voting in local government elections;

Was Put and

TIED (6/6)

In favour of the Motion: Mayor Jacob, Crs Dwyer, Fishwick, Hamilton-Prime, Hollywood and Norman.

Against the Motion: Crs Chester, Logan, May, McLean, Poliwka and Taylor.

There being an equal number of votes, the Mayor exercised his casting vote and declared the Motion **LOST (5/7)**

The Original Motion, AS AMENDED being:

That Council:

- 1 in response to the Department of Local Government; Sport and Cultural Industries' invitation to comment on its Phase 2 discussion papers on the review of the *Local Government Act 1995*, ENDORSES the City of Joondalup submission, provided as Attachment 2 to Report CJ023-03/19, subject to the following amendments:

- 1.3 that the City does not support the removal of the requirement to report a local government's monthly list of payments to Council;

Was Put and

CARRIED (12/0)

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

The Original Motion, AS AMENDED being:**That Council:**

- 1 in response to the Department of Local Government; Sport and Cultural Industries' invitation to comment on its Phase 2 discussion papers on the review of the *Local Government Act 1995*, ENDORSES the City of Joondalup submission, provided as Attachment 2 to Report CJ023-03/19, subject to the following amendments:
 - 1.4 that the City SUPPORTS removing the exemption for lease for life tenancies;

Was Put and**CARRIED (10/2)**

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

Against the Motion: Crs McLean and Poliwka.

The Original Motion, AS AMENDED being:**That Council:**

- 2 NOTES the City's submission in part 1 above will be used to respond to the Western Australian Local Government Association's request for feedback on Phase 2 of the Local Government Act Review.

Was Put and**CARRIED (9/3)**

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

Against the Motion: Crs Chester, May and Poliwka.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf190312.pdf](#)

Strategic Initiatives

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

Policy Implications

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

Risk Management Considerations

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

Financial/Budget Implications

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

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr McLean that Council:

- 1 the status of outstanding petitions submitted to Council during the period 16 August 2016 to 19 February 2019, forming Attachment 1 to Report CJ024-03/19;**
- 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,**

a separate report on the status of the Joondalup Performing Arts and Cultural Facility project will be submitted to Council following consideration of this matter by the Major Projects and Finance Committee at its meeting held on 6 May 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 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, a report was presented to Council at its meeting held on 19 February 2019 (CJ018-02/19 refers);
- 6 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;
- 7 in relation to the petition requesting that Council abandon its plans to install a footpath along Charonia Road, Mullaloo, it is anticipated that a report will be presented to Council at its meeting to be held on 25 June 2019.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4agn190319.pdf](#)

CJ025-03/19**MINUTES OF EXTERNAL COMMITTEES**

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	03149, 41196, 101515
ATTACHMENTS	Attachment 1 Minutes of Mindarie Regional Council Meeting held on 7 February 2019. Attachment 2 Minutes of Tamala Park Regional Council Meeting held on 21 February 2019. (Please note: These minutes are only available electronically).
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

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

EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of Mindarie Regional Council Meeting held on 7 February 2019.
- Minutes of the Tamala Park Regional Council Meeting held on 21 February 2019.

DETAILS

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

Mindarie Regional Council Meeting – 7 February 2019.

A meeting of the Mindarie Regional Council was held on 7 February 2019.

At the time of this meeting Cr Mike Norman and Cr Nige Jones were Council's representatives at the Mindarie Regional Council meeting. At its meeting held on 11 December 2018 (CJ234-12/18 refers), Council appointed Cr Jones as deputy member to act on behalf of Cr Russ Fishwick, JP to represent the City at any meetings of the Mindarie Regional Council held between 1 February and 20 February 2019 as Cr Fishwick was on leave of absence during that timeframe.

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

9.3 Mid Year Budget Review – 2018-19

It was resolved by the Mindarie Regional Council as follows:

“That Council:

- 1 *Approve by Absolute Majority the forecast surplus position estimated to be \$3,452,365 at 30 June 2019, which includes the following:*
 - *A net estimated increase in total revenue of \$4,087,306;*
 - *A net estimated increase in total other charges of approximately \$441,131;*
 - *A net estimated increase in expenditures of \$2,770,484;*
 - *A net estimated increase in the profit on sale of assets of \$6,116;*
 - *Capex expenses re-allocated as contained in the report;*
 - *A net estimated decrease in capital expenditures of \$265,799.”*

Tamala Park Regional Council Meeting – 21 February 2019.

A meeting of the Tamala Park Regional Council was held on 21 February 2019.

At the time of this meeting Cr Nige Jones was Council’s representatives at the Tamala Park Regional Council meeting. At its meeting held on 19 February 2019 (C06-02/19 refers) and in the absence of member Cr John Chester and the two deputy members being Cr Sophie Dwyer and Cr Christine Hamilton-Prime, Council appointed Cr Philippa Taylor to act as a member and represent the City at this meeting of the Tamala Park Regional Council.

9.6 Tamala Park Regional Council Budget FYE 2019 – Mid Year Review

It was resolved by the Tamala Park Regional Council as follows:

“That the Council ADOPTS the Budget Review with the variations for the period 1 July 2018 to 30 June 2019 as detailed in the Budget analysis Worksheet attached to Appendix 9.6, subject to Proceeds Sales of Lots being adjusted in accordance with the lot repricing approved by Council under Item 9.10 – Proposed Repricing of Lots.”

9.7 Local Government Compliance Audit for year ended 31 December 2018

It was resolved by the Tamala Park Regional Council as follows:

“That the Compliance Audit Return for the Tamala Park Regional Council for the year ended 31 December 2018 be ADOPTED, RECORDED in the minutes, CERTIFIED and SUBMITTED to the Director General of the Department of Local Government, Sport and Cultural Industries, in accordance with the Local Government Act and Regulations.”

Legislation / Strategic Community Plan / Policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

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

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr McLean that Council NOTES the minutes of the:

- 1 Mindarie Regional Council meeting held on 7 February 2019 forming Attachment 1 to Report CJ025-03/19;**
- 2 Tamala Park Council meeting held on 21 February 2019 forming Attachment 2 to Report CJ025-03/19.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

To access this attachment on electronic document, click here: [ExternalMinutes190312.pdf](#)

Disclosure of interest affecting impartiality

Name/Position	Cr Sophie Dwyer.
Item No./Subject	CJ026-03/19 - List of Payments made during the month of January 2019.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A payment was made to Cr Dwyer's employer.

CJ026-03/19**LIST OF PAYMENTS MADE DURING THE MONTH OF JANUARY 2019**

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	09882, 101515
ATTACHMENTS	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of January 2019 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of January 2019 Attachment 3 Municipal and Trust Fund Vouchers for the month of January 2019
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of January 2019.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of January 2019, totalling \$13,368,519.32.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for January 2019 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 CJ026-03/19, totalling \$13,368,519.32.

BACKGROUND

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

DETAILS

The table below summarises the payments drawn on the funds during the month of January 2019. Lists detailing the payments made are appended as Attachments 1 and 2 to Report CJ026-03/19.

The vouchers for the month are appended as Attachment 3 to Report CJ026-03/19.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 107758 - 107851 & EF075364 - EF075943 Net of cancelled payments.	\$ 8,003,252.08
	Vouchers 2437A – 2454A	\$ 5,356,375.61
Trust Account	Trust Cheques & EFT Payments 207334 - 207336 & TEF001650 – TEF001659 Net of cancelled payments.	\$ 8,891.63
Total		\$ 13,368,519.32

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.

MOVED Mayor Jacob, SECONDED Cr McLean that Council NOTES the Chief Executive Officer's list of accounts for January 2019 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 CJ026-03/19, totalling \$13,368,519.32.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf190312.pdf](#)

CJ027-03/19**FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JANUARY 2019**

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

PURPOSE

For Council to note the Financial Activity Statement for the period ended 31 January 2019.

EXECUTIVE SUMMARY

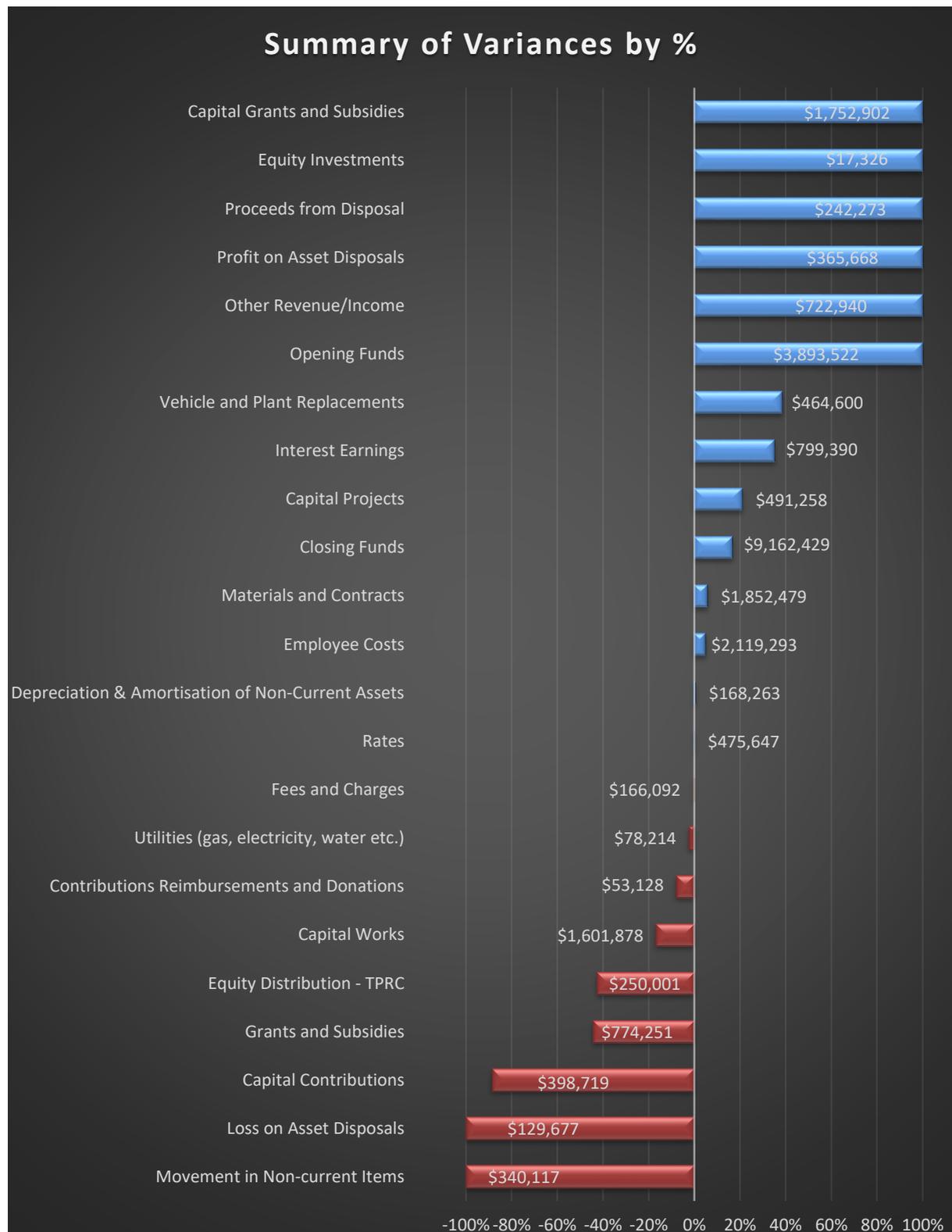
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. The figures in this report are compared to the adopted budget.

The January 2019 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$9,162,429 for the period when compared to the adopted budget.

It should be noted that this variance does not represent a projection of the end of year position or that these funds are surplus to requirements. It represents the year to date position to 31 January 2019 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 Attachment 3 identify and provide commentary on the individual key material revenue and expenditure variances to date.

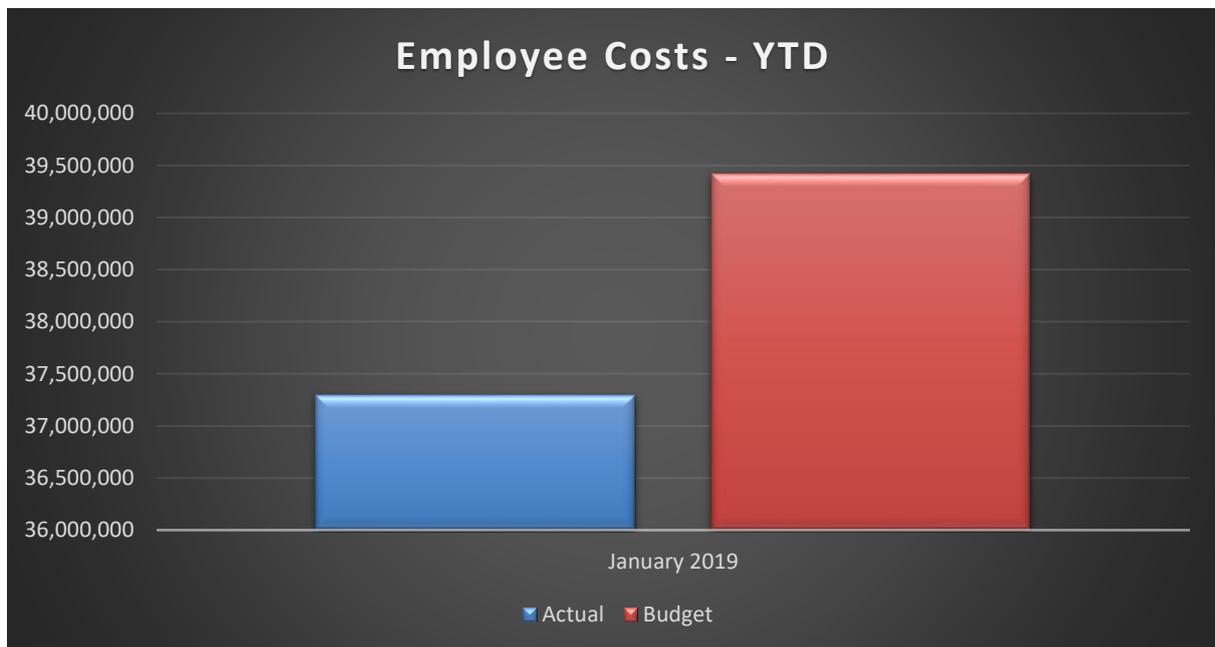
The key elements of the variance are summarised below:



The significant variances for January were:

Employee Costs

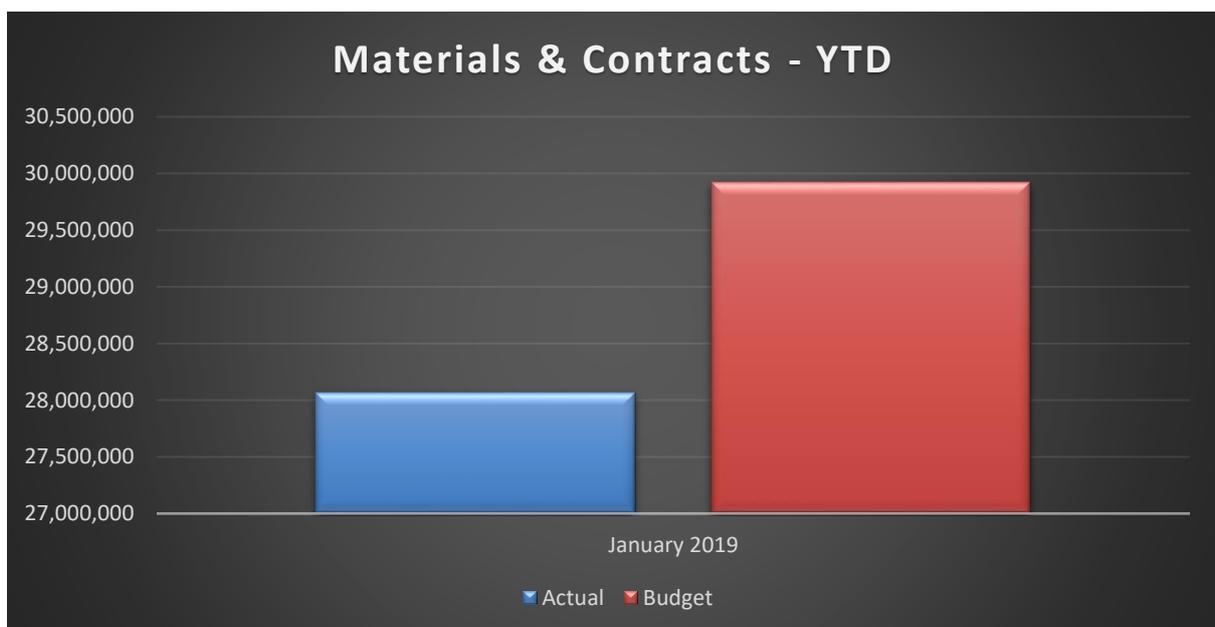
\$2,119,293



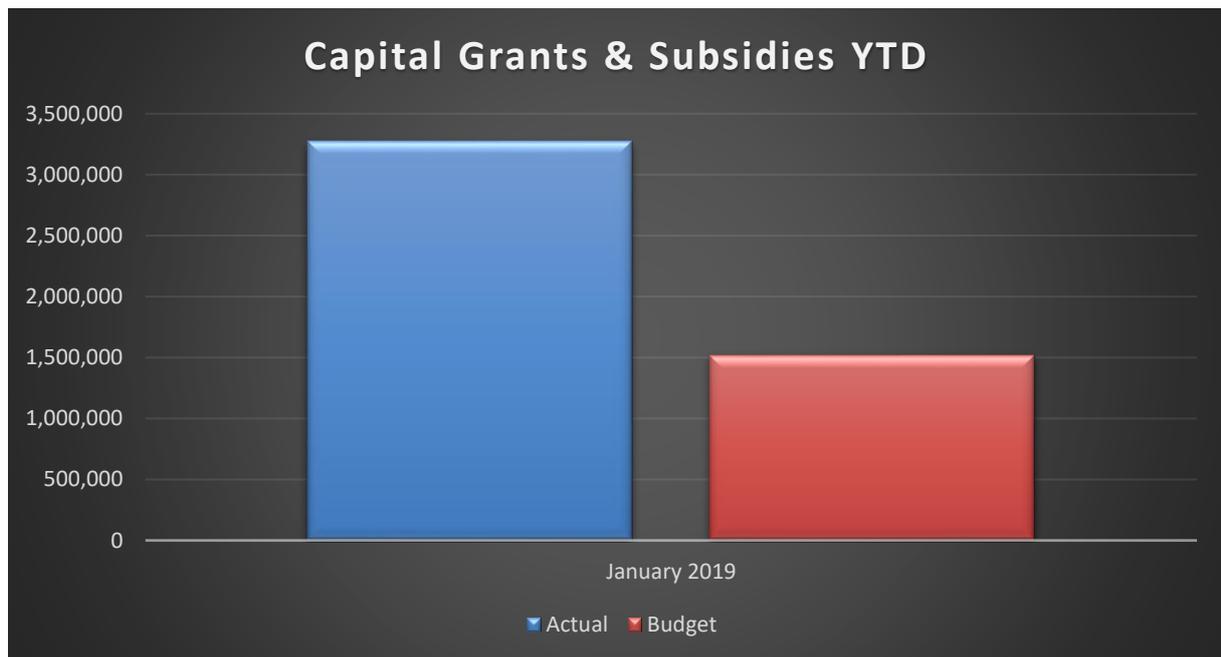
Employee Costs expenditure is \$2,119,293 below budget. Favourable variances arose for Salaries and Wages across a number of areas including Parks \$410,650, Planning Approvals \$249,570, CEO Administration \$191,055 and Engineering Maintenance \$167,725 mainly due to vacant positions.

