

agenda

Briefing Session

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

ON

TUESDAY 11 JUNE 2019

COMMENCING AT

6.30pm

GARRY HUNT

Chief Executive Officer

7 June 2019

joondalup.wa.gov.au

This document is available in alternate formats upon request

PUBLIC QUESTION TIME

Members of the public are requested to lodge questions in writing by close of business on Monday 10 June 2019

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

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

BRIEFING SESSIONS

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

INTRODUCTION

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

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

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

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

PURPOSE OF BRIEFING SESSIONS

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

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

PROCEDURES FOR BRIEFING SESSIONS

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

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

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

PROCEDURES FOR PUBLIC QUESTION TIME

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

Questions asked verbally

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

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

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

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions must relate to a matter contained on the agenda.
- 3 The City will accept a maximum of five written questions per City of Joondalup resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.

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

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

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

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

- 1 Members of the public are invited to make statements at Briefing Sessions.
- 2 Statements made at a Briefing Session must relate to a matter contained on the agenda.

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

PROCEDURES FOR DEPUTATIONS

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

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

RECORDING OF THE PROCEEDINGS OF THE BRIEFING SESSION

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

CIVIC CENTRE EMERGENCY PROCEDURES

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

Alarms

The City of Joondalup emergency system has two alarm tones:

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

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

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

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

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



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LATE ITEMS / ADDITIONAL INFORMATION

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

[AdditionalInformation190611.pdf](#)

CITY OF JOONDALUP – BRIEFING SESSION

To be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 11 June 2019** commencing at **6.30pm**.

ORDER OF BUSINESS

OPEN AND WELCOME

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

DEPUTATIONS

PUBLIC QUESTION TIME

The following questions were submitted verbally at the Briefing Session held 14 May 2019:

Mrs N Woodley-Smith, Kallaroo:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 *Would it be correct to say that development rights are a valid reason for selection of the most appropriate locations for density?*

A1 Mayor Jacob commented the City is required to consider a range of competing views, and where it refers to considering development rights, that is more applicable to the transition zones.

Q2 *Given the concerns expressed by the City about affecting the development rights of a minority who have bought purely to make money, would it not be appropriate to be more concerned for the majority of the existing residents?*

A2 Mayor Jacob was of the opinion his earlier comments had been misunderstood and reiterated that Council needed to consider the views of all. The package contains a property consultant's report that provides more detail on those matters that must be considered by Council.

Mrs F Gilbert, Kallaroo:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 Much has been made of the fact that the housing opportunity areas review is independent. Why does that matter?

A1 Mayor Jacob advised that was articulated at the commencement of this process and believed this was what had been called for.

Q2 Why is the City and Councillors considering voting to progress with the initiation of the scheme amendment prior to its review and making any necessary changes to the independent report?

A2 Mayor Jacob commented this is the report coming to Council for consideration. The report was deferred for one month at the Council meeting held on 16 April 2019, with Council yet to make a determination in relation to this item.

Mrs S Thompson, Duncraig:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 The consultant's report outlines a host of recommendations that are required to make the places identified for higher density more liveable. When and how are these going to be actioned?

A1 Mayor Jacob reiterated his earlier comments that Council is yet to make a determination in relation to this item.

Q2 In light of this, it seems these recommendations are required to ensure that the infill areas remain functional and livable and therefore can strategies be put in place prior to the scheme amendment being initiated?

A2 Mayor Jacob advised the comments would be considered, but ultimately it would be a decision of Council.

Mrs S Apps, Woodvale:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 In the Executive Summary on page 93 of the agenda (9 April 2019) the following is stated:

"On 21 November 2017 the Council resolved to engage consultants to prepare a design led planning policy for multiple dwelling apartments in the housing opportunity areas, in addition to a scheme amendment to better control the impact of multiple dwelling apartments on exiting residents and streetscape".

What in the proposed amendment addresses the original reasoning for the proposal?

A1 Mayor Jacob commented there were provisions included to cover those outcomes with respect to multiple dwelling apartments. There is also a range of other provisions which are referred to throughout the report.

Q2 *What are those other provisions?*

A2 Mayor Jacob stated he was meeting with the residents of Woodvale on the weekend and was happy to go through as many of those provisions as possible at that event.

Mr A Gordon, Kallaroo:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 *Is Council aware that the proposed cul-de-sac rule has a detrimental impact if you rezone us to R60?*

A1 The Director Planning and Community Development advised the provision relating to cul-de-sacs does impact the yield. It does not half the yield or more, but it does reduce the yield. The consultants ran a test case on a specific lot that the City had received a development application for, and the yield under R60 was one unit less than what it would have been under an R40 zoning.

Q2 *Is Council aware that on its previous attempt to submit its scheme / zoning amendment to the Western Australian Planning Commission (WAPC) for consideration and approval, the WAPC did not support Council's attempt to moderate apartments by applying a rule on minimum frontage. What guarantee is there that this will not happen again and will the cul-de-sac rule be rejected by the WAPC?*

A2 Mayor Jacob stated there was no guarantee and there was nothing Council could do in that regard. Previously there were provisions that multiple dwellings would not have been allowed on lots of less than 2,000m². Mayor Jacob advised he had received a letter early last year from the Minister for Planning expressing that such a provision would not be supported. Council is not the final decision-maker in this process, merely submitting its recommendations to the WAPC for consideration and approval.

Mrs R Millett, Beldon:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 *Did Council consider public transport needs and deficiencies when determining Housing Opportunity Areas 5 and 7 and what does it intend to do to rectify this problem?*

A1 Mayor Jacob commented Council has yet to consider the matter and make a determination on it. In earlier reports, the thinking was around transport nodes. On this occasion this is still the case, but the focus is also around district / neighbourhood activity centres, with Belridge shopping centre being one of those.

Q2 *Is Council planning to purchase small properties with a view to developing those into green open spaces that are important for the community and changing the coding to R40 and R60?*

A2 Mayor Jacob advised Council is not currently planning to purchase private property to turn into public open space.

Mrs M Aiton, Kallaroo:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 Why is the boundary of the Whitford Activity Centre different within the attachment on page 273 of the agenda than the boundary approved in the Whitford Activity Centre plan?

A1 The attachment referred to is the Comparison Plan for Housing Opportunity Area / Place Neighbourhood 5, which include the suburbs of Kallaroo, Craigie, Hillarys and Padbury. The plan includes the boundary for the Housing Opportunity Area / Place Neighbourhood.

A part of the Whitfords Secondary Activity Centre is located within Housing Opportunity Area / Place Neighbourhood 5, however, there is also some of the activity centre which is not.

The *Whitfords Activity Centre Structure Plan* area is defined by a separate boundary. This boundary remains unchanged and includes some properties west of Endeavour Road, along with those identified as 'activity centre' on the Housing Opportunity Area / Place Neighbourhood 5 Comparison Plan.

Mrs B Wright, Warwick:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 Why are we continuing to build high rise apartments that are not suitable for aged persons?

A1 Mayor Jacob commented the suburb of Warwick remains largely unchanged from what is currently in place to that contained within the consultant's report.

The City is required to meet the infill targets mandated by the State Government. The area of Warwick was identified several years ago as an area suitable for infill development due to its proximity to the shopping centre, as well as to the Warwick Train Station. This is something that not only the City of Joondalup has to achieve, but every other metropolitan local government.

Mrs B Hewitt, Edgewater:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 The consultants are proposing that a whole suite of new policies are required "to achieve the desired vision for areas of high density". What assurances can be provided that such policies will be actioned and in a timely manner?

A1 The Director Planning and Community Development indicated the other recommendations being made by the consultants, are supplementary reports and studies that will need to be undertaken. In the first instance, Council will need to determine what form the current framework will take. Once there is clarity around what that looks like in terms of density and building form, Council will need to make separate decisions on those supplementary reports and studies.