Materials & Contracts

\$1,852,479



Materials and Contracts expenditure is \$1,852,479 below budget. This is spread across a number of different areas including favourable timing variances for External Service Expenses \$860,358, Administration \$427,900 and Public Relations, Advertising & Promotions \$257,477.

Capital Grants & Subsidies**\$1,752,902**

Capital Grants and Subsidies revenue is \$1,752,902 above budget. This is spread across a number of different areas including favourable variances for Street Lighting Program \$747,529, Major Roads Construction \$773,023 and Road Preservation / Resurfacing Program \$230,230.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 January 2019 forming Attachment 1 to Report CJ027-03/19.

BACKGROUND

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

DETAILS**Issues and options considered**

The Financial Activity Statement for the period ended 31 January 2019 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

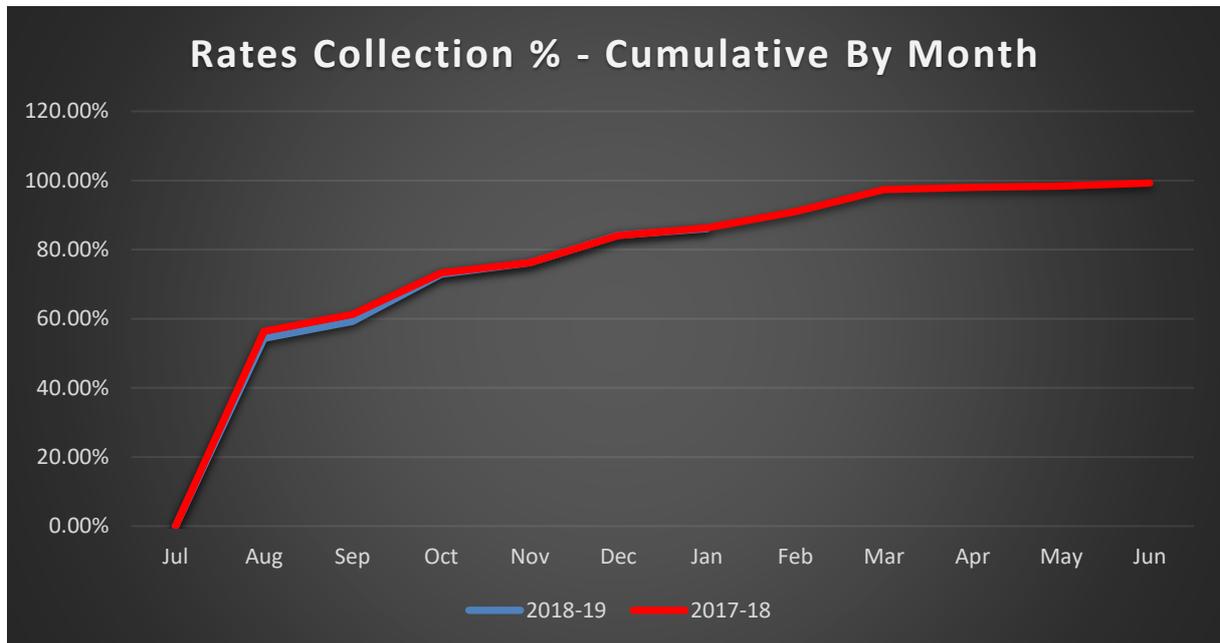
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

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*.

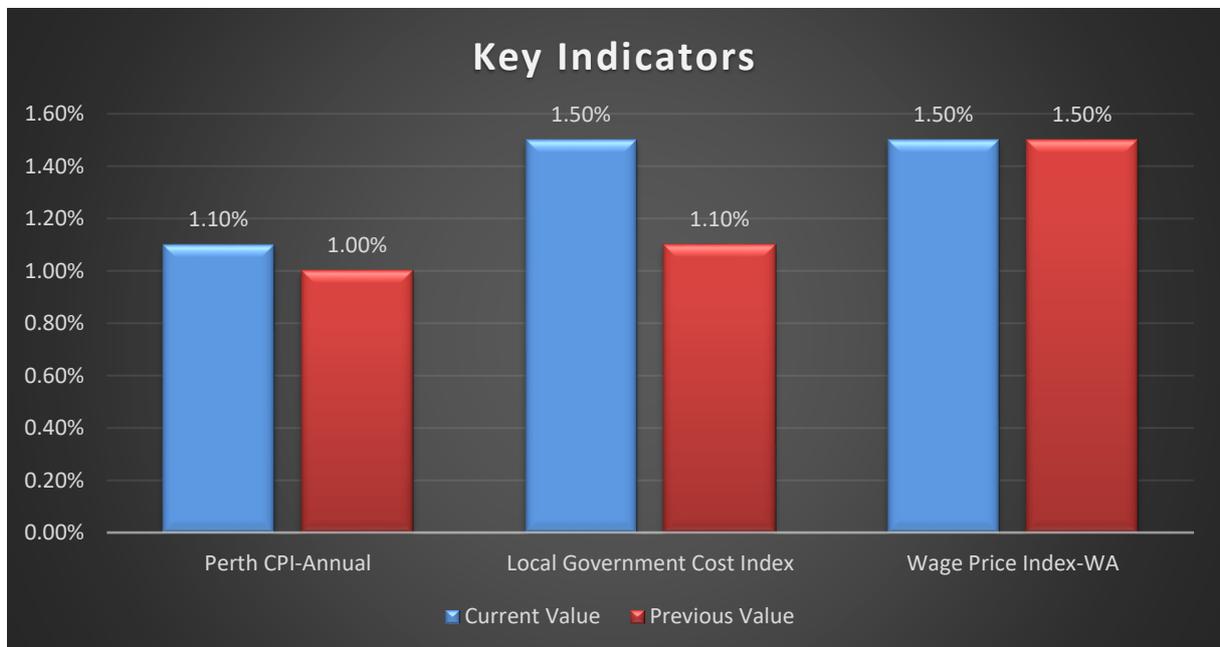
KEY INDICATORS

Rates Collection



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

Economic Indicators



Increase in the Perth CPI during the December quarter demonstrates the WA economy continues to emerge from its downturn further indicating future cost pressures in the general economy if this persists.

The rise in the Local Government Cost Index appears to indicate that some of the cost pressures have impacted local government already. Wage inflation remains above CPI, although significantly lower than in the past, and has remained steady in WA contrasting a national increase of 0.3% for the same period.

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.

MOVED Mayor Jacob, SECONDED Cr McLean that Council NOTES the Financial Activity Statement for the period ended 31 January 2019 forming Attachment 1 to Report CJ027-03/19.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf190312.pdf](#)

CJ028-03/19**INSTALLATION OF TOILET FACILITY AT SHEPHERDS BUSH PARK, KINGSLEY – COMMUNITY ENGAGEMENT RESULTS**

WARD	South-East
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	107580, 101515
ATTACHMENT	Attachment 1 Community Engagement Outcomes Report
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider the outcomes of community engagement for the proposed installation of a toilet facility in Shepherds Bush Park, Kingsley and to seek endorsement for the project to be listed for consideration in the *Five-Year Capital Works Program*.

EXECUTIVE SUMMARY

At its meeting held on 18 September 2018 (C85-09/18 refers), Council requested the Chief Executive Officer prepare a report on the feasibility of installing a low cost, low maintenance toilet facility at Shepherds Bush Park, Kingsley.

As a result of this request, a report was presented to Council at its meeting held on 20 November 2018 (CJ206-11/18 refers), noting that sufficient demand was available to consider the installation of a toilet facility within the park and recommended undertaking a community engagement process to assess the level of support within the community to progress the request.

Council approved the commencement of a community engagement process (CJ206-11/18 refers) that was subsequently undertaken from 22 November to 19 December 2018. The feedback received during the engagement period is outlined within the *Community Engagement Outcomes Report* (Attachment 1 refers).

In summary, a total of 302 valid responses were received, with 90.1% of respondents indicating they “support” or “strongly support” the proposal to install a modest toilet facility within Shepherds Bush Park.

It is therefore recommended that Council:

- 1 *NOTES the results of the community engagement process as detailed in Attachment 1 to Report CJ028-03/19;*
- 2 *LISTS FOR CONSIDERATION an amount of \$120,000 in 2020-21 of the City's Five Year Capital Works Program to progress the installation of a toilet facility within Shepherds Bush Park, Kingsley.*

BACKGROUND

At its meeting held on 18 September 2018 (C85-09/18 refers), a Notice of Motion was raised and subsequently resolved by Council as follows:

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

The Notice of Motion was raised as a result of the increased popularity of Shepherds Bush Park following the installation of a bike skills track, play space, picnicking equipment and BMX Pump and Jump track by the City throughout the 2016-17 and 2017-18 financial periods.

In response to the request, a report was presented to Council at its meeting held on 20 November 2018 (CJ206-11/18 refers). The report noted that Shepherds Bush Park was currently classified as a District Recreation Park and due to its popularity, large catchment area and strategic location adjacent the highly utilised Robertson Road cycleway, the park's features were deemed appropriate for the consideration of a toilet facility.

The results of a utilisation review were also presented to Council, whereby patronage levels at Shepherds Bush Park were compared to another recently developed park containing toilet facilities (namely Delamere Park in Currambine). The results supported the view that a sufficient demand exists to consider the installation of a toilet facility at Shepherds Bush Park, as it is on average three to four times more popular than Delamere Park with regard to overall park attendance numbers, regardless of the time of day in which the review was conducted.

At its meeting held on 20 November 2018 (CJ206-11/18 refers), Council subsequently resolved the following:

- 1 *NOTES that recent investigations undertaken by the City into the utilisation of Shepherds Bush Park have identified that a sufficient demand exists to consider the installation of a toilet facility within the park;*
- 2 *NOTES that preliminary cost estimates to install a toilet facility at Shepherds Bush Park range from \$80,000 to \$120,000 depending on the design option that is pursued;*
- 3 *APPROVES the commencement of a community engagement process to seek feedback from local residents and park users on the proposed installation of a public toilet facility within Shepherds Bush Park;*
- 4 *APPROVES the community engagement period to extend beyond the December 2018 Council meeting by no longer than 10 days, in accordance with the City's Community Engagement Policy."*

Following Council's decision, the City commenced a community engagement process to determine the level of support for the installation of a toilet facility within Shepherds Bush Park. The report presents the results of this process to Council for its consideration.

DETAILS

Community Engagement Process

The community was invited to provide feedback from 22 November to 19 December 2018. The City engaged directly with a total of 429 stakeholders as follows:

- Local residents and landowners within a 350 metre radius of Shepherds Bush Park (321).
- Friends of Shepherds Bush.
- Kingsley and Greenwood Residents Association Inc.
- Community Engagement Network Members living within the suburb of Kingsley (98).
- Local Parliamentarians (eight).

Additional stakeholders, including park visitors and general community members were also invited to participate in the engagement process through the following promotional mechanisms:

- The installation of on-site signage.
- City of Joondalup website.
- Social media posts on the City's Twitter and Facebook accounts on 23 November 2018.
- Article in the *Joondalup Voice* section of the *Joondalup Weekender* on 29 November 2018.

Response Rate

The City collected a total of 302 valid responses throughout the 28-day advertised engagement period. Responses that were considered valid include all those which contained contact details enabling identification and were submitted within the advertised engagement period. Where multiple comment forms were received from the same respondent, they were combined into one response.

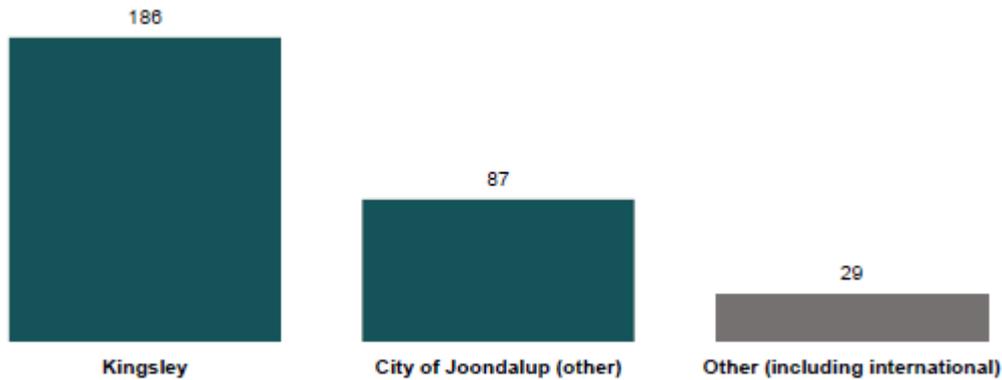
Of the 302 respondents, 300 completed the comment form online and an additional two respondents provided written feedback via email. Of the 321 residents and landowners within a 350 metre radius of Shepherds Bush Park, 43 submitted feedback. Feedback was also received from 13 Community Engagement Network members residing in Kingsley, indicating an overall response rate of 13.1%.

Following general advertising mechanisms, a further 247 community members also provided feedback.

Demographics

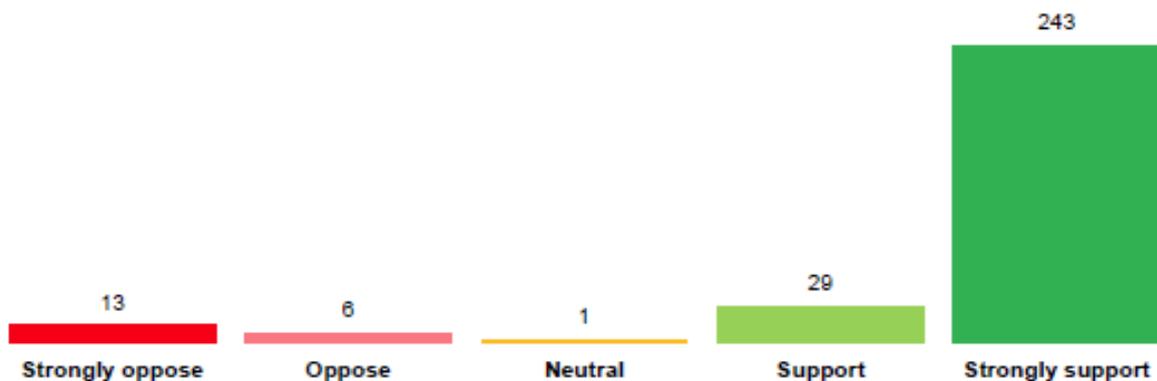
The majority of respondents were residents of the suburb of Kingsley (61.9%), with large numbers of the respondents also residing within the suburbs of Greenwood (10.3%) and Woodvale (6.6%), as shown in the chart below.

Responses received by suburb:



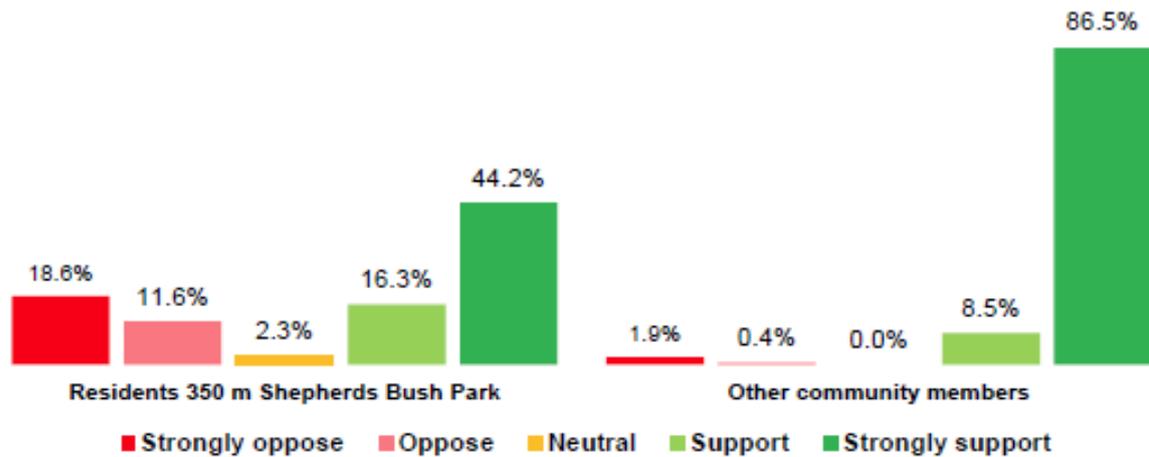
Survey Outcomes

Respondents were asked to indicate whether they support or oppose the proposal to install a toilet facility at Shepherds Bush Park on a five point scale from “strongly oppose” to “strongly support”. The majority of respondents (272) indicated they “support” or “strongly support” the proposal (90.1%), while 19 respondents indicated they “oppose” or “strongly oppose” it (6.3%).



Further analysis was also conducted to compare the level of support indicated by local residents and landowners within a 350 metre radius of Shepherds Bush Park with the level of support indicated by all other community members. Respondents who do not reside within 350 metres of Shepherds Bush Park indicated stronger support, with 95.0% indicating they either “support” (22) or “strongly support” (224) the proposal, while the majority (60.5%) of respondents living within a 350 metre radius of the park also supported or strongly supported the proposal.

Just over one-quarter of respondents living within a 350 metre radius of Shepherds Bush Park indicated they either “oppose” (three) or strongly oppose” (eight) the proposal, while only 6.6% of other community members indicated they “oppose” (five) or “strongly oppose” (eight) the proposal. This data is shown in the chart below.