- Q2 *When would residents be looking to see these policies after consultation and clarity is found and how long will this process take?*
- A2 The Director Planning and Community Development advised she was unable to provide advice at this time. Council will need to look at those policies it wishes to implement and that would need to be done when there is clarity around what the final strategy will look like.

Mrs W Herbert, Kallaroo:

Re: Item 7 - Draft New Planning Framework for Infill Development.

- Q1 *Apart from zoning R60 in Housing Opportunity Area 5 and the Moscow Circus on Belrose Park, does the City consider any other action in assisting the Whitford Shopping Centre in its financial difficulties?*
- A1 Mayor Jacob stated it would be a dangerous area for Council to enter into and it is not for the City to be involved in commercial matters.

Mrs T Williams, Woodvale:

Re: Item 7 - Draft New Planning Framework for Infill Development.

- Q1 *If the traffic study finds areas are not suitable for the proposed coding, why not ensure all such issues are resolved prior to initiating the scheme amendment?*
- A1 The Director Planning and Community Development advised the traffic analysis is nearing completion and will be available as part of the public consultation package to allow the community to have an opportunity to review it. If changes are required to be made to the framework in response to the traffic analysis, these can be made after consultation.

Dr T Green, Padbury:

Re: Item 7 - Draft New Planning Framework for Infill Development.

- Q1 *Why is it a conflict of interest to own a property in a housing opportunity area when there is clearly so much angst in respect of property values in housing opportunity areas?*
- A1 Mayor Jacob advised the *Local Government Act 1995* defined conflicts of interest and advised of his intention to move a procedural motion at the Council meeting to be held on Tuesday 21 May 2019 to allow Councillors to take part in debate / voting if they had conflicts of interest as the housing opportunity areas affect the City of Joondalup as a whole.
- Q2 *How are the specific housing typologies going to be enforced within the framework, as there does not seem to be any mechanism to do so at the moment?*
- A2 Mayor Jacob advised the scheme amendment does include design provisions and recordings which are enforced as part of the City of Joondalup's planning scheme.

Mr A Murphy, Edgewater:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 Has the City of Joondalup abandoned its 'aging in place' mantra with the new framework?

A1 Mayor Jacob advised the issue of a resident being unable to redevelop their property was not specific to a housing opportunity area.

Q2 What type of communities will such a plan create?

A2 Mayor Jacob advised targets were mandated by State Government and approximately half the target dwellings could be met within the Joondalup City Centre. However to achieve the targets, a further 10,500 dwellings would need to be met by upcoding.

Ms R Whittemore, Craigie:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Q1 If further rezoning goes through, what are the plans for upgrading child health services and education in Craigie?

A1 Mayor Jacob stated the infill targets are mandated by State Government as the population is growing and advised State Government are responsible for planning and providing health and education services.

Q2 Why is Craigie being targeted for extra infill development compared to other areas that are not as affected?

A2 Mayor Jacob advised Craigie was identified as an area for infill development due to its proximity to train stations and shopping centres and is one of 10 suburbs, some of which have been impacted to a greater extent than Craigie.

PUBLIC STATEMENT TIME

The following statements were made at the Briefing Session held on 14 May 2019:

Mrs N Woodley-Smith:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Mrs Woodley-Smith spoke in relation to the new draft Planning Framework for Infill Development and urged Council to support the three-step plan and stop progress on the scheme amendment, get development controls in place as soon as possible and consult with the community.

Mrs V Carey, Duncraig:

Re: Item 2 - Development Application for 13 Multiple Dwellings at Lots 102 and 103 (4 and 6) Brechin Court, Duncraig.

Mrs Carey spoke against the application for 13 multiple dwellings at 102 and 103 Brechin Court, Duncraig, stating that she opposes such an enormous and detrimental change to the previously charming and small community and suggested that the proposal is an overbuild.

Mr G Carey, Duncraig:

Re: Item 2 - Development Application for 13 Multiple Dwellings at Lots 102 and 103 (4 and 6) Brechin Court, Duncraig.

Mr Carey spoke against the application for 13 multiple dwellings at 102 and 103 Brechin Court, Duncraig, requesting that Council reject this development in its current form and that the applicant review its plans to something more in keeping with the current size, scale and character of the small and charming street.

Mr S Zafiris, Woodvale:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Mr Zafiris spoke in relation to the new draft Planning Framework for Infill Development and requested Council do the following:

- Consult with residents on changes to the City's planning scheme.
- Halt progression of the scheme amendment because it is flawed, incomplete and not in line with community expectations.
- Implement tighter controls through the City's *Local Planning Policy* because it is the fastest way to put an end to unsightly, substandard, oversized developments popping up in neighbourhoods.
- Implement better controls for the City's *Local Planning Policy*.

Mr R Repke, Kallaroo:

Re: Item 21 - Joondalup Performing Arts and Cultural Facility – Project Review Status.

Mr Repke spoke in favour of the Joondalup Performing Arts and Cultural Facility, stating that he was happy with the \$30 million figure, but he believed any additional funds should come from the State Government via the Perth Theatre Trust.

Mrs K Witek, Woodvale:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Mrs Witek spoke in relation to the new draft Planning Framework for Infill Development stating it is not what she was expecting when she moved to such a beautiful suburb.

Mrs W Herbert, Kallaroo:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Mrs Herbert spoke in relation to the new draft Planning Framework for Infill Development and raised the following concerns:

- The loss of property value and the inability to build single level detached duplexes and triplexes for residents on their properties is a significant concern for residents some of whom who want to live in a property that facilitates their mobility and independence in retirement.
- Residents are also impacted by choice of retirement facilities because the property values greatly impact the residential accommodation deposit. This is a big issue for people of her age who have planned to be able to sell their property at the right time, that opportunity has been taken away and they are now in limbo and really do not know what to do and it has limited their choice of retirement properties to live in.

Mrs R Millett, Beldon:

Re: Item 7 - Draft New Planning Framework for Infill Development.

Mrs Millett spoke in relation to the new draft Planning Framework for Infill Development and raised concerns with regard to public transport and walkability for people who are elderly or disabled, stating that Beldon and Heathridge have no bus service on a Sunday and the lack of places to park cars prevents the elderly and disabled to use the public transport system.

Mrs S Makoare, Greenwood,

Re: Item 7 - Draft New Planning Framework for Infill Development.

Mrs Makoare spoke in relation to the new draft Planning Framework for Infill Development, stating that the community does not understand the report and there is a lot of confusion and misunderstanding of infill development. Mrs Makoare advised that more explanation is required.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Nige Jones	19 to 25 June 2019 inclusive;
Cr Sophie Dwyer	26 June to 31 July 2019 inclusive;
Cr Kerry Hollywood	23 July to 27 August 2019 inclusive;
Cr Nige Jones	27 July to 2 August 2019 inclusive.

REPORTS

ITEM 1 DEVELOPMENT AND SUBDIVISION APPLICATIONS – APRIL 2019

WARD	All			
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development			
FILE NUMBER	07032, 101515			
ATTACHMENTS	Attachment 1	Monthly Development Determined – April 2019	Applications	
	Attachment 2	Monthly Subdivision Processed – April 2019	Applications	
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’)			

PURPOSE

For Council to note the number and nature of applications considered under delegated authority during April 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 April 2019 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during April 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 April 2019 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	3	3
Strata subdivision applications	11	13
TOTAL	14	16

Of the 14 subdivision referrals, nine were to subdivide in housing opportunity areas, with the potential for 11 additional lots.