Respondents were asked if they had any comments about the proposal to install a toilet facility at Shepherds Bush Park, Kingsley, of which a total of 213 respondents responded. A significant number of comments (72) were supportive of the proposal due to the park attracting a high volume of visitors, most of whom were children.

More than 20% of respondents who provided a comment highlighted that having a toilet within the park would increase accessibility to park users and allow for longer visits, while also reducing incidences of toileting within the bushland area.

A number of respondents also commented about the negative impacts a new toilet facility may have on the residents living in houses adjacent to the park (13), noting that such a facility could lead to a rise in anti-social behaviour and crime, such as vandalism, drug use and loitering (38).

Issues and options considered

Council may choose to:

- support listing the installation of a toilet facility in Shepherds Bush Park in the City's *Five Year Capital Works Program*
or
- not support the installation of a toilet facility in Shepherds Bush Park.

Due to the significant support demonstrated through the community engagement process, it is recommended that a project is listed for consideration in the City's *Five-Year Capital Works Program* in 2020-21 to install a modest toilet facility within Shepherds Bush Park.

Legislation / Strategic Community Plan / Policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme	Governance and Leadership.
Objective	Active democracy.
Strategic initiative	Optimise opportunities for the community to access and participate in decision-making processes.
Policy	<i>Community Consultation and Engagement Policy.</i>

Risk management considerations

No applicable.

Financial / budget implications

To install a modest toilet facility at Shepherds Bush Park, including universal access toilet options, septic tank installation, connecting path network, auto-locking door system and power connection. Preliminary cost estimates indicate potential expenditure between \$80,000 and \$120,000, depending on the final design option pursued.

There are currently no budgeted funds within the forward *Capital Works Program* or *20 Year Strategic Financial Plan* for the installation of a toilet facility at Shepherds Bush Park.

The estimated costs to fund the ongoing operations of a toilet facility within the park are approximately \$11,500 per annum, which includes depreciation, electricity, water and cleaning costs based on current expenditure for the Delamere Park toilet facility.

Regional significance

The unique features and infrastructure contained within Shepherds Bush Park have proven to consistently attract visitors from beyond the local suburban catchment area, providing a high-quality asset for both local and regional users.

As a destination park with strong cycling connectivity and picnicking infrastructure, the site currently encourages long-stay usage.

Sustainability implications

Environmental

The proposed toilet location in Shepherds Bush Park is adjacent to the Shepherds Bush Conservation Reserve, a high value conservation bushland area within the City of Joondalup. A design for the facility and waste water system is yet to be undertaken. A connection to sewer is estimated to be in excess of \$100,000 which is cost prohibitive however, consideration will be given to eco-design options that will mitigate any potential impacts on the adjacent conservation reserve.

The construction of the toilet facility would also seek to reduce the tendency for young persons and children to utilise the bushland reserve area for ablution purposes due to the lack of a dedicated toilet facility within the park, as occurs frequently at present.

Social

The lack of a dedicated toilet facility within Shepherds Bush Park adversely affects young children and older persons who are required to walk 1.4 kilometres to Barridale Park in the south and back in order to utilise an ablution facility, which is considered to be a significant distance for less able persons to manage.

The bike skills track installed within the park is also targeted towards young children who require a nearby and accessible toilet option, given the long-stay use that is encouraged at the site.

Consultation

This report presents the outcome of a recent community engagement process, in which a significant majority of respondents either supported or strongly supported the installation of a toilet facility within Shepherds Bush Park.

COMMENT

Since the installation of unique recreational infrastructure within Shepherds Bush Park, the City has continued to receive requests from the community to install a toilet facility within the park.

The community engagement process has revealed that sufficient support and demand exists to consider the installation of a toilet facility.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the results of the community engagement process as detailed in Attachment 1 to Report CJ028-03/19;
- 2 LISTS FOR CONSIDERATION an amount of \$120,000 in 2020-21 of the City's *Five Year Capital Works Program* to progress the installation of a toilet facility within Shepherds Bush Park, Kingsley.

MOVED Cr Logan, SECONDED Cr Chester that Council:

- 1 NOTES the results of the community engagement process as detailed in Attachment 1 to Report CJ028-03/19;**
- 2 LISTS FOR CONSIDERATION an amount of \$120,000 in 2020-21 of the City's *Five Year Capital Works Program* to progress the installation of a toilet facility within Shepherds Bush Park, Kingsley;**
- 3 NOTES the toilet facility will have auto locking doors that will enable the City to manage the operating hours of the facility to limit potential anti-social behaviour.**

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

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

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf190312.pdf](#)

CJ029-03/19**PROPOSED RECLASSIFICATION OF OCEAN REEF ROAD**

WARD	Central
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	00363, 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 the proposed reclassification by Main Roads WA (MRWA) of Ocean Reef Road between Marmion Avenue and the City of Wanneroo boundary.

EXECUTIVE SUMMARY

Ocean Reef Road is a dual carriageway road that is designed in accordance with the *Main Roads WA Metropolitan Functional Road Hierarchy* and the *Metropolitan Regional Scheme*. Ocean Reef Road is currently classified as a local government road and is the responsibility of the Cities of Wanneroo and Joondalup. This road is strategically located and provides access to regional areas and major population and employment centres such as Joondalup and Wangara.

Once a road is classified as a State road, the City will no longer be responsible for maintaining or upgrading the road, nor will it be directly involved with decision-making concerning access and development on the road. Generally, however, MRWA will either advise or seek the City's input should upgrades be required, especially if it impacts on the wider roading network.

The section of Ocean Reef Road from Marmion Avenue to the boundary with the City of Wanneroo, now meets MRWA's criteria to be reclassified from a local government road, to a State road.

It is therefore recommended that Council:

- 1 *SUPPORTS the reclassification and transfer of ownership of Ocean Reef Road from Marmion Avenue to the boundary with the City of Wanneroo to Main Roads WA;*
- 2 *ADVISES Main Roads WA of its decision.*

BACKGROUND

At its meeting held on 30 June 2010, the City of Swan Council resolved to request the reclassification of Gngangara Road from a local government road to a State road and to prepare a submission to MRWA to commence the process.

At its meeting held on 24 August 2010 the City of Wanneroo Council supported the recommendation that a joint submission to MRWA with the City be undertaken to seek reclassification of Ocean Reef Road and Gngangara Road to a State road and therefore responsibility to MRWA. The road reclassification was to include Gngangara Road and Ocean Reef Road to Marmion Avenue.

At its meeting held on 14 December 2010 (CJ227-12/10 refers), Council approved a joint submission to MRWA with the City of Wanneroo to seek the reclassification of Ocean Reef Road and Marmion Avenue to become a State road.

In August 2011 the Cities of Joondalup, Wanneroo and Swan submitted a joint application to MRWA requesting a road reclassification for Ocean Reef Road and Gngangara Road. At the time the City of Wanneroo had commenced the duplication of Ocean Reef Road from Hartman Road east and the realignment of Gngangara Road from Mirrabooka Avenue to Ocean Reef Road. At this time, the City of Swan had not commenced the duplication works of Gngangara Road east of Alexander Drive. This occurred in late 2016.

In 2012 MRWA finalised the classification assessment of Ocean Reef Road and Gngangara Road. The duplication of Ocean Reef Road and realignment of Gngangara Road had been completed by the City of Wanneroo. The completion of these works was taken into consideration by MRWA as part of the reclassification assessment. In March 2012 MRWA advised the City that the reclassification of Ocean Reef Road was not supported as it did not meet the criteria to become a State road and that it would be reviewed again in approximately five years' time.

On 1 November 2018, the City received formal correspondence from MRWA regarding the classification review of Ocean Reef Road and Gngangara Road. MRWA advised the City that the section of Ocean Reef Road from Marmion Avenue to the City's border with the City of Wanneroo now met the criteria for a State road. MRWA requested the City to provide in-principle support to transfer ownership of Ocean Reef Road. A similar request was also sent to the Cities of Swan and Wanneroo.

At its meeting held on 12 December 2018, the City of Swan Council resolved to support in-principle, the reclassification of Gngangara Road as a State road from Alexander Drive to Tonkin Highway (Northlink WA Project).

The City of Wanneroo, at its Council Meeting held on 5 February 2019, agreed in-principle to transfer to MRWA its section of Ocean Reef Road between the City of Joondalup boundary and Gngangara Road as well as the section of Gngangara Road between Ocean Reef Road and the City of Swan boundary.

DETAILS

Under MRWA's *Metropolitan Functional Road Hierarchy*, Ocean Reef Road is currently classified as a District Distributor A road from Oceanside Promenade in the west to the boundary with the City of Wanneroo in the east. The section of Ocean Reef Road from Oceanside Promenade north to Shenton Avenue is classified as a District Distributor B road and is not included as part of the re-classification request. The full length of Ocean Reef Road from the boundary with the City of Wanneroo to Burns Beach Road is 9.3 kilometres.

The section to be reclassified is a 4.5 kilometre section between the City of Wanneroo boundary and Marmion Avenue.

According to the *Metropolitan Regional Scheme* (MRS), Ocean Reef Road is classified as an 'Other Regional Road' and serves as a major east west link from Gngara Road to Marmion Avenue, including access to the Mitchell Freeway interchange.

The section of Ocean Reef Road west of the City of Wanneroo's boundary has experienced an increased level of demand, with vehicles predominantly originating from the Cities of Wanneroo and Swan. While this is still within the functionality of Ocean Reef Road, congestion during peak periods is significant within the vicinity of Wanneroo Road and the Mitchell Freeway interchange. Latest vehicle volumes, east of Edgewater Drive undertaken in late 2018 confirmed that vehicle volumes are in excess of 54,000 vehicles per day.

A breakdown of the latest vehicle volumes undertaken in November 2018 for Ocean Reef Road from Marmion Avenue to the boundary with the City of Wanneroo is provided below:

Road	Location	Vehicles per day
Ocean Reef Road	East of Marmion Avenue	17,081
	East of Eddystone Avenue	19,902
	East of Craigie Drive	24,757
	East of Edgewater Drive	54,659
	East of Trappers Drive / west City of Joondalup and City of Wanneroo boundary	48,694

Currently the City maintains Ocean Reef Road and is responsible for road improvements and landscape maintenance. Within the City's *Five Year Capital Works Program* there are three future projects which are as follows:

- Approved Footpath Replacement Project for the 2018-19 financial year to replace the asphalt footpath from Wildlife Place to the Mitchell Freeway Principal Shared Path.
- Approved Black Spot Project for the 2019-20 and 2020-21 financial years to upgrade the intersection of Ocean Reef Road and Eddystone Avenue.
- Proposed Local Traffic Management (LTM) project for the 2021-22 financial year to upgrade the intersection of Ocean Reef Road and Gwendoline Avenue.

The projects most likely to be impacted by the City will be the Black Spot project and the LTM project, however these projects will be discussed further with MRWA to determine the way forward should Council support the reclassification.

The City currently fully maintains Ocean Reef Road, including the section west of Marmion Avenue. The transfer of Ocean Reef Road to MRWA's responsibility is likely to include a landscape maintenance agreement similar to that the City has for Marmion Avenue. A maintenance agreement is yet to be established for Ocean Reef Road and is likely to occur should Council support the reclassification to a State road.

MRWA is therefore seeking the City's in-principle agreement to transfer the section of Ocean Reef Road from Marmion Avenue to the boundary with the City of Wanneroo during the 2019-20 financial year.

Issues and options considered

Two options will need to be considered:

Option 1 Provide in-principle support for the transfer of the section of Ocean Reef Road within the City of Joondalup's boundary between Marmion Avenue and the boundary with the City of Wanneroo to Main Roads WA. This is the recommended option.

The advantage of this option is that it would reduce the City's maintenance and upgrade costs associated with this road.

Option 2 Retain responsibility for the section of Ocean Reef Road within the City's boundary.

The advantage of this option is that the section of road would remain the responsibility of the City including the decision-making processes required for maintenance and upgrading of the road.

The disadvantage of this option is that the City would continue to incur costs for road maintenance and future upgrades. Additionally, retaining this section of Ocean Reef Road could cause confusion around responsibility if the section of Ocean Reef Road within the City of Wanneroo's boundary was transferred to MRWA.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

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

Not applicable.

Financial / budget implications

This stretch of road is currently included in the City's infrastructure assets register along with associated drainage and related infrastructure. At 30 June 2019, the carrying value of the road asset is estimated to be \$3,319,367, with the other associated assets an additional estimated \$2,505,769. The transaction will be a disposal of the asset for no consideration. If transfer to MRWA takes place effective 30 June 2019, this would effectively result in a loss on disposal charge of \$5,825,136 to the City's operating expenses in 2018-19. While this is a non-cash cost, it will have a significant negative impact on the City's operating surplus ratio.

MRWA grants received for construction and upgrade of this road are likely to have funded much of the cost of these, but the bulk of the carrying value in the City's books reflects fair value increases arising from revaluations, which is mandated by the *Local Government (Financial Management) Regulations 1996*. There is no provision in the proposed transfer arrangement to compensate the City for the loss that will be incurred should the transfer go ahead on these terms.

Annual depreciation on the road and other assets combined is approximately \$152,305 based on current asset values. Once the assets are transferred, the City will no longer incur this, which will be an annual saving in operating costs.

On the basis that Ocean Reef Road is reclassified as a State road, the costs associated with road maintenance and road upgrades will be the responsibility of the State Government. However, in accordance with current practice for State roads, the City may be responsible for maintenance of the verge, part costs of maintenance of median island landscaping and 50% of the street lighting tariff.

As a comparison to the current agreement with MRWA for Marmion Avenue from Beach Road to Ocean Reef Road, the City receives a per annum reimbursement payment of two-thirds of the City's annual maintenance costs for this section of road. The City is also reimbursed on an annual basis for street lighting.

In relation to the seal and kerb replacement costs, the City will save approximately \$200,000 per annum over the 20 year lifecycle of the road.

On the basis that the reclassification proceeds, the anticipated ongoing maintenance costs will be subject to detailed discussions and agreements with MRWA.

Regional significance

Ocean Reef Road is a significant arterial road that extends beyond the City's border to the east. It provides access to the Mitchell Freeway as well as Marmion Avenue.

Ocean Reef Road from the Mitchell Freeway to Gnangara Road and beyond, has been highlighted as a primary road (State road) as part of Perth and Peel @ 3.5 million - The Transport Network.

Sustainability implications

The reclassification of Ocean Reef Road to a State road will have some positive economic implications for the City. The reduction in maintenance costs including median landscaping and road upgrade requirements will become the responsibility of the State.

If the option is to not support the reclassification of Ocean Reef Road, the maintenance and road upgrade costs will remain the responsibility of the City.

COMMENT

Ocean Reef Road is a significant arterial road and extends beyond the City's jurisdiction to the east. Currently the responsibility lies with the City for intersection upgrades, road resurfacing, lighting maintenance, verge and median maintenance costs. The heavy demand on Ocean Reef Road, particularly from the east, is likely to cause an increase in the City's maintenance costs for this road over time. The reclassification to a State road is considered a positive outcome given these demands and the future anticipated traffic growth in the region.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr McLean that Council:

- 1 SUPPORTS in-principle the reclassification of Ocean Reef Road from Marmion Avenue to the boundary with the City of Wanneroo to a State road classification;**
- 2 ADVISES Main Roads WA of its decision.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

REPORT – AUDIT AND RISK COMMITTEE – 5 MARCH 2019**CJ030-03/19****2018 COMPLIANCE AUDIT RETURN**

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	32481, 09492, 101515
ATTACHMENT	Attachment 1 2018 Compliance Audit Return
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to adopt the City's *2018 Compliance Audit Return* (the Return) prior to it being submitted to the Department of Local Government, Sport and Cultural Industries (DLGSC).

EXECUTIVE SUMMARY

The DLGSC *Compliance Audit Return* for the period 1 January 2018 to 31 December 2018 has been completed and is required to be adopted by Council before being submitted to the DLGSC by 31 March 2019.

It is therefore recommended that Council:

- 1 ADOPTS the completed 2018 Local Government Compliance Audit Return for the period 1 January 2018 to 31 December 2018 forming Attachment 1 to Report CJ030-03/19;*
- 2 In accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed 2018 Compliance Audit Return as detailed in Part 1 above, to the Department of Local Government, Sport and Cultural Industries.*

BACKGROUND

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires a local government to carry out a compliance audit for the period 1 January to 31 December in each year. After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister. The Audit and Risk Committee is to review the Return before it is presented to Council for adoption.

Regulation 15 requires the Return to be certified by the Mayor and the Chief Executive Officer before being submitted to the DLGSC, along with the relevant section of the minutes, by 31 March next following the period to which the Return relates.

The 2018 Return was made available to local government authorities by the DLGSC via its centralised portal called Smart Hub. The 2018 Return is similar to previous years and focuses on high risk areas of compliance and statutory reporting as prescribed in Regulation 13 of the *Local Government (Audit) Regulations 1996*.

The Return is similar to the previous year, with the exception of the category of elections not being applicable for 2018 and the addition of two new questions, 15 and 16 under the finance category.

DETAILS

The 2018 Return contains the following compliance categories:

- Commercial Enterprises by Local Governments
- Delegation of Power / Duty
- Disclosure of Interest
- Disposal of Property
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Services.

The relevant managers were required to complete the responses to the questions which were approved by their Director before being forwarded to the Internal Auditor for review and input via the Smart Hub on the DLGSC website. The Return has been completed and is now required to be adopted by Council before being finalised and submitted to the DLGSC by 31 March 2019.

It should be noted that the Return indicates one incident of non-compliance at question seven under the category Disclosure of Interest. One employee did not lodge their annual return by 31 August 2018 as they were on extended personal leave throughout the Return period and did not return to work.

Legislation / Strategic Community Plan / policy implications

Legislation	Regulations 14 and 15 of the <i>Local Government (Audit) Regulations 1996</i> .
Strategic Community Plan	
Key theme	Governance and Leadership.
Objective	Corporate capacity.
Strategic initiative	Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.
Policy	Not applicable.

Risk management considerations

The risk associated with Council failing to adopt the 2018 Return would result in non-compliance with the legislative requirements of the *Local Government (Audit) Regulations 1996*.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The responses in the 2018 Return reveal a high level of compliance by the City with legislation.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Audit and Risk Committee at its meeting held on 5 March 2019.

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

MOVED Mayor Jacob, SECONDED Cr McLean that Council:

- 1 ADOPTS the 2018 Local Government Compliance Audit Return for the period 1 January 2018 to 31 December 2018 forming Attachment 1 to Report CJ030-03/19;**
- 2 In accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, SUBMITS the completed 2018 Compliance Audit Return as detailed in Part 1 above to the Department of Local Government, Sport and Cultural Industries.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf190312.pdf](#)

REPORTS – MAJOR PROJECTS AND FINANCE COMMITTEE – 11 MARCH 2019**CJ031-03/19 CITY'S ACQUISITION AND SALE OF CROWN
LAND - LOT 12223 (12) BLACKWATTLE
PARADE, PADBURY**

WARD	Central
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	55022, 101515
ATTACHMENTS	Attachment 1 Location Plan
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider the disposal of Lot 12223 (12) Blackwattle Parade, Padbury (Lot 12223) once acquired from the Department of Planning, Lands and Heritage (DPLH-Lands).

EXECUTIVE SUMMARY

The City's acquisition of the former community purpose site is related to petitions tabled during 2011 where residents' local to the site in "Hepburn Heights" raised concerns about parking, traffic and pedestrian issues occurring since the opening of St. Stephen's School's Early Learning Centre (St. Stephen's ELC) (Attachment 1 refers). A long-term strategy to alleviate some of the issues was considered to be the acquisition of Lot 12223. Once owned, Lot 12223 could be rezoned and sold with the sale proceeds being used for the installation of traffic lights at the intersection of Walter Padbury Boulevard and Hepburn Avenue, Padbury.

The DPLH-Lands and DPLH-Planning both conditionally supported the City's proposal with the DPLH-Planning advising that use of the sale proceeds needed to align with the City's community purpose definition under *Local Planning Scheme No. 3* (LPS3). DPLH-Planning considers that the installation of traffic lights does not align with this definition and does not support the use of the funds for this use. Support for traffic lights is necessary from Main Roads WA (MRWA) and advice on a number of occasions has been that it does not support traffic lights at this intersection.

There is a past Council resolution for the City to advocate for the above conditions to be reconsidered by MRWA and DPLH-Planning. If this were to be the case, DPLH-Lands would consider approving the use of the funds for the installation of traffic lights.

The City owning Lot 12223 is imminent as the outstanding matter of dealing with an easement has been resolved to the DPLH-Lands' satisfaction. Authorisation for the Chief Executive Officer to dispose of the site is now required under Section 3.58 of the *Local Government Act 1995* (Act).

A conditional offer to purchase the site by private treaty has been received which was well short of a recent market valuation. Using a current market valuation for the reserve, it is considered that a public auction will gauge the market conditions. Should the property not sell at auction, or via any post-auction negotiations, the Chief Executive Officer can be authorised to sell the site via private treaty.

During the amendment process to rezone the site to 'Commercial' it was noted that a traffic impact assessment would be required as part of any future development application process. On receipt of this assessment, it may strengthen the case for a traffic treatment at the junction of Walter Padbury Boulevard and Hepburn Avenue, Padbury.

It is therefore recommended that Council:

- 1 *AUTHORISES the Chief Executive Officer to dispose of Lot 12223 (12) Blackwattle Parade, Padbury by public auction on the property being owned by the City;*
- 2 *AUTHORISES the Chief Executive Officer to dispose of Lot 12223 (12) Blackwattle Parade, Padbury by private treaty should the public auction process be unsuccessful;*
- 3 *NOTES that it has previously SUPPORTED the creation of a reserve account in the City's Trust Fund for community projects in the vicinity of Lot 12223 (12) Blackwattle Parade, Padbury in line with the definition of 'Community Purpose' under the City's former District Planning Scheme No. 2 in which the sale proceeds of Lot 12223 (12) Blackwattle Parade, Padbury are to be allocated to;*
- 4 *NOTES a further status report on the progress of the City's proposed acquisition and disposal of Lot 12223 (12) Blackwattle Parade, Padbury will be submitted to the Major Projects and Finance Committee meeting to be held on 6 May 2019.*

BACKGROUND

Petitions

At the Council meeting held on 28 June 2011 (C22-06/11 refers), two petitions were tabled with an accumulated total of 117 signatures. The petitions were similar in content and requested that parking, traffic and pedestrian issues occurring since the opening of the St. Stephen's ELC in February 2011 be addressed. St. Stephen's ELC is located at Lot 12816 (9) Brookmount Ramble, Padbury and shown on Attachment 1.

The petitions requested that the City implement short term cost-effective initiatives to alleviate the local parking and vehicular movement issues and a long-term solution should be an application to the DPLH-Lands seeking the acquisition of Lot 12223. On the City owning the site in freehold, it could be rezoned to a commercial zoning and sold. The sale proceeds could then be used to alleviate traffic congestion and improve community safety, security and amenities in this part of Padbury. The premise of this request was that the City would acquire Lot 12223 from the DPLH-Lands at a concessional purchase price.

Advice from the DPLH-Lands

A business case was submitted to the DPLH-Lands which resulted in the City receiving conditional support for the purchase of the site at the concessional rate of \$88,000 (exclusive GST). Community's support was one of the DPLH-Lands conditions, as was the proceeds from the sale of the site being placed in a trust account that had an auditable trail available of the use of the funds. The DPLH-Planning's support for the proposal was also a requirement.

Advice from the DPLH-Planning

Advice from the DPLH-Planning was that it did not object to the sale of Lot 12223 to the City, noting that a right of carriageway over the existing driveway for the benefit of the adjacent shopping centre would be necessary. A further condition was for the proceeds from the sale of the site to be placed in a reserve fund and used for community purposes as detailed under the City's former *District Planning Scheme No. 2* – now LPS3 as follows:

Community Purpose - means the use of premises designed or adapted primarily for the provision of education, social, cultural and recreational facilities and services by organisations involved in activities for community benefit.

The DPLH-Planning advised that using the proceeds to address parking, traffic and pedestrian issues is not in accordance with the intent of the community purpose definition. Additional comments were provided on the extent of where the sales proceeds might apply. It had no definite policy position on the definition of 'locality' but commented that if the former community purpose site had been developed, it would have attracted residents from both the northern and southern side of Hepburn Avenue.

Concerning the DPLH-Planning's advice that the proceeds should not be used for parking, traffic and pedestrian issues in the area, DPLH-Lands advised the City that this condition would require removal before the acquisition could proceed. The progress of the acquisition continued due to the City's reassurance that before utilising any of the funds, it would seek the prior approval of the DPLH-Lands.

At its meeting held on 24 June 2014 (CJ104-06/14 refers), among other matters, Council accepted in-principle, the concessional purchase price conditionally provided by the DPLH-Lands for Lot 12223. On acquiring Lot 12223, the City would rezone the site and sell it at market value to fund community projects in the local area. Council also authorised public advertising of the proposal to allow Council to gauge residents' opinions on the acquisition of the site, in addition to seeking comments on proposed options for local capital improvement projects.

Community Consultation

Community consultation took place from 24 February 2015 to 26 March 2015 in line with the requirements of the DPLH-Lands and the City's approved *Community Consultation and Engagement Policy* and *Community Engagement Protocol*. The local community's feedback on the proposed acquisition of Lot 12223 was requested, in addition to a number of selected projects. Included was the Council preferred project of the installation of traffic lights at the intersection of Walter Padbury Boulevard and Hepburn Avenue, Padbury.

The result of the community consultation indicated that there was a high level of support for the acquisition. Support was also provided for the three projects detailed below and as provided in the information to residents within a 500 metre radius of Lot 12223 during the consultation.

- Option A Installation of traffic lights at the intersection of Walter Padbury Boulevard and Hepburn Avenue, Padbury to resolve ingress / egress traffic issues.
- Option B Upgrade the existing landscape along Hepburn Avenue, Padbury.
- Option C Upgrade the current infrastructure at Fernwood Park.

The preferred community project was Option A.

Notwithstanding Option A being the Council preferred project and the community's, MRWA had on a number of occasions indicated that it does not support traffic lights at this location. MRWA's support is necessary for the installation of traffic lights.

At its meeting held on 19 May 2015 (CJ082-05/15 refers), Council requested the development of an advocacy plan. The purpose of the plan was to gain support from the relevant State Government departments to enable the future proceeds from the sale of this site to be utilised on the community's and Council's preferred project. This advocacy plan has been developed; the implementation can be considered once the traffic impact assessment as required as part of a development application has been completed.

DETAILS

Rezoning

Ministerial approval was provided to Amendment No. 87 on 21 December 2017 to rezone Lot 12223 from 'Civic and Cultural' to 'Commercial.' The gazettal date was 12 January 2018.

As part of the assessment of the amendment, it was noted that a number of the land uses under the 'Commercial' zone could also be considered in the 'Civic and Commercial' reservation. As such, it was recognised that the zoning in itself might not result in greater traffic generation. Notwithstanding this, as part of the development application process, a traffic impact assessment will be required which will outline the traffic and vehicle movements associated with the development, and the suitability of the development from a traffic perspective.

Easement

An easement was required on Lot 12223 to allow the adjoining property owners of Lot 195 (6) Blackwattle Parade, Padbury continued access to their services area. As the easement document provided by the DPLH-Lands was not entirely fit for purpose, legal advice was requested. This is resulted in a public access easement being considered suitable and it did not require the strata owners of Lot 195 to be a party.

The easement land identified on an Interest Only Deposited Plan runs with the certificate of title for Lot 12223 and the owners of the site will be responsible for the maintenance of the easement land. Should the shopping centre site ever be substantially redeveloped, the easement conditions provide that the need for access to be on Lot 12223 will be reconsidered.

Issues and options considered

Authorisation

There is now the requirement for Council to authorise the CEO's disposal of Lot 12223. Under section 3.58 of the *Local Government Act 1995*, this can be by private treaty, public tender or public auction. It is considered that a public auction should be conducted as besides the City recently receiving a conditional offer, other interest has been shown in this site in the past.

The City has an up-to-date market valuation to guide the reserve price for the site.

Past Council Resolutions

As requested by Council at its meeting held on 19 May 2015 (CJ082-05/15 refers), an advocacy plan has been drafted in preparation to commence the process of requesting the relevant State Government departments' agreement for the installation of traffic lights at the junction of Walter Padbury Boulevard and Hepburn Avenue, Kingsley using the funds from the sale of Lot 12223. However, the implementation of the advocacy plan can be considered once a traffic impact assessment that is required as part of a development application has been completed.

Easement

The easement matter has been resolved by the use of a public access easement as agreed by the DPLH-Lands and provides the necessary access to the services area on Lot 195. Using this type of easement is not onerous on the strata owners of Lot 195, as the obligations under the easement are to be met by the owners of Lot 12223.

Legislation / Strategic Community Plan / policy implications

Legislation

The administration of Crown land is governed by the *Land Administration Act 1997* allowing the Minister for Lands to approve Crown land dealings.

Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property.

Strategic Community Plan

Key theme

Financial Sustainability.

Objective

Financial diversity.

Strategic initiative

Identify opportunities for new income streams that are financially sound and equitable.

Policy

Sustainability Policy.

Risk management considerations

Unless it is withdrawn, it will be necessary for the City to meet a condition imposed by the DPLH-Planning which requires that projects funded from the proceeds of the sale of Lot 12223 meet the intent of the definition for "Community Purpose" detailed under the City's former *District Planning Scheme No. 2* – now LPS3. Meeting this condition may preclude projects supported by the local community during the public advertising period.

Notwithstanding the above consideration, Council's and the community's preference for the installation of traffic lights at the intersection of Walter Padbury Boulevard and Hepburn Avenue, Padbury was also not supported by MRWA.

Financial / budget implications

The purchase price of \$88,000 plus GST has been included in the 2018-19 budget to be funded from the Strategic Asset Management Reserve. The funds will be returned to the reserve from the sales proceeds. The balance funds from the sale will be allocated to a specific reserve account for community projects in the vicinity of Lot 12223 (12) Blackwattle Parade, Padbury in line with the definition of "Community Purpose" under LPS3.

Regional significance

Not applicable.

Sustainability implications

Disposal of City land that was acquired for community purposes should not be undertaken without there being a nominated purpose.

Council and residents local to Lot 12223 have indicated their preference on how the sale proceeds should be used.

The DPLH-Planning's support for this acquisition is that the sale proceeds should be spent on community purposes that align with the City's definition of 'Community Purpose' under LPS3.

The community purpose definition under LPS3 highlights services that relate to 'education, social, cultural and recreational', therefore the services proposed being accessible to all sectors of the community would be considered as being socially sustainable.

Consultation

Community consultation was undertaken from 24 February 2015 to 26 March 2015. This requested the local community's feedback on the proposed acquisition of Lot 12223, in addition to a number of selected projects including a Council preferred project.

The scheme amendment proposal was advertised for public comment for a period of 42 days closing on 20 July 2017. This rezoned the site from 'Civic and Cultural' to 'Commercial' and removed the residential density code.

COMMENT

Lot 12223 (12) Blackwattle Parade, Padbury, a commercially zone site, will shortly be available for disposal. The City has not received further traffic, pedestrian or parking related complaints which may suggest that the issues that occurred as a result of the establishment of the (St. Stephen's ELC) have subsided. The results of the required traffic impact assessment of the proposed future development of site will determine what, in any, remedial options may be required.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Major Projects and Finance Committee at its meeting held on 11 March 2019.

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

MOVED Mayor Jacob, SECONDED Cr McLean that Council:

- 1 **AUTHORISES** the Chief Executive Officer to dispose of Lot 12223 (12) Blackwattle Parade, Padbury by public auction on the property being owned by the City;
- 2 **AUTHORISES** the Chief Executive Officer to dispose of Lot 12223 (12) Blackwattle Parade, Padbury by private treaty should the public auction process be unsuccessful;
- 3 **NOTES** that it has previously **SUPPORTED** the creation of a reserve account in the City's Trust Fund for community projects in the vicinity of Lot 12223 (12) Blackwattle Parade, Padbury in line with the definition of 'Community Purpose' under the City's former *District Planning Scheme No. 2* in which the sale proceeds of Lot 12223 (12) Blackwattle Parade, Padbury are to be allocated to;
- 4 **NOTES** a further status report on the progress of the City's proposed acquisition and disposal of Lot 12223 (12) Blackwattle Parade, Padbury will be submitted to the Major Projects and Finance Committee meeting to be held on 6 May 2019.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ033-03/19, page 115 refers.

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

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9agn190319.pdf](#)

CJ032-03/19**STATUS REPORT ON CITY FREEHOLD PROPERTIES PROPOSED FOR DISPOSAL AND A PROPOSED CROWN LAND ACQUISITION**

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	63627, 101515
ATTACHMENTS	Attachment 1 Lot 2 (20) Kanangra Crescent, Greenwood Attachment 2 Lot 803 (15) Burlos Court, Joondalup Attachment 3 Lot 12223 (12) Blackwattle Parade, Padbury
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to note the progress towards the disposal of two City-owned freehold properties and the acquisition of a Crown land community purpose reserve.

EXECUTIVE SUMMARY

Ten sites have been disposed of from the original total of 14, with two being withdrawn from sale. The two remaining sites Lot 2 (20) Kanangra Crescent, Greenwood (Lot 2) and Lot 803 (15) Burlos Court, Joondalup (Lot 803) did not sell at auction on 13 June 2018. Both sites are zoned 'Residential', with a restricted use allowing for the development of units for people over age 55.

Although the City has sold a number of sites with the restricted zoning of developing units for over 55s, there have now been two unsuccessful attempts to sell Lot 803 - by public tender during mid-2016 and by public auction in June 2018. Feedback received from developers on both occasions referenced the restricted zoning as overly restrictive from their perspective.

Through its land disposal project, it could be considered that the over 55 cohort has now received valuable support from the City as it has helped to provide the option to residents to 'age in place'. The City's land disposal project related to over 55-unit development has to date facilitated the creation of 51 units. Additional units for the over 55s will also be created once the three remaining sites that were sold under the same terms are developed – a development application recently being lodged on one of the sites.

In view of the above, removing the restriction from the zoning on Lot 803 may be an action for Council to consider and the same action could be considered for Lot 2.

Should an amendment to remove the restriction be considered, developer interest could well be enhanced. It may result in the City securing the sale of these two sites at market value and facilitating unit availability in Joondalup and Greenwood that all cohorts of the community can take advantage of. The City may wish to investigate what housing options are the most critical within the City of Joondalup and endeavour to dispose of the sites to provide for that need.

Under section 3.58 of the *Local Government Act 1995* (LGA) the Chief Executive Officer (CEO) has three available options to dispose of Lot 803 and Lot 2 and based on past Council resolutions, has been clarified in the recommendation.

Concerning the City's acquisition of Lot 12223 (12) Blackwattle Parade, Padbury (Lot 12223) (Attachment 3 refers), this has progressed to the City executing the contract and paying the deposit. A separate report has been provided to the Major Projects and Finance Committee on this matter.

It is therefore recommended that Council:

- 1 *NOTES the status report on the progress of the City's proposed disposal of two freehold land sites and the acquisition of a community purpose reserve, Lot 12223 (12) Blackwattle Parade, Padbury;*
- 2 *AUTHORISES the Chief Executive Officer to dispose of the following sites by private treaty, public tender or public auction:*
 - 2.1 *Lot 803 (15) Burlos Court, Joondalup;*
 - 2.2 *Lot 2 (20) Kanangra Crescent, Greenwood;*
- 3 *RETAINS the restricted use on the Residential zoning for Lot 803 (15) Burlos Court, Joondalup;*
- 4 *RETAINS the restricted use on the Residential zoning for Lot 2 (20) Kanangra Crescent Greenwood;*
- 5 *NOTES a further status report on the progress of the City's proposed disposal of freehold land and the proposed acquisition of a Crown land site will be submitted to the Major Projects and Finance Committee meeting to be held on 6 May 2019.*

BACKGROUND

The land disposal project commenced early in 2010 with investigations into community purpose sites that were considered surplus to requirements. After those investigations, Council decided that use of these sites should be for the development of units for people over age 55 allowing residents the opportunity to 'age in place.' A restricted zoning and a suitably conditioned contract of sale reinforced this and also prevented rezoning of the sites in the future.

The City's freehold land disposal project initially included 14 sites. Lot 181 (4) Rowan Place, Mullaloo (CJ096-05/12 refers) and Lot 971 (52) Creaney Drive, Kingsley (CJ103-06/14 refers) were withdrawn from sale. The total value of these two properties being in the vicinity of \$4.5 million.

Table 1 indicates the 10 sites that have sold to date and their sales price.

Except for the site that was sold to Masonic Care WA in Kingsley, Council approved the sale of these properties for the development of 'Aged and Dependent Persons' Dwellings' – or unit developments for people over 55 years of age.