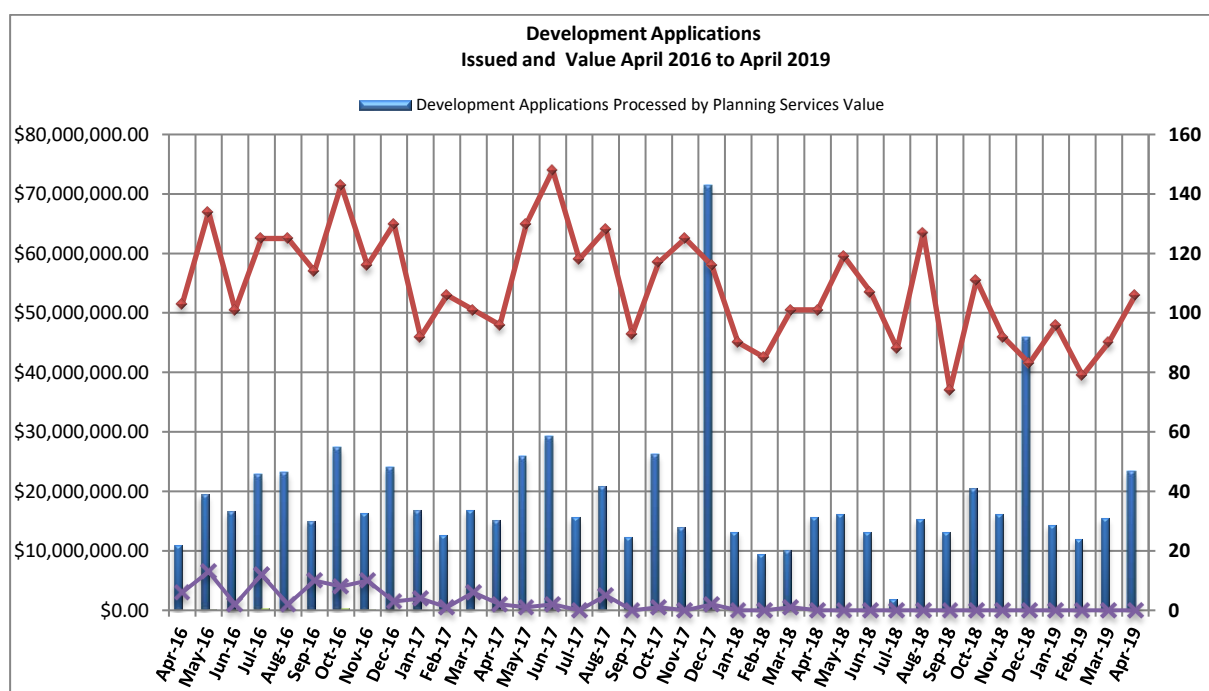
Development applications

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

	Number	Value (\$)
Development applications processed by Planning Services	106	\$23,221,169
TOTAL	106	\$23,221,169

Of the 106 development applications, 18 were for new dwelling developments in housing opportunity areas, proposing a total of 28 additional dwellings.

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



The number of development applications received during April 2019 was 103.

The number of development applications current at the end of April was 264. Of these, 33 were pending further information from applicants and four were being advertised for public comment.

In addition to the above, 197 building permits were issued during the month of March 2019, with an estimated construction value of \$30,511,467.

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 may 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 106 development applications were determined for the month of April 2019, with a total amount of \$78,350.98 received as application fees.

All figures quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Consultation may be required by the provisions of the R-Codes, any relevant policy and / or LPS3 and the Regulations.

COMMENT

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

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

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

- 1 development applications described in Attachment 1 to this Report during April 2019;**
- 2 subdivision applications described in Attachment 2 to this Report during April 2019.**

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf190611.pdf](#)

ITEM 2 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 30 April and 29 May 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 30 April and 29 May 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 30 April and 29 May 2019, as detailed in Attachment 1 to this Report.

BACKGROUND

For the period 30 April and 29 May 2019, two documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Section 70A Notification	2

DETAILS

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.

Policy Not applicable.

Risk management considerations

Not applicable.

Financial / budget implicationsCurrent financial year impact

Not applicable.