Table 1 (GST exclusive)

Property	Date Sold	Sale Price
Lot 200 (18) Quilter Drive, Duncraig.	March 2013	\$ 1,350,000
Lot 766 (167) Dampier Avenue, Kallaroo.	March 2013	\$ 1,055,000
Lot 147 (25) Millport Drive, Warwick.	March 2013	\$ 1,340,000
Lot 613 (11) Pacific Way, Beldon.	March 2013	\$ 700,000
Lot 671 (178) Camberwarra Drive, Craigie.	March 2013	\$ 828,000
Part Lot 702 (11) Moolanda Boulevard, Kingsley.	August 2015	\$ 1,050,000
Lot 745 (103) Caridean Street, Heathridge.	December 2015	\$ 874,000
Lot 23 (77) Gibson Avenue, Padbury	December 2016	\$ 1,800,000
Lot 900 (57) Marri Road, Duncraig	July 2017	\$ 1,030,000
Lot 1001 (14) Camberwarra Drive, Craigie	December 2017	\$ 990,000
	TOTAL	\$11,017,000

At its meeting held on 13 December 2016 (CJ234-12/16 refers) Council resolved in part that it:

"2 *NOTES that Council authorised the Chief Executive Officer to dispose of Lot 803 (15) Burlos Court, Joondalup by public auction or private treaty, at its meeting held on 18 October 2016 (CJ167-10/16 refers);*

4 *AUTHORISES the Chief Executive Officer to dispose of the following sites by public auction:*

4.1 *Lot 2 (20) Kanangra Crescent, Greenwood;*

4.2 *Lot 900 (57) Marri Road, Duncraig;*

4.3 *Lot 1001 (14) Camberwarra Drive, Craigie."*

Lot 803 (15) Burlos Court, Joondalup and Lot 2 (20) Kanangra Crescent, Greenwood are the two remaining properties to be sold.

Concerning the City's acquisition of Lot 12223 (12) Blackwattle Parade, Padbury (Lot 12223), this has progressed to the City executing the contract and paying the deposit. A separate report has been provided to Major Projects and Finance Committee on this matter.

DETAILS**Table 2**

	Property Address	Land Disposals – Current Status
1	<p>Lot 2 (20) Kanangra Crescent, Greenwood.</p> <p>Land Area: 3,005m².</p> <p>Attachment 1 refers.</p>	<p>This site is zoned Residential with a restricted use to 'Aged or Dependent Persons' Dwellings' and it has a density code of R40.</p> <p>Lot 2 (20) Kanangra Crescent, Greenwood did not sell at auction on 13 June 2018. As opportunities present themselves, the City provides information and advice on the disposal process to developers. Any offers received are submitted to the CEO for review.</p> <p>Council may wish to consider removing the restriction on the zoning of this site by an amendment to LPS3 which is further discussed under 'Issues and options to consider' below.</p>
2	<p>Lot 803 (15) Burlos Court, Joondalup.</p> <p>Land Area: 4,410m².</p> <p>Attachment 2 refers.</p>	<p>This site is zoned Residential with a restricted use to 'Aged or Dependent Persons' Dwellings' and it has a density code of R60.</p> <p>Lot 803 (15) Burlos Court, Joondalup did not sell at auction on 13 June 2018.</p> <p>On 23 November 2018, a developer submitted a conditional offer for Lot 803. The conditions associated with the offer required the City to be involved in a collaborative arrangement. While the City was assessing the offer, the same developer advised that it planned to make an alternative offer, which would be for the outright purchase of Lot 803. This offer would be on condition that an amendment to LPS3 removes the restriction on the zoning.</p> <p>Council may wish to consider removing the restriction on the zoning of this site by an amendment to LPS3 which is further discussed under 'Issues and options to consider' below.</p>

Issues and options considered

A developer that has expressed a keen interest in the purchase of Lot 803 to the point of recently advising that a second alternative offer is planned to be submitted. Advice is that this will be for the outright purchase of the site on condition that the restriction to 'Aged or Dependent Persons' Dwellings' is removed.

This potential offer and the developer feedback received during the auction process where both Lot 803 and Lot 2 did not sell, has prompted an examination of the possible removal of the restricted use.

Option 1 – Retain Sites with Current Zoning.

On commencement of the overall land disposal project, Council determined that the future land use of the former community purpose sites should be for unit development for people over age 55. This intent was not only protected by a restriction on the Residential zoning, but also by a condition in the contract of sale preventing future rezoning amendments to *Local Planning Scheme No. 3 (LPS3)* on these sites.

There is the option to “do nothing” and retain the sites with their current zoning either for potential future private treaty offers, or sale by public tender or auction at a time when it is considered that the ‘over 55s’ market has improved.

Option 2 – Amendment to LPS3 to Remove the Restricted Use’.

As a measure of the unit yield achieved to date due to the City’s land disposal project, 10 sites have sold, and 39 units for the over 55s have been developed on six of those sites. The City has also received a development application for 10 multiple dwellings for Lot 900 (57) Marri Road, Duncraig and two sites sold but not yet developed - properties in Gibson Avenue, Padbury and Millport Drive, Warwick will also accommodate over 55 units. Additionally, 12 independent living units were developed on land sold by the City to Masonic Care WA in Kingsley.

Based on the above information, it may be considered that units for the over 55s have reached a satisfaction point, recognising that this cohort has now been well facilitated by the City releasing and restricting the land for this use. Should Lot 803 and Lot 2 be zoned ‘Residential’ (no restricted use), it may not only result in the City selling the sites but allow other cohorts of the community to take advantage of future unit sales.

Should the initiation of an amendment to LPS3 for the removal of the restriction on Lot 803 and Lot 2 be considered, the City could still use a contract of sale that precludes the future rezoning of the sites ensuring the land is used for the development of residential units only.

Legislation / Strategic Community Plan / Policy implications

Legislation	Sections 3.58 and 3.59 of the <i>Local Government Act 1995</i> , together with the <i>Local Government (Functions and General) Regulations 1996</i> determine how a local government may dispose of property.
Strategic Community Plan	
Key theme	Quality Urban Environment.
Objective	Quality built outcomes. Buildings and landscaping are suitable for the immediate environment and reflect community values.
Key theme	Financial Sustainability.
Objective	Financial diversity.

Strategic initiative Identify opportunities for new income streams that are financially sound and equitable.

Policy *Asset Management Policy.*
Sustainability Policy.

Risk management considerations

Disposal of property needs to comply with the requirements of sections 3.58 and 3.59 of the *Local Government Act 1995*, which are designed to ensure openness and accountability in the disposal process.

There is always the potential that the reserve price on a City property will not be realised. Reserves are based on current market valuations obtained from a licensed valuer. The City will not consider an outright sale of a freehold land site below these reserves.

The recommendations for disposal are based on a combination of the best financial return, planning outcomes and community benefit.

Regarding the proposed sale of Lot 2 (20) Kanangra Crescent, Greenwood and Lot 803 (15) Burlos Court, Joondalup, the future of these sites may wish to be reconsidered based on the market's response to their proposed sale and the developers' feedback.

Financial / budget implications

Council has agreed that the proceeds from the sale of freehold land are to be transferred to the Joondalup Performing Arts and Cultural Facility Reserve Fund. As at June 2018 (Actuals) the Reserve Fund held \$16,246,677.

Proceeds achieved from the future sale of Lot 12223 (12) Blackwattle Parade, Padbury are required to be spent on capital / community projects in line with the definition of "Community Purpose" under LPS3.

The associated main expenditure costs related to the City's disposal of freehold land are legal and settlement fees, advertising costs, valuation costs, land surveying and costs related to subdivision / amalgamations

Regional significance

Not applicable.

Sustainability implications

City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose addressing a community need.

Concerning the freehold land disposal project to date, Council has supported the restricted use of 'Aged or Dependent Persons' Dwellings' providing alternative housing choices for the City's ageing population. Potentially, other cohorts of the community should now be considered.

The sale proceeds from the eventual disposal of Lot 12223 (12) Blackwattle Parade, Padbury will be used for community projects.

Consultation

Public auction, public tender and private treaty methods have been used regarding the City's land disposal project. Advertising is a requirement with all three methods unless, in respect of private treaty, the disposal is exempt under Regulation 30 of the *Local Government (Functions and General) Regulations 1996*.

The statutory public advertising period of 42 days for amendments to LPS3 provides an opportunity for the community to make a submission on the future intent for the site on disposal.

The method of community consultation followed during the proposed acquisition of Lot 12223 (12) Blackwattle Parade, Padbury, was conducted in accordance with the City's approved *Community Consultation and Engagement Policy* and *Community Engagement Protocol*.

COMMENT

Should the City be committed to disposing of Lot 803 and Lot 2, there is an indication from the market that selling the land without the restriction to over 55s could expedite this. For the future sale of units on these sites, the broader the market, the more appeal to developers.

Council's aim when this land disposal project commenced in 2010, was to facilitate the option for its older residents to 'age in place.' With the units developed to date and there being three sites still available for over 55 development, if there is a desire to stay committed to unit development on these two lots, it would not be unreasonable to now facilitate more wide-ranging housing options.

Based on the above, it is recommended that Council considers authorising the initiation of amendments to LPS3 for the removal of the restricted use on Lot 803 (15) Burlos Court, Joondalup and Lot 2 (20) Kanangra Crescent, Greenwood. It is further recommended that the Chief Executive Officer, is authorised to dispose of these sites by private treaty, public tender, or public auction as detailed under section 38 of the LGA not only based on the best financial return but for the most suitable outcome on housing diversity needs within the City.

Should Council support the amendments, housing option needs and developer models could be examined during the period it takes for their finalisation.

VOTING REQUIREMENTS

Simple Majority.

COMMITTEE RECOMMENDATION

The committee recommendation to Council for this report (as detailed below) was resolved by the Major Projects and Finance Committee at its meeting held on 11 March 2019.

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

That Council:

- 1 *NOTES the status report on the progress of the City's proposed disposal of two freehold land sites and the acquisition of a community purpose reserve, Lot 12223 (12) Blackwattle Parade, Padbury;*
- 2 *AUTHORISES the Chief Executive Officer to dispose of the following sites by private treaty, public tender or public auction:*
 - 2.1 *Lot 803 (15) Burlos Court, Joondalup;*
 - 2.2 *Lot 2 (20) Kanangra Crescent, Greenwood;*
- 3 *REQUESTS the initiation of an amendment to Local Planning Scheme No. 3 for the purpose of public consultation to remove the restricted use from the Residential zoning on Lot 803 (15) Burlos Court, Joondalup;*
- 4 *REQUESTS the initiation of an amendment to Local Planning Scheme No. 3 for the purpose of public consultation to remove the restricted use from the Residential zoning on Lot 2 (20) Kanangra Crescent Greenwood;*
- 5 *NOTES a further status report on the progress of the City's proposed disposal of freehold land and the proposed acquisition of a Crown land site will be submitted to the Major Projects and Finance Committee meeting to be held on 6 May 2019.*

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

That Council:

- 1 *NOTES the status report on the progress of the City's proposed disposal of two freehold land sites and the acquisition of a community purpose reserve, Lot 12223 (12) Blackwattle Parade, Padbury;*
- 2 *AUTHORISES the Chief Executive Officer to dispose of the following sites by private treaty, public tender or public auction:*
 - 2.1 *Lot 803 (15) Burlos Court, Joondalup;*
 - 2.2 *Lot 2 (20) Kanangra Crescent, Greenwood;*
- 3 *RETAINS the restricted use on the Residential zoning for Lot 803 (15) Burlos Court, Joondalup;*
- 4 *RETAINS the restricted use on the Residential zoning for Lot 2 (20) Kanangra Crescent Greenwood;*
- 5 *NOTES a further status report on the progress of the City's proposed disposal of freehold land and the proposed acquisition of a Crown land site will be submitted to the Major Projects and Finance Committee meeting to be held on 6 May 2019.*

MOVED Mayor Jacob, SECONDED Cr Poliwka that Council:

- 1 NOTES the status report on the progress of the City's proposed disposal of two freehold land sites and the acquisition of a community purpose reserve, Lot 12223 (12) Blackwattle Parade, Padbury;**
- 2 AUTHORISES the Chief Executive Officer to dispose of the following sites by private treaty, public tender or public auction:**
 - 2.1 Lot 803 (15) Burlos Court, Joondalup;**
 - 2.2 Lot 2 (20) Kanangra Crescent, Greenwood;**
- 3 RETAINS the restricted use on the Residential zoning for Lot 803 (15) Burlos Court, Joondalup;**
- 4 RETAINS the restricted use on the Residential zoning for Lot 2 (20) Kanangra Crescent Greenwood;**
- 5 NOTES a further status report on the progress of the City's proposed disposal of freehold land and the proposed acquisition of a Crown land site will be submitted to the Major Projects and Finance Committee meeting to be held on 6 May 2019.**

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

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

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10agn190319.pdf](#)

REPORT OF THE CHIEF EXECUTIVE OFFICER**CJ033-03/19****REVIEW OF EMPLOYEE RESOURCES AND EFFICIENCIES**

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Chief Executive Officer
FILE NUMBER	103906
ATTACHMENTS	<p>Attachment 1 City of Joondalup Governance Framework.</p> <p>Attachment 2 City of Joondalup Annual Financial Report 2017-18.</p> <p>Attachment 3 City of Joondalup Budget 2018-19.</p> <p>Attachment 4 20 Year Strategic Financial Plan 2018.</p> <p>Attachment 5 Joondalup 2022 – Strategic Community Plan 2012-2022</p> <p>Attachment 6 2018-19 Corporate Business Plan.</p> <p>Attachment 7 City of Joondalup Annual Report.</p> <p>Attachment 8 2018-2019 Five Year Capital Works Program.</p> <p>Attachment 9 Australasian Local Government Performance Excellence Program 2016-17.</p> <p>Attachment 10 Australasian Local Government Performance Excellence Program 2017-18.</p> <p>Attachment 11 Independent Appraisal of the City of Joondalup's Cost Efficiencies and Services Review 2014.</p> <p>Attachment 12 Independent Appraisal of the City of Joondalup's Cost Efficiencies and Services Review 2016.</p> <p>Attachment 13 Cost Optimisation Strategies: Global Perspective 2016.</p> <p>Attachment 14 City of Perth Organisational Capability and Compliance Assessment Report June 2017.</p>

(Please note: These attachments are only available electronically).

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.
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PURPOSE

For Council to note the costs of engaging an external consultant to examine and review the City's wage expenses alongside the approach to efficiency and innovation.

EXECUTIVE SUMMARY

At the Council meeting held on 26 June 2018 (C58-06/18 refers), the following resolution was made following the submission of a notice of motion from Cr Poliwka:

"That Council REQUESTS the Chief Executive Officer prepare a report, as a matter of priority, on the costs involved in engaging a consultant to examine and review the following aspects of the City's wage expenses:

- 1 Current staff structures and the employee contracting arrangements in place;*
- 2 The wage increases over the last 10 years and also the reasoning behind predicted ongoing increases;*
- 3 Alternative more cost efficient engagement of staff resources and / or alternative technologies and means to achieve significant overall cost reductions in the ensuing five year plan."*

The reasons behind the notice of motion, as stated by Cr Poliwka are as follows:

"There is a perception from ratepayers that the City's current wage impost is too high and has a detrimental effect resulting in constant demand for rate increases.

The current percentage of wages to the rate income is approximately 66% and this is an area that needs to be addressed.

The percentage of wages to overall operating costs is approximately 42%.

The number of senior staff, with income packages over \$100,000 per annum has increased from 24 in June 2008 to 136 in June 2017, with the likelihood of that number being higher for year end 2018.

The employee costs from June 2008 to June 2017 have increased by approximately 79%. The actual CPI WA over that period is approximately 22%. The wage growth in WA over the same period has been the lowest in recent history.

The current employment conditions with superannuation well above the mandatory percentage needs to be justified in what is a slow wage growth and stressed local economy.

The City needs to be cognisant of the current pain and hard times experienced by its ratepayers.

Large corporations are currently reducing their wage impost to meet funding, ratepayer or shareholder demands. The City's current wage impost and future projections cannot be sustained without significant rate increases and / or impact adversely on necessary other operational and capital costs.

I believe we need to recognise that our current situation may not pass the “pub” test.

We are a large City with wonderful facilities that need to have funds available for their upkeep and future enhancement.

With today’s technology and competitive contractor situation, the City should be looking at providing our ratepayers with minimal rate increases at or below CPI. We also need to look at the availability of reserves on hand that could be considered to defray some of the ratepayer pain.

The wage cost is the most significant operation impact upon the way the City does business and I believe it needs to have an independent, qualified consultant who can bring about change in a positive way.

If the City keeps doing business the same way it currently does, it will keep getting the same results which will mean a constant increase in the rates as experienced over the last nine years.”

This report provides an analysis of the City’s operations, in terms of employee levels and structure; operational efficiencies and benchmarking exercises that the City has been party to over its journey since forming in July 1998. In particular, the information in this report provides details relating to employee resourcing and related costs including but not limited to:

- 1 the City of Joondalup staff structure, employment and contracting arrangements
- 2 the City of Joondalup employment costs
- 3 the iterative continuous improvement and innovation program that the City is recognised for.

In response to the statements made to the reasons for the notice of motion, information and data responding to those assertions is included in the report. Recent customer survey results provided a different context to the statements made within the notice of motion documentation.

The capacity of the City to meet the strategic objectives set by the community in the *Strategic Community Plan* is defined by the decision making of Council. The decision to provide new services or increase service levels to the community also comes through the decision making of Council. A resulting impact from these decisions may result in the need for additional staff to be recruited to ensure service delivery meets the levels determined by Council.

Elected member concerns relating to employee costs can be addressed through the budget setting process when the elected members can review, consider and determine service provision and service levels on behalf of the community. It is at this time that elected members can review, amend or cease the delivery of services performed by the City for the community, with the notable exception of statutory service provision.

In view of the information provided in this report, it is considered that the City should not engage a consultant to perform a staff and wage structure review, but continue to focus and channel its financial resources around advancement in technology that will drive operational efficiencies and deliver on community expectations.

BACKGROUND

Since the City was formed on 1 July 1998, the staff structure has continued to evolve to meet service delivery expectations of the community which are determined, defined and driven by Council.

Following the inquiry into the City¹, the City between 2005 and 2010 established its inaugural *Governance Framework*; reviewed the City's corporate ICT systems and internal systems and mechanisms; and created and implemented a range of robust reporting mechanisms. These activities were driven by the Chief Executive Officer and the City's administration in addition to implementing the recommendations from the inquiry.

The staff structure supports the delivery of the *Strategic Community Plan*. The City presented its first *Strategic Community Plan* and *Corporate Business Plan* in 2012. In 2013 the State Government required all local governments to implement the *Integrated Planning and Reporting Framework*, the guiding process to deliver these documents (Figure 1 refers). It should be noted that the City was well advanced in this area having developed strategic plans to guide organisational service delivery since 2005. A detailed reporting process cascades throughout the organisation to monitor, report and inform on the status of service and project delivery. The monthly and quarterly reporting process is reviewed by the Executive Leadership Team and culminates into the *Corporate Business Plan* reports that are received by Council.



Figure 1. Source: City of Joondalup Governance Framework (Attachment 1 refers)

¹ Report of the Inquiry into the City of Joondalup October 2005, Division 2 Part 8 of the Local Government Act 1995.

Information is provided to elected members in accordance with the roles and responsibilities outlined in the *Local Government Act 1995*. However, it is recognised that there is an appetite for more detailed information pertaining to the operational reporting requirements and this will be provided where appropriate, and in view of the roles and responsibilities between the elected members and the Chief Executive Officer.

The City has maintained a lean organisation over the years while supporting the delivery of services to the community in line with Council decisions and to meet statutory requirements. This is evidenced through comparison tables provided in the report.

In an effort to benchmark performance by an external and independent party, the City is a participant of the *Australasian Local Government Performance Excellence Program (ALGPEP)*. Local Government Professionals NSW, in collaboration with PricewaterhouseCoopers (PwC) extended the ALGPEP into Western Australia, commencing with data collection in 2015-16 the City joined the ALGPEP at this time. The industry developed a performance management tool that aims to assist with better communication, control and management of the local government authority performance through the use of benchmarking and data analytics. In Western Australian, 37 local government authorities joined as well as 99 other local government authorities across New South Wales and New Zealand. Since 2015-16, the program has extended into:

- South Australia
- Queensland
- Australian Capital Territory.

This has resulted in over 165 local governments participating in the program in 2017-18.

Through data analysis completed by PwC, the program aims to provide deeper insights into relevant areas of internal business operations enabling the City to be informed with the best quality information available.

Data collection and analysis is completed in the following areas:

- Workforce Management.
- Finance Management.
- Operations Management.
- Risk Management.
- Corporate Leadership.
- Asset Management.
- Financial Data.

Results are reviewed internally, and areas of additional deeper analysis are identified and commenced.

Where applicable and available, the City also participates in benchmarking opportunities to compare and contrast service delivery across local governments or industries. An example is Yardstick which provides benchmarking opportunities in the area of benchmarking for parks, open space management, planning and service delivery.

In terms of customer satisfaction on the City's service delivery the City has consistently achieved high customer satisfaction ratings, with the most recent survey results being presented to Council at its meeting held on 20 November 2018 (CJ196-11/18 refers). The positive outcomes of these survey results is reflective of the community's satisfaction of the services and service levels provided by the City.

DETAILS

In terms of assessing and reviewing a local government's business, including staffing levels, there are a number of factors to consider, as detailed below.

Legislative Framework

Western Australian local governments are required to deliver services to the community in accordance with the *Local Government Act 1995* (the Act). Services identified in the Act that are to be provided are referred to as statutory services. Below is a sample of other state and federal legislation local governments are required to adhere to when providing services to the community:

- *Local Government (Administration) Regulations 1996.*
- *Local Government (Financial Management) Regulations 1996.*
- *Local Government (Functions and General) Regulations 1996.*
- *Local Government (Miscellaneous Provisions) Act 1960.*
- *Local Government (Rules of Conduct) Regulations 1996.*
- *Local Government Amendment (Auditing) Act 2017.*
- *Planning and Development Act (2005).*
- *Waste Resources and Recovery Act 2007.*
- *Waste Avoidance and Recovery Regulations 2008.*
- *Waste Avoidance and Recovery Levy Regulations 2008.*
- *Public Health Act 2016.*
- *Environmental Protection Act 1986.*
- *Building Act 2011.*
- *Building Regulations 2012.*
- *Food Act 2008.*
- *Food Regulations 2009.*
- *Disability Services Act 1993.*
- *Fair Work Act 2009.*
- *Superannuation Guarantee (Administration) Act 1992.*
- *Library Board of Western Australia Act 1951.*
- *State Records Act 2000.*

The provision of statutory services requires compulsory compliance. However, each local government authority is individually responsible for determining the level of service and the level of resourcing for service provision. The decision on service level provision is determined by Council.

In terms of statutory service provision, the City's administration is also cognisant of the consistent themes identified through reports by the Corruption and Crime Commission of Western Australia and the Public Sector Commission of Western Australia. Themes of system and service failures due to the failure to provide adequate resourcing for the compliance regime are frequently identified. As a result, the City ensures the adequate provision of resources to fulfil the compliance requirements related to statutory service delivery.

The City is required, statutorily, to report to the Council; among other things:

- financial reports
- budgets
- compliance returns
- *Strategic Community Plan*
- *Corporate Business Plan*
- *Annual Report.*

The City's main corporate documents are detailed in Attachments 2 to 8 to this Report and include:

- *Annual Financial Report 2017-18 (Attachment 2).*
- *City of Joondalup Budget 2018-19 (Attachment 3).*
- *20 Year Strategic Financial Plan 2018 (Attachment 4).*
- *The Joondalup 2022 – Strategic Community Plan 2012-2022 (Attachment 5).*
- *The 2018-19 Corporate Business Plan (Attachment 6).*
- *The City of Joondalup Annual Report (Attachment 7).*
- *2018-2019 Five Year Capital Works Program (Attachment 8).*

The reports are presented to Council from time to time as per legislative requirement. Local governments are financially audited by external auditors, the Office of the Auditor General for Western Australia. The audit reports are presented to Council.

The City has had no issues with compliance audits since 2005. Compliance Audit Returns are completed annually, and then submitted to the Department of Local Government, Sport and Cultural Industries. The return is completed in accordance with regulation 15 of the *Local Government (Audit) Regulations 1996*.

Transparency and Accountability

It is critical for local governments to undertake service delivery with good governance principles in mind.

The City's *Governance Framework* (as detailed in Attachment 1) defines governance as follows:

'Governance is the process by which decisions are taken and implemented, the process by which organisations go about achieving their goals and producing their outputs and the process by which organisations are directed and held to account.'

The governance structure embedded at the City is an integral element to supporting the transparency and accountability required in the Council decision making process. All decisions are mapped and aligned to the City's *Strategic Community Plan* in accordance with the legislative framework outlined. This ensures Council is informed throughout the decision-making process.

All Council reports identify the compliance to Legislation / Strategic Community Plan / policy implications. The City clearly outlines in reports to Council the relationship between the Council report, used for decision making and determination by the Council, and the compliance links to legislation. This also identifies how the Council decision is linked to support delivery of the City's *Strategic Community Plan*. The City identifies all elements of the *Strategic Community Plan* including:

- key themes
- objectives
- strategic initiatives.

The *Governance Framework* outlines the elevation process for complex issues that may arise and clearly defines delegations, roles and responsibilities as per the Local Government Act 1995 and other statutory provisions. Internally, the City has policies, protocols and procedures that guide employees to ensure actions and processes are undertaken with transparent and accountable philosophies in mind.

To ensure transparency and accountability at a political level, the City informs elected members and Council of its activities through Council as well as the following committees:

- Major Projects and Finance Committee.
- Audit and Risk Committee.
- Policy Committee.
- Chief Executive Officer Performance Review Committee.

The Chief Executive Officer takes the additional step of providing a weekly update to the elected members through the *Desk of the CEO*. The *Desk of the CEO* highlights information and updates which may be of interest to elected members.

Organisational Capacity and Staff Structure

The organisation is structured to ensure compliance with statutory service provision, legislation, service delivery that is determined and driven by Council, and to support delivery of the *Strategic Community Plan* that is developed in consultation with the community. The capacity of the organisation to deliver the compliance regime and meet community expectations is frequently reviewed by external oversight agencies and through independent reviews, defined in Attachments 11 to 13.

The City's staff structure is reviewed by the Executive Leadership Team to assess the suitability of the structure against service delivery requirements. Service delivery at the City is determined by either:

- legislation
or
- a Council decision.

The City's staff structure includes:

- permanent employees, full-time and part-time
- maximum term contracts such as Managers, Directors and the Chief Executive Officer
- casual employees
- agency employees.

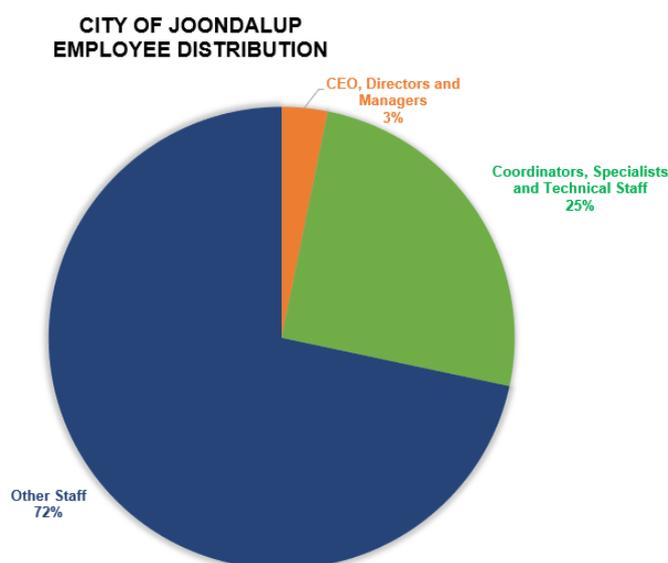
Table 1 lists the number of full-time equivalent employees (FTE) by position level, of maximum term and permanent employees. This includes fulltime and part-time, for the City as at 17 October 2018.

Table 1.

Position	Number of Full Time Equivalent Employees (FTE)
CEO	1
Director	4
Manager	16
Coordinator	36.8
Level 9 (specialist and technical staff)	27
Level 8/9	11.8
Level 8	26.75
Level 7/8	10
Level 7	53.54
Level 6/7	2
Level 6	46.7
Level 5/6	16.01
Level 5	64.31
Level 4/5	15.53
Level 4	58.91
Level 3/4	28.73
Level 3	33.06
Level 2/3	27.51
Level 2	2.35
Level 1/2	4.23
Level 1	1

Source: City of Joondalup HR Information System: Aurion

** Does not include casual employees



Graph 1. City of Joondalup Employee Distribution

Source: City of Joondalup HR Information System: Aurion

** Does not include employees

Instances of growth in FTE numbers are largely reflective of decisions by Council that result in either the addition of services or expansion of service delivery for the community. From 2008 to 2018, the City expanded its service provision to meet the demands and expectations of the growing community. This includes, but is not limited to, the growth of Craigie Leisure Centre memberships requiring additional employees to support service delivery levels as well as natural residential growth that has seen developments of the suburbs Burns Beach and Iluka to residential capacity. Both these suburbs, as well as others, have a Specified Area Rate (SAR) that applies to the suburb, requiring a higher service level, additional parks and open spaces for the City to service.

On occasion, the City will experience a growth in positions to support the compliance requirements directed by State and Federal legislation. Table 2 provides examples of FTE growth that has occurred since 2009 and where applicable, the inclusion** comments relating to the shift of service provision from state to local government.

Table 2.

Year	FTE*	% Growth on Previous Period **	Primary Growth Reason
2009	555		
2012	579	4.3%	<ul style="list-style-type: none"> • New Compliance and Regulatory Services Business Unit established with additional FTE • Establishment of Marketing and Communications Business Unit along with increasing digital and media services
2013	588	1.5%	<ul style="list-style-type: none"> • Natural organisational growth
2017 (30/06/2017)	615	4.6%	<ul style="list-style-type: none"> • Growth in operation services programs • Increased digital technology requirements • Increased focus on risk management • Increased focus on economic development • Introduction of 24/7 patrol service as part of City Rangers
2018 (30/06/2018)	632	2.8%	<ul style="list-style-type: none"> • Introduction of multi-storey carpark • Planning for implementation of three-bin system and conversion of casual positions to permanent positions in Waste Services • Introduction of a number of temporary positions including Verge Coordinator, Contracts Officer and Project Officer for Yellagonga Wetlands Smart Monitoring

* Note: FTE refers to numbers of established positions, rather than headcount of individual employees. Employee numbers will generally be higher than FTE, taking into account part-time and casual work arrangements.

** Note: The Growth of Previous Periods is representative of the years noted in table 2. That is from 30 June 2017 to 30 June 2018 there was a 2.8% growth in FTE at the City.

The Contracting of Employees

Employee contracting arrangements are established through legislation and industrial instruments. Legislation includes:

- *Local Government Act 1995*
- *Fair Work Act 2009.*

The majority of City employees have their employment conditions regulated by enterprise agreements. Enterprise agreements are established the *Fair Work Act 2009*. The City has entered into four enterprise agreements with staff. This includes:

- the *City of Joondalup (Building Maintenance) Enterprise Agreement 2016*
- the *City of Joondalup (Outside Workforce) Enterprise Agreement 2016*
- the *City of Joondalup (Inside) Enterprise Agreement 2016*
- the *City of Joondalup Leisure Centres Casual Workforce Enterprise Agreement 2016.*

The City reviews the organisation against similar sized local governments staffing levels and data indicates that the City operates on a lower FTE base as displayed in Table. 4.

In accordance with the Act, the legislative framework for enterprise bargaining including the bargaining and approval processes are established through parts two to four of the Enterprise Agreements of the *Fair Work Act 2009*.

Enterprise agreements are tested by the Fair Work Commissioner to ensure they pass the Better Off Overall test when compared to the Modern Award (in the case of local government – the *Local Government Industry Award 2010*) and the National Employment Standards.

Due to the inability to capture employment conditions that have been bargained, traded out and/or exchanged for the wage percentage increase during this time for local governments in the Western Australian sector, it is difficult to make direct comparisons against other local government authorities.

Enterprise agreements have been negotiated at the individual enterprise level over the past twenty years. The City compares and contrasts its position levels in relation to other local governments as well as evaluating employee costs in total and as a proportion of resident population and rates.

Casual employees are paid a casual loading in lieu of benefits such as paid sick leave and annual leave. Casual staff allows the City to maintain an agile workforce that can be mobilised quickly to meet community expectations around service delivery. Casual employees are largely used in the areas of Leisure and Cultural Services to support service provision for leisure centres or events held by the City. This allows the City to flex the workforce in response to market demand of the service.

Agency staff are used across the organisation to ensure service delivery is achieved in line with Community expectations. The utilisation of agency staff has been declining, and since 2015-16 there has been a 40% reduction in costs relating to agency staff.

Employee Costs

Pay increases are negotiated with employees and unions on a cyclical basis. Cognisant of the economic climate, the City negotiates wage offers through the Enterprise Agreements and uses the Consumer Price Index (CPI) and the Wage Price Index (WPI) to inform the wage offer at the time of negotiation. Increases are determined by a range of factors including:

- economic circumstances both internal and external, including but not limited to CPI and WPI
- industry norms
- levels of labour market buoyancy
- levels of risk for industrial action
- culture and workforce relationship
- retention and turnover levels
- other conditions of employment being negotiated in any agreement during each round of negotiation.

The City recognises the need to be fiscally responsible during both positive and negative economic and financial environments. The long term focus is on maintaining the workforce to achieve service delivery and meet community expectations, while ensuring the financial sustainability of the City.

Since 2016, annual enterprise agreement increments have been at 1.5% which is under the forecasted rates in the *20 Year Strategic Financial Plan 2015-2016 to 2034-2035* that is approved by Council.

Directors and Managers are employed on maximum term contracts. To ensure an impartial approach to executive remuneration, the City of Joondalup established the pay ranges for Directors and Managers through an independent work value assessment in 2008. This practice continues today.

As the City's workforce has expanded over the past 20 years since formation, so too has the number of employees who earn over \$100,000. To eliminate issues associated with the treatment of benefits other than cash salary, the City has adopted a total employee cost approach to remuneration. This packages all remuneration into one total number. The City considers this a more transparent and open approach to payment which exceeds the requirements of regulation 19B of the *Local Government (Administration) Regulations 1996*.

The City has adopted this approach since 2008-09. The City recognises that not all local governments adopt the same approach which will result in variances to numbers reported across local governments in Western Australia. It is noted that some local governments report the salary component only, which meets the legislative requirement, and not the full employee costs as reported by the City.

The total cost approach to reporting employee remuneration, which exceeds the reporting requirements of regulation 19B of the *Local Government (Administration) Regulations 1996*, includes the factors listed which may take an employee's annual earnings over \$100,000.

The factors include:

- annual salary component
- statutory 9.5% superannuation, plus City matching contributions to additional superannuation were applicable
- salary sacrifice
- allowance for motor vehicles
- overtime payments
- cash-out of leave (either on request, termination or retirement)
- higher duties where applicable
- termination payments.

This \$100,000 threshold, however, was set as a high salary reporting threshold in March 2005, and had remained unchanged at that level despite wages in Western Australia and Australia generally having grown significantly since 2005. In 2005-06 the City reported 18 employees each with a total employee cost greater than \$100,000. If this reporting threshold had been indexed annually using the WPI, it would have been \$159,000 in 2016-17 and only 23 employees were above this threshold.

If average weekly earnings growth was used instead, the reporting threshold would have been \$190,000, reflecting the 70% rise in average weekly earnings in Western Australia since 2005 and only 11 employees were above this threshold.

In this context, the City has worked hard to manage employee costs over an extended period. The average weekly earnings per employee for 2016-17 was approximately \$58,951. It may be noted that the average weekly earnings in May 2017 in Western Australia was \$1,331². Annualised, this translates to approximately \$69,316.

The City is required to make Guaranteed Superannuation Contributions on behalf of eligible employees in accordance with the *Superannuation Guarantee (Administration) Act 1992*. The current guarantee contribution level is 9.5%.

Under previous and current enterprise agreements, the City provides a matching contribution scheme of up to 5% or 6% (depending on the start date of an employee) as a matching contribution. This benefit is part of an attraction approach given matching super contribution schemes are a common industry practice and have been for a significant period of time.

The City has the requirement for all vacancies to be reviewed by the Manager and a business case submitted to the Chief Executive Officer before a position is advertised. The business case requires a review of the position description, its alignment to service delivery, service levels and a cost benefit analysis. Reflection is also required to consider and identify if technological efficiencies pertaining to service delivery through the position, could be further incorporated to streamline and improve service levels.

Periodically, as positions are vacated and evaluated, they will be market tested. This ensures the City is advertising positions that will attract suitability qualified people and is competitive with the private sector.

² Western Australian Economic Notes. *Average Weekly Earnings May 2017*. Department of Treasury. Government of Western Australia.