Future financial year impact

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 30 April to 29 May 2019, as detailed in Attachment 1 to this Report.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf190611.pdf](#)

ITEM 3 WALK OF FAME

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	62552, 101515
ATTACHMENT	Nil
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider the establishment of a 'Walk of Fame' program.

EXECUTIVE SUMMARY

A number of local governments have a 'Walk of Fame' style program. For those that do hold such a program, there is a strong focus on recognising sporting achievements. The City of Joondalup 'Walk of Fame' program is proposed to recognise people with strong ties to the City who have demonstrated success at what is considered an elite level under the following three categories:

- Sporting.
- Business and or Professional.
- Community.

A detailed criteria and scoring matrix has been developed to support a 'Walk of Fame' program. Post the inaugural induction of selected nominees, it is proposed that a community nomination process is established in an off-election year to recognise community achievements. The successful nominees will have an inscribed concrete paver placed in Central Walk Joondalup.

It is therefore recommended that Council:

- 1 *AGREES to the establishment of the City of Joondalup 'Walk of Fame' program as detailed in this Report;*
- 2 *APPROVES the establishment of a 'Walk of Fame' Selection Group, consisting of the Mayor, the Chief Executive Officer and an independent community member;*
- 3 *APPROVES the Mayor and the Chief Executive Officer to identify and recommend to Council an independent community member for the 'Walk of Fame' Selection Group;*
- 4 *APPROVES the 'Walk of Fame' being located in Central Walk Joondalup;*
- 5 *APPROVES the use of concrete pavers and the specification of the pavers;*
- 6 *ENDORSES the 'Walk of Fame' nomination criteria as detailed in this Report;*

- 7 *ENDORSES the community nomination process subsequent to the inaugural induction;*
- 8 *NOTES the inaugural inductees to the 'Walk of Fame' program will be selected by the 'Walk of Fame' Selection Group once established.*

BACKGROUND

At its meeting held on 17 August 2015 (CJ142-08/15 refers), Council approved the establishment of a Joondalup Sporting 'Walk of Fame' program. Transcripts from the meeting note the eligibility criteria be extended from recognising sporting excellence to include professional and community excellence. The research and report are reflective of the Council debate to extend the eligibility criteria from a Joondalup Sporting 'Walk of Fame' to become a Joondalup 'Walk of Fame', recognising a wider group of the community.

It is noted that a small number of Western Australian local governments have a program that reflects a 'Walk of Fame'. This includes, but is not limited to:

- City of Fremantle
- City of Kalgoorlie-Boulder
- City of Perth
- City of Stirling
- Town of Victoria Park.

DETAILS

A 'Walk of Fame' provides the opportunity to recognise community members who have achieved success at what may be considered an elite level. The perception of elite level that could be applied to both sporting, professional and community persons and placed within a criteria has been challenging. Should the City get it wrong, community sensitivity will be high. The City has worked hard to reduce potential reputational risk by undertaking extensive research relating to the 'Walk of Fame', particularly the development of the nomination/selection criteria and the research on the initial pool of nominees.

An in-depth analysis has been completed of the selection criteria from a sample of Western Australian local governments who have a dedicated 'Walk of Fame' program. It was noted there was a variance in the selection criteria by other local governments, with some being broader in scope for nominees to have links as opposed to residing within the local government boundaries.

A trend over the past three years has been the number of local governments who hold such a program, have changed the frequency of the nomination / award process. Most have moved away from an annual nomination process to calling for nominations every two or four years. This is a result of a decrease not only in the number of nominations, but also a decrease in nominees meeting the criteria.

To support the analysis phase, a number of potential City of Joondalup 'Walk of Fame' nominees were identified. Once identified, detailed research of each nominee was undertaken. There were numerous difficulties encountered when conducting the research, confidentially, for the initial nomination pool. Maintaining confidentiality was important as the criteria, nor the nominee, had been finalised or endorsed. It should be noted that the research for each nominee took a minimum of 10 hours and included the following:

- Newspaper databases.
- Online profile research.