Workforce

Through public consultation, the City works with the community to develop the *Strategic Community Plan*. Under the key theme of Governance and Leadership, an objective is Corporate Capacity. The strategic initiative for the City is to ‘*maintain a highly skilled and effective workforce*’. The implementation and achievement of this theme is reported in the Corporate Business Plan Quarterly Reporting. The City’s most recent *Corporate Business Plan* was endorsed by Council at its meeting held on 21 August 2018 (CJ138-018/18 refers). The Corporate Business Plan Quarterly Report for the period 1 October 2018 to 31 December 2018, was received by Council at its meeting held on 19 February 2019 (CJ009/02-19 refers).

The *Strategic Community Plan* and the *Corporate Business Plan* are statutory requirements under the *Local Government (Administration) Regulations 1996*. The plans are outcomes of the integrated planning and reporting framework process the City is required to complete. An informing plan under this process is the *Workforce Plan*.

The *City of Joondalup Workforce Plan 2018-2022* is one of three major informing strategies within the City’s *Integrated Planning and Reporting Framework* (Figure 1 refers). Its purpose is to determine the workforce requirements necessary to resource and deliver the organisations *Corporate Business Plan 2018-2023* and in doing so, contribute to the achievements of strategic objectives contained within the *Strategic Community Plan*. To do this effectively, the City must develop and maintain a comprehensive understanding of its workforce. Consideration of the City’s long-term strategic objectives, the associated workforce requirements, identification of the strategies necessary to resource and support these objectives. This aids in monitoring and evaluating the actions delivered through the plan and meets the City’s statutory reporting requirements.

Planning for future workforce requirements enables the City to be responsive to emerging challenges before they impact on existing services and operations. It also facilitates the preparation of detailed budgets and long-term financial planning that support the delivery of efficient and affordable services. The *Workforce Plan* works in tandem with the City’s current program for continuous improvement and organisational excellence, aligning to the “People” and “Leadership” categories under the *Australian Business Excellence Framework*.

Staff Turnover

The City has the third lowest staff turnover rate for Western Australian local governments who participate in the ALGPEP (as seen in Figure 1).

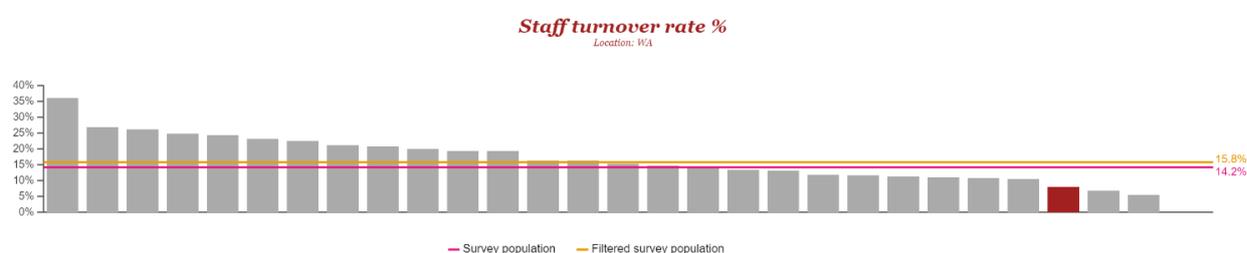


Figure 1. Percentage of staff turnover for WA survey participants.

Source: Australasian Local Government Performance Excellence Program 2017/2018³

³ “⁴ The information and/or metrics referred to are extracted from the Australasian Local Government Performance Excellence Program survey (survey) conducted by PricewaterhouseCoopers and commissioned by LG Professionals, NSW. The survey was not conducted for the specific purposes of the council and was limited to only the councils who participated in it and based on the data they provided. The reliability, accuracy or completeness of this information has not been verified by PwC, LG Professionals,

Managing workforce turnover aids organisations to achieve long term health and success. The cost of replacing an employee can be twice the employee's salary⁴. The Australian HR Institute (AHRI) 2018 survey on *Turnover and Retention*, noted a preference amongst survey participants of staff turnover to be less than 10%. AHRI survey results for 2018 noted an average 18% staff turnover across the Australian workforce.

Results from the ALGPEP note the City's staff turnover trend in comparison to the Western Australian survey participants as considerably lower. See Figure 2. The City has maintained a turnover rate of less than 8% for the past three years in contrast to the Western Australian participants of 15.8% which was higher than the Australasian participants of 14.2%, figure 3.

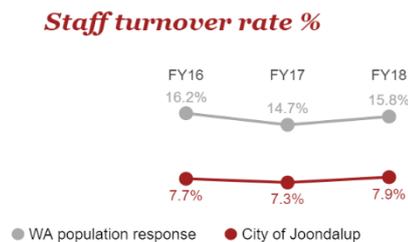


Figure 2. City of Joondalup three year trend of percentage of staff turnover in comparison to the WA survey participant trend.

Source: Australasian Local Government Performance Excellence Program 2017/2018³

LGA: Local Government Authorities

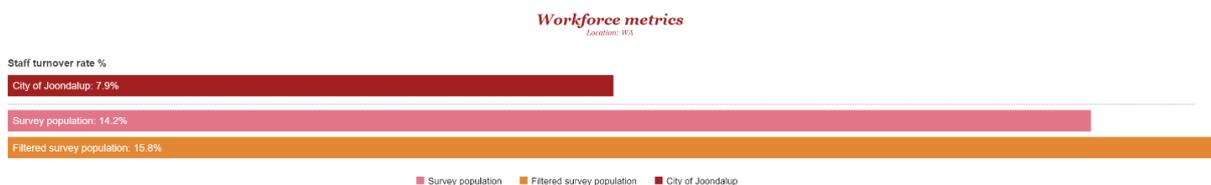


Figure 3. City of Joondalup percentage of staff turnover in comparison to the WA survey participant trend and the Australasian survey participants.

Source: Australasian Local Government Performance Excellence Program 2017/2018³

LGA: Local Government Authorities

Comparing the results from the past two years and noting the City has had a 0.6% rise in staff turnover when benchmarked and compared to the survey participants over the same two year period, the increase is marginal compared to the increases experienced across the industry. Table 3 notes the industry trend over the two year period.

NSW or any other person. Accordingly, no one should act on the basis of this information and neither LG Professionals, NSW nor PwC accept any responsibility for the consequences of any person's use of or reliance on this information or any reference to it."

⁴ Mercer 2017, *Workforce Turnover Around the World*

Table 3.

	Staff Turnover FY 2016/2017	Staff Turnover FY 2017/2018
City of Joondalup	7.3%	7.9%
Survey participants	12.8%	14.2%
WA survey participants	14.7%	15.8%
WA large metropolitan participants	12.3%	13.4%
Australian large metropolitan participants	11.9%	13.4%
NSW participants	12.2%	15.9%

Source: Australasian Local Government Performance Excellence Program 2016/2017 and 2017/2018
LGA: Local Government Authorities

Benchmarking Organisational Performance

Using the analytics from the ALGPEP, the City has been benchmarking aspects of its organisational structure and employee costs. The program provides insights, with data analytics completed by PwC, to each participating local government on their performance within the industry. Benchmarking between local governments has been challenging in the past due the following variances among local governments. This includes, but is not limited to:

- services delivery to the community
- modes of service delivery
- operating budgets
- geography
- size of residential population
- demography of residential population.

The ALGPEP provides benchmark data and analysis based on residential population. This provides a more comparable benchmark analysis for participants. Participating local governments receive a customised insights report from PwC and access to the Council Comparison Analysis Tool (CCAT), an online platform.

Table 4 highlights that the City operates below industry levels in the areas of employee costs and FTEs per 1,000 residents, when compared to 139 local governments across Western Australia and Australasia for 2016-17.

Table 4.

	Employee Costs per 1,000 residents	FTE per 1,000 residents
City of Joondalup	\$385,000	4.1
Survey participants – 139 LGA	\$587,000	6.6
WA survey participants – 32 LGA	\$496,000	5.2
WA large metropolitan participants – 7 LGA	\$406,000	4.3
Australian large metropolitan participants – 17 LGA	\$355,000	4.1
NSW participants – 70 LGA	\$752,000	8.9

Source: Australasian Local Government Performance Excellence Program 2017/2018
LGA: Local Government Authorities

When analysing the data further, the City can clearly identify that it performs well against the participating Western Australian local governments as seen in Figures 4 and 5.

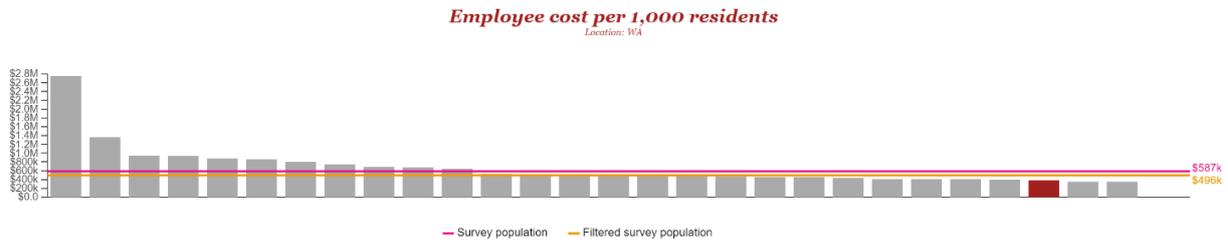


Figure 4. Employee cost per 1,000 residents for WA survey participants
Source: Australasian Local Government Performance Excellence Program 2017/2018³
Graph reflects the WA survey participants

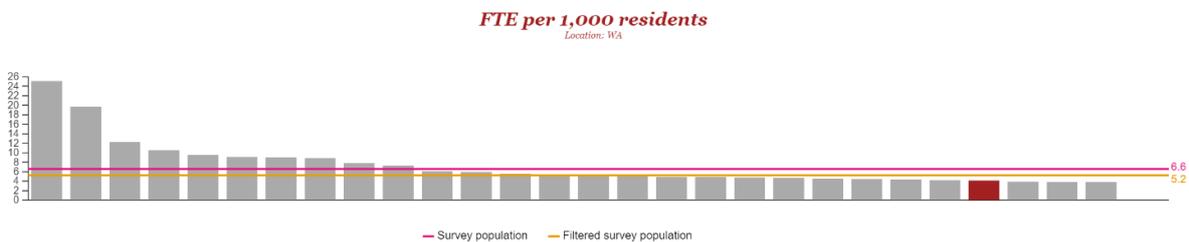


Figure 5. FTE per 1,000 residents for WA survey participants
Source: Australasian Local Government Performance Excellence Program 2017/2018
Graph reflects the WA survey participants

When comparing the cost of employees against the 139 survey participants across Australasia, the City is currently providing services to residents at employees costs 34% lower. When comparing employee costs against the Western Australian large metropolitan survey participants, the City operates 5% lower than the median of the group. This includes:

- City of Armadale
- City of Canning
- City of Cockburn
- City of Gosnells
- City of Joondalup
- City of Rockingham
- City of Swan
- City of Wanneroo.

The City's employee costs as a percentage of total operating costs is measured and compared within the ALGPEP. The City's percentage has decreased from FY16-17 to FY17-18. This result has only been achieved by four other WA large metropolitan local governments. This is displayed in Figure 6 and 7.

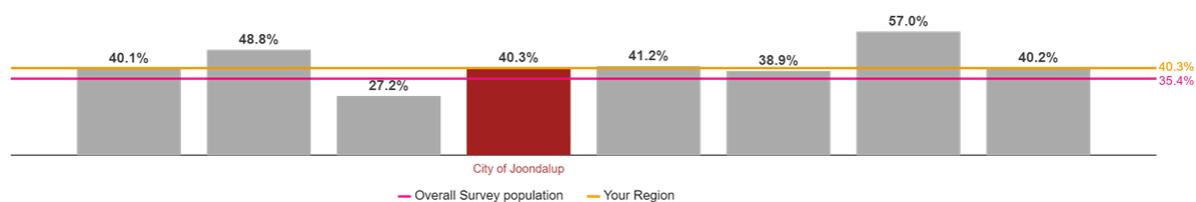
Employee costs as % of total operating costs

Figure 6. Employee costs as a percentage of total operating costs for WA large metropolitan local governments. Source: Australasian Local Government Performance Excellence Program 2017/2018³. Graph reflects the WA large metropolitan survey participants.

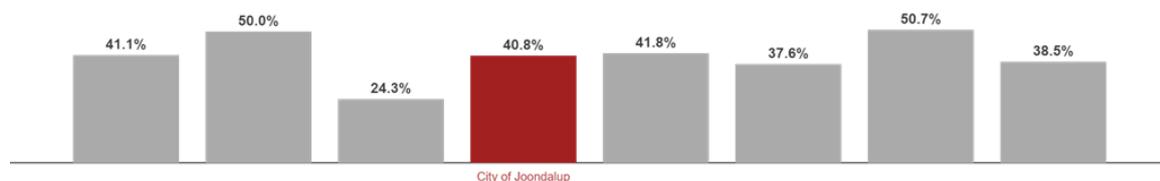
Employee costs as % of total operating costs (median displayed for survey population and region)

Figure 7. Employee costs as a percentage of total operating costs for WA large metropolitan local governments. Source: Australasian Local Government Performance Excellence Program 2016/2017³. Graph reflects the WA large metropolitan survey participants.

A full copy of the most recent reports are provided as Attachments 9 and 10.

Service Efficiency and Effectiveness Review Program

In 2013-14 the Chief Executive Officer initiated the Service Efficiency and Effectiveness Review Program to review City activities to identify opportunities for increasing efficiencies, reducing waste and reducing the cost of services. Since implemented, the program has resulted in the City realising benefits, efficiency and cost savings exceeding \$4 million. Savings are reported by Managers as part of the annual budget presentations to the Executive Leadership Team. Program savings identified are reported to the Audit and Risk Committee.

The City has engaged external consultants to complete an independent appraisal of the City's approach to the Service Efficiency and Effectiveness Review Program in 2014 and 2016. The reports were noted by the then Audit Committee in the respective years. The reports on the independent appraisals, by Deloitte are detailed as Attachments 11 and 12.

At its meeting held on 17 August 2015 (CJ150-08/15 refers), Council requested that the Chief Executive Officer engage an appropriately qualified and independent organisation to review the City's Service Efficiency and Effectiveness Review Program. This was to ensure the program's intent and methodologies were sound and in line with Australian and international best practice. The external review, completed by Deloitte, compared the City's program with leading municipalities from Australia, New Zealand and the United Kingdom.

Deloitte acknowledged that the City's approach was sound and in line with Australian and international best practice. The report on Cost Optimisation Strategies: Global Perspective by Deloitte is detailed as Attachment 13.

Financial Position

The City has demonstrated maturity and agility in its operational response to the State's fluctuating economic conditions. From 2008 to 2012, the City provided services through outsourcing arrangements to support service delivery to the community. Due to the occurrence of the mining boom, in conjunction with a localised labour force shortage, the ability to continue service delivery in a cost-efficient manner was reduced. The City responded by improving its recruitment regime and upskilling the existing workforce to deliver services through the internal workforce, resulting in a reduction of contracting costs. An example is the Council decision to cease delivering ranger and security service provision from an outsourced service to an internal service and staff being recruited to provide that service. The effect of this decision resulted in an increase in employee numbers and related costs.

Elected Member concerns relating to the perception of the City's 'wage impost' being high and having a detrimental effect resulting in a constant demand for rate increases are noted. This could be eased with the knowledge that analysis of rate increases since 2014-15 has identified when compared to other large metropolitan local governments, the City has maintained one of the lowest rate increases in recent years.

Table 5.

	2014/15	2015/16	2016/17	2017/18
City of Joondalup	4.4%	2.8%	2.5%	1.5%
City of Armadale	1.9%	6%	3.8%	4.2%
City of Canning	6.5%	7%	4.5%	6.1%
City of Cockburn	5.1%	10.3%	2.5%	4.8%
City of Gosnells	4.1%	3%	4.2%	1.4%
City of Rockingham	4.2%	7.8%	3.2%	3.5%
City of Stirling	5.8%	2.2%	2.4%	1.6%
City of Swan	5.6%	3.4%	3.2%	3.8%
City of Wanneroo	4%	4.6%	3.5%	3.6%

Source: WALGA: <https://youreveryday.com.au>

Average residential rate increases (adjusted inc refuse charges) for the last four years

Australian Business Excellence Framework

In 2005, Council adopted the *Australian Business Excellence Framework* as the City's leadership and management framework (CJ251-11/05 refers). Further, Council adopted the *Business Excellence Framework Policy* in 2006 (CJ032-3/06 refers). The policy was reviewed and updated in 2017. The policy was approved by Council at its meeting held on 27 June 2017 (CJ105-06/17 refers).

The City has successfully applied the framework to:

- assess organisational performance through a guided assessment
- provide training to City employees to enable them to undertake self-assessment and gap analysis
- review the organisational structure
- drive a systematic approach to continuous improvement through review and improvement of processes and service reviews
- improve the delivery of services to the community
- inform strategic planning processes.

In 2012, the City was recognised at the Business Excellence Awards for its best practice processes and systems in the category of Strategy and Planning.

In late 2017, the City was awarded The Bronze Award at the Australian Organisational Excellence Awards. This was following assessment, by accredited external assessors from interstate local governments and private enterprise, against internationally recognised business excellence principles. The Bronze Award acknowledged the City's commitment to organisational excellence and sustainable improvement within all aspects of the organisation including leadership, planning, customer and stakeholder engagement, ethical behaviour, environmental responsibility and continued high levels of performance. The results from this assessment are being used to further refine and improve internal processes and performance.

Continuous Improvement and Risk Management

The City has a robust continuous improvement program, aligned to the *Australian Business Excellence Framework*, that has been successfully embedded across the organisation. The City's continuous improvement program has been recognised and awarded at the Australian Organisational Excellence Awards in 2012 and 2017.

In 2017 the City commenced rolling out Promapp software. Promapp acts as the centralised repository for the City's process maps and the monitoring of the City's risks - strategic, operational and project based. Improving the oversight of processes that cross multiple business units, the system also highlights improvement opportunities to streamline processes, thereby increasing operational efficiencies and potential related costs. Risks recorded in the risk register can be linked to process activities. When updates are made to processes or risks, all stakeholders receive automatic communications to seek approval.

The City reported to the Audit and Risk Committee in February 2019 the increase of reporting on risk management and the review of financial systems.

Analytics, Innovation and Industry Analysis

Since 2007, the City has been developing dashboards inhouse to share information across the organisation and monitor organisational performance. As new technologies have increased in availability, sophistication, suitability and reduced in cost, the City has embraced these opportunities. The warehousing of City data commenced in 2009 and the volume of data has continued to be captured across business units at a growing rate.

Developed in-house through staff skill and expertise, dashboards using PowerBi software have been rolled out across the organisation. These dashboards now run 'live' and are updated daily through automated 'feeds'. Examples of the dashboards developed by the City can be viewed in figures 8 and 9. The dashboards provide a view of organisational performance and service delivery to the community. Data collection to provide trend analysis is increasing and encourages the City to be more proactive rather than reactive to the community.

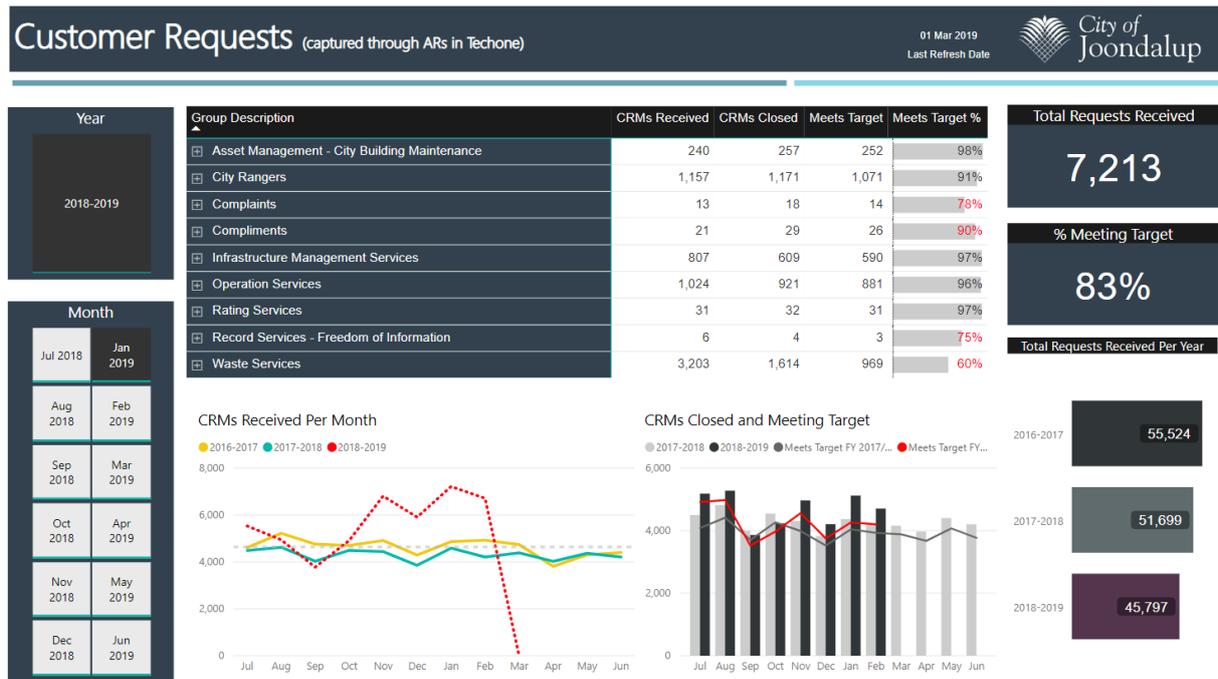


Figure 8. City of Joondalup Customer Request dashboard.

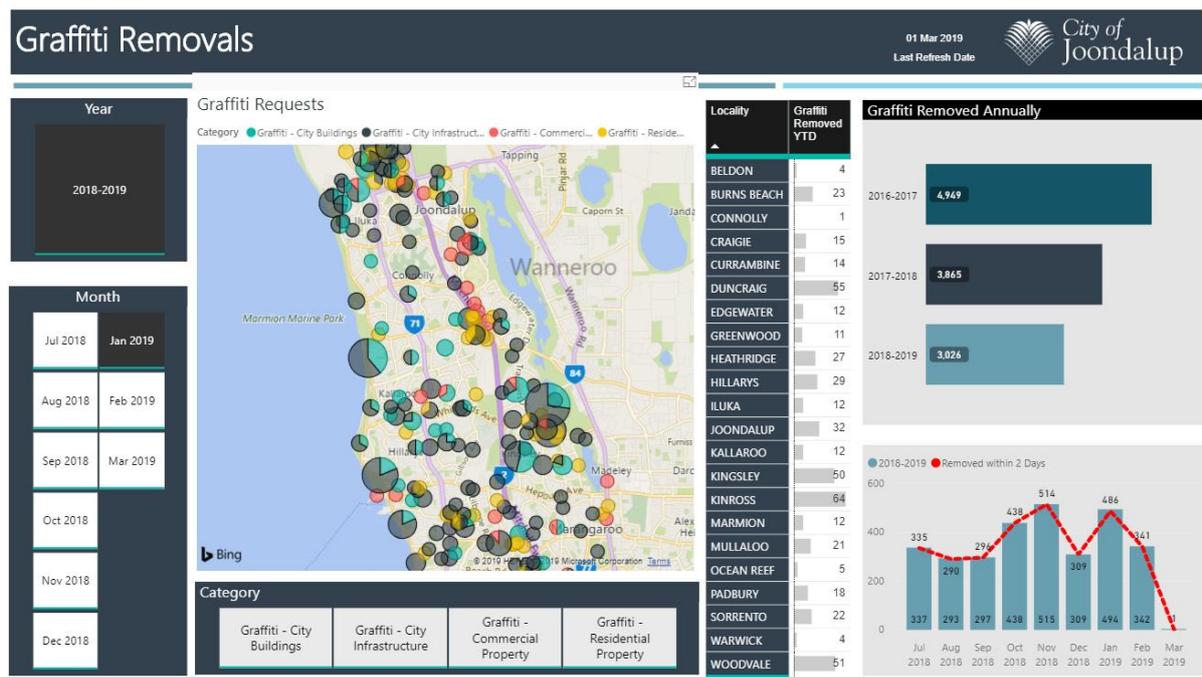


Figure 9. City of Joondalup Graffiti Removals dashboard.

Data informs decision making at all levels of the organisation, from the Chief Executive Officer down, and aids in the provision of services to the community. The City continues to expand, improve and innovate in the areas of data analytics and business analysis. This aids the City in being agile to continually improve its efficiency. The City's use of live dashboards and business analytics was used as a case study on Digital Innovation by PricewaterhouseCoopers in the 2016-17 ALGPEP report.

The City developed in house, the JEM Mobility and Tech 1 Works and Asset Module for managing infrastructure assets. The City developed system has increased the accuracy of tracking works and expenditures against all infrastructure assets to drive future decision making and identify efficiency gains. The system has subsequently been integrated into existing processes including timesheets, purchasing and financial reporting. The development of this software and its capabilities saw the City awarded at the Parks and Leisure Australia Awards for Best Use of Technology in 2018. The innovation of this program has seen it modified for other areas of the organisation to further improve the efficiency of service delivery.

The City's Compliance and Regulatory Services business unit has utilised the JEM module to increase the efficiency and effectiveness of its pool inspections. A statutory requirement for the City under the *Building Regulations 2012*, the City is required to inspect all properties that have a swimming pool and or spa installed, at least once every four years.

Although the staffing level has been maintained, the team have completed the inspections in line with a 12% increase in pool installations since 2010. When a pool is determined to be non-compliant, the inspector is required to re-attend and inspect until compliance is achieved. Through the implementation of technology to streamline their services, the team has reduced a backlog of over 800 pool inspections down to 58 in less than six months, without the need to increase the number of employees.

The City undertakes extensive reviews of the local government, public sector and individual industries across Western Australia, Australia and the world to learn from system failures and areas of excellence. Where available and appropriate to service delivery, the City seeks to participate in benchmarking exercises. WALGA extended an invitation for the City to participate in the second year of the *WALGA Local Government Performance Monitoring: Indicators to measure the planning and building functions of Local Government*. The results from 2017-18 have just been released.

The Chief Executive Officer has undertaken study tours across the United States in 2018 visiting leading experts on data analytics at Harvard University, The Ash Centre for Democratic Governance and Innovation, The City of Boston and ICMA Annual Conference in Baltimore Maryland USA.

Through international membership and networking with the International County Managers Association (ICMA) and the International Council for Local Environmental Initiatives (ICLEI) the City ensures it keeps abreast of international trends, sustainability initiatives and international best practice.

On a local note, the Australasian Local Government Chief Officers Group provides a networking, sharing of knowledge and best practice initiatives within local government. Three times a year the group convenes for meetings, site visits and presenters to enhance the collaboration process.

Issues and options considered

Council may adopt or suggest alternate recommendations.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
Fair Work Act 2009.

Strategic Community Plan

Key theme	Governance and Leadership.
Objective	Corporate capacity.
Strategic initiative	Maintain a highly skilled and effective workforce.
Policy	Not applicable.

Risk management considerations

Should the City not have a capable and suitably experienced workforce, it risks the ability for it to provide the level of services and quality of facilities the community has come to expect. Furthermore, as a statutory service provider, any reduction in employee levels in specific operational areas that perform such statutory functions, may result in the City not performing or undertaking its required obligations to the satisfaction of the State Government and Parliament.

Financial / budget implications

Should Council engage a consultant to examine and review the identified aspects of the City's wage expenses, as outlined in the notice of motion, the following budget implications need to be considered. An estimate of the financial implications for this motion have been made. It is expected that these figures may increase once the scope and specifications are finalised.

Based on similar engagements by other local governments, it is estimated an average hourly rate of \$460 per hour by a professional services team for an extended period up to 1,400 hours.

As per the intent of Council's resolution the engagement of a consultant to examine and review include:

- current staff structures and the employee contracting arrangements in place
- the wage increases over the last 10 years and also the reasoning behind predicted ongoing increases.

Preliminary investigations have identified this cost as approximately \$60,000 to \$80,000 depending on the finalised scope.

Furthermore the engagement of a consultant to examine and review, as per Council's resolution, include:

- alternative more cost efficient engagement of staff resources and / or alternative technologies and means to achieve significant overall cost reductions in the ensuing five year plan.

Preliminary investigations have identified this cost at approximately \$400,000 depending on the finalised scope.

All figures quoted in this report are exclusive of GST.

Consultation

Not applicable.

COMMENT

This report demonstrates the City's commitment and achievement to providing efficient and effective operational performance and service delivery to the community through its participation in programs that provide independent assessment of organisational performance.

Results from the Australasian Local Government Performance Excellence Program, with independent data analytics provided by PricewaterhouseCoopers, has identified that the City operates below industry levels for the two keys areas of employee costs per 1,000 residents and full time equivalent employees per 1,000 residents and costs across Australasia; the City being awarded the Bronze Award by accredited independent assessors from across Australia at the Australia Organisational Excellence Awards and the in-house establishment of a Service Efficiency and Effectiveness Review Program that has achieved operational savings in excess of three million dollars.

The City actively seeks opportunities, as part of business as usual practices, to employ alternative technologies to streamline service delivery to the community.

The City is recognised as a leader in local government performance and is a reference point for technical experience and best practice for local governments, within Western Australia and Australia. The City is noted for regularly supporting the local government sector through meetings, forums and conference presentations to share its knowledge and experience in all facets of local government operations. In the last six months City staff have met with the following local governments:

- City of Perth.
- City of Armadale.
- City of Gosnells.
- City of Wanneroo.
- City of Stirling.
- City of Rockingham.

The City of Perth Organisational Capability and Compliance Assessment Report June 2017 noted, '*City of Joondalup is an example of good practice in local government corporate governance because it has similarly pushed an agenda of transparency, rigour and effectiveness, with a sustained investment in implementing good corporate governance practices*'. The report completed by Deloitte, is detailed as Attachment 13. It should be noted that the recommendations made in the report in June 2017 are still being implemented. Updates on the implementation of the report are made to the City of Perth Audit and Risk Committee and can be viewed at the agenda of 18 February 2019 located at on the City of Perth website.

Therefore, it is not recommended that monies, potentially exceeding \$400,000, are sourced to engaged consultants to examine and review the costs related to the City's wage expense and how alternative technologies could be engaged over the next five years to further reduce costs.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Hamilton-Prime that Council:

- 1 **NOTES the various reports and supporting documents that have been included as Attachments 1 to 14 to Report CJ033-03/19;**
- 2 **NOTES the efficiency, innovation practices and awards the City is recognised for;**
- 3 **NOTES the cost savings the City has achieved since 2013 which exceed \$4 million;**
- 4 **NOTES the tables in Report CJ033-03/19 that identify the City is providing services to residents at 34% lower than benchmarking survey participants of the Australasian Local Government Performance Excellence Program;**
- 5 **DOES NOT SUPPORT engaging a consultant to review and examine the City's wage expenses and alternative technologies as a means to achieving a significant overall cost reduction, due to:**
 - 5.1 **the potential excessive cost of engaging a consultant;**
 - 5.2 **the reduction in opportunity to use such funds to undertake and invest in future technology to improve operational efficiencies and deliver on community expectations.**

The Motion was Put and

CARRIED (9/3)

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

Against the Motion: Crs Chester, May and Poliwka.

Appendix 11 refers

To access these attachments electronically, click below:

[Attach11.1agn190319.pdf](#)

[Attach11.2agn190319.pdf](#)

[Attach11.3agn190319.pdf](#)

[Attach11.4agn190319.pdf](#)

[Attach11.5agn190319.pdf](#)

[Attach11.6agn190319.pdf](#)

[Attach11.7agn190319.pdf](#)

[Attach11.8agn190319.pdf](#)

[Attach11.9agn190319.pdf](#)

[Attach11.10agn190319.pdf](#)

[Attach11.11agn190319.pdf](#)

[Attach11.12agn190319.pdf](#)

[Attach11.13agn190319.pdf](#)

[Attach11.14agn190319.pdf](#)

C13-03/19 **COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION - [02154, 08122]**

MOVED Mayor Jacob, **SECONDED** Cr McLean that pursuant to the *Meeting Procedures Local Law 2013* – Clause 4.8 – Adoption by exception resolution, Council **ADOPTS** the following items:

CJ021-03/19, CJ022-03/19, CJ024-03/19, CJ025-03/19, CJ026-03/19, CJ027-03/19, CJ029-03/19, CJ030-03/19 and CJ031-03/19.

The Motion was Put and

CARRIED (12/0)

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

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

C14-03/19 **NOTICE OF MOTION NO. 1 – CR JOHN LOGAN – INSTALLATION OF DEFIBRILLATORS AT CITY FACILITIES – [107582]**

In accordance with clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Logan gave notice of his intention to move the following Motion at the Council meeting to be held on 19 March 2019:

That Council REQUESTS the Chief Executive Officer prepare a report examining the costs and benefits of the City installing defibrillators in City-managed district and regional community centres, and to undertake a review of current facility hire terms under which the hire party is responsible for the maintenance of any installed defibrillators.

REASON FOR MOTION

Heart disease is our nation's biggest killer. More than 400,000 Australians will suffer a heart attack in their lifetime.

The City generally does not provide nor maintain defibrillators in City-managed community centres. Defibrillators have been installed at the Duncraig and Craigie leisure centres due to the nature of the activities at these facilities. Attendees at just two other centres, Heathridge Community Centre and Currambine Community Centre, have had defibrillators installed by the City. The Heathridge and Currambine centres were once staffed by City duty officers.

In the few other City-managed community facilities where defibrillators are available their ownership and maintenance responsibilities are largely in the hands of volunteer-run community groups.

The nature of most community groups is regular office bearer and other membership changes, more often than not resulting in informal, adhoc methods of monitoring and maintaining defibrillators. Feedback which I recently received from the City administration included advice that ownership in itself has been difficult for officers to clarify.

A City examination is required into installing defibrillators in City-managed community centres where there is significant public utilisation. Consideration has long been needed into giving trained City officers the responsibility of monitoring and maintaining these potentially life-saving devices.

I trust community safety is a priority of every elected member.

OFFICER'S COMMENT

A report can be prepared.

MOVED Cr Logan, SECONDED Cr Chester that Council REQUESTS the Chief Executive Officer prepare a report examining the costs and benefits of the City installing defibrillators in City-managed district and regional community centres, and to undertake a review of current facility hire terms under which the hire party is responsible for the maintenance of any installed defibrillators.

The Motion was Put and

CARRIED (12/0)

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

C15-03/19

NOTICE OF MOTION NO. 2 – CR RUSS FISHWICK, JP – RENAMING OF BLACKBOY PARK, MULLALOO – [107582, 19052]

In accordance with clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Fishwick gave notice of his intention to move the following Motion at the Council meeting to be held on 19 March 2019:

That Council REQUESTS the Chief Executive Officer prepare a report on the renaming of Blackboy Park, Mullaloo.

REASON FOR MOTION

The City's park situated in Karalundie Way, Mullaloo is named Blackboy Park. The term Blackboy is now considered politically incorrect and potentially offensive.

The best-known common name for the *Xanthorrhoea* is blackboy, based on the purported similarity in appearance of the trunked species to an Aboriginal man holding an upright spear. Most people now consider this name to be offensive to Aborigines, or at least belonging to the past, preferring instead grasstree.

As a result, we use the term carefully, with respect to the original custodians of the land, and seek to steer well clear of any racist or derogatory posture.

Xanthorrhoea (the botanical name) actually has many common names across Australia. Its common names include:

- grass trees or grasstrees
- Balga (Western Australia)
- Yacca or Yakka (South Australia)
- Johnson's grass tree (specifically for the *Xanthorrhoea johnsonii* species).

Notwithstanding the above, consideration could be given to renaming the park Karalundie, not only because it is the name of the street in which the park is located but also because it is the name of an Aboriginal mission north of Meekatharra.

Taking cognisance of the above it is requested that the Chief Executive Officer prepare a report on changing the name of the park that would comply with the State Government's Geographical Names Committee.

OFFICER'S COMMENT

A report can be prepared.

MOVED Cr Fishwick, SECONDED Cr Taylor that Council REQUESTS the Chief Executive Officer prepare a report on the renaming of Blackboy Park, Mullaloo.

The Motion was Put and

CARRIED (12/0)

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

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 9.19pm the following Elected Members being present at that time:

MAYOR HON. ALBERT JACOB, JP
CR JOHN CHESTER
CR SOPHIE DWYER
CR RUSS FISHWICK, JP
CR CHRISTINE HAMILTON-PRIME
CR KERRY HOLLYWOOD
CR JOHN LOGAN
CR CHRISTOPHER MAY
CR TOM MCLEAN, JP
CR MIKE NORMAN
CR RUSSELL POLIWKA
CR PHILIPPA TAYLOR