- Researching public records to determine how long a nominee resided in the City of Joondalup.
- Online database research.
- Archive research.
- Media profile research.

Over 30 nominees have been researched and profiles developed. Throughout the research phase, nominees were tested against the established criteria used by each of the other local governments. When a group of proposed City of Joondalup nominees were tested against the criteria set by one local government, all proposed nominees would have been admitted to that particular 'Walk of Fame' program. This was despite the nominees not having resided within the boundaries of that local government.

Expanding the criteria from the recognition of sporting excellence, to also recognising professional and community excellence created an additional layer of complexity in the criteria categories. Ensuring equity in how achievements were measured in the fields of sporting, professional and community excellence was challenging.

The nominees were then tested against the criteria being proposed by the City. This identified how nominees would fare against the criteria and allowed the City to continue to refine its proposed criteria. The criteria were placed into a matrix and a scoring methodology developed and tested.

While this has assisted in developing a criteria for the City, the process has reduced the nominee pool, thereby presenting a significant challenge. A number of nominees were identified throughout the research phase and after extensive research, they were deemed to not meet the criteria. Given the City was seeking to identify an initial nominee pool of 10 persons for consideration, this lengthened the research phase considerably.

Criteria

The criteria developed by the City has a strong focus on ensuring the 'Walk of Fame' program provides credit to the recipient, the City and benefit to the community. The proposed criteria (which is linked to a scoring matrix) is as follows:

- The nominee has resided in the City for over five years and / or attended a school that is located within the City of Joondalup for over five years.
- Area of recognition: Sport / Business or Professional / Community.
- Clubs played for are located within the City of Joondalup.
- Business / Professional / Community achievements.
- Nominees involvement with the Community / philanthropy within the City of Joondalup.
- Awards received elsewhere.
- Media Profile.

It is essential that the nominee meet the first criteria relating to residency within the City of Joondalup and / or attending a school in the City of Joondalup for no less than five years before consideration of the additional criteria. This varies from some other local governments where 'links' to the local government have been used.

While 'linking' a nominee may widen the nominee pool, ensuring a nominee has been a resident for a minimum number of years aid the Council in delivering upon the *Strategic Community Plan, Joondalup 2022*.

Community Wellbeing, an Aspirational Outcome of *Joondalup 2022*, has the strategic initiative to support and facilitate the development of community leaders. This underpins the strategic objective of Community Spirit that states “*to have proud and active residents who participate in local activities and services for the betterment of the community.*”

Pavers

As the preference from Council was a ‘Walk of Fame’ as opposed to a ‘Sporting Hall of Fame’, it is recommended that inscribed concrete pavers are installed to create a pathway to recognise the recipients. The City of Perth has perhaps the most recognisable concrete pavers that stretch the length of St Georges Terrace (Images 1 and 2 refer).



Image 1.



Image 2.

It is proposed that the City uses inscribed concrete pavers. The following specifications are proposed for the pavers:

- 300mm x 300mm.
- City crest.
- Name of inductee.
- Year of induction to ‘Walk of Fame’.
- Category nominee is inducted to.

The use of individual concrete pavers caters for the option to move the ‘Walk of Fame’ if required, with little associated cost and a more efficient timeline.

‘Walk of Fame’ Program

A community nomination process is preferred. It is a more efficient process and will see the nominations providing the majority of the detail relating to the nominee. This will reduce the amount of staff time required to identify and research potential candidates. The City will then undertake a shorter research process to ensure accuracy and validity of the information provided.

It is proposed that a small group of three members comprising of the Mayor, the Chief Executive Officer (or nominated representative) and an independent community member are appointed to oversee the nomination and selection process subsequent to the inaugural induction. The independent community member shall be identified by the Mayor and the Chief Executive Officer and a report submitted to the Council for endorsement. The three members will be known as the ‘Walk of Fame’ Selection Group.

The City will provide a report to the ‘Walk of Fame’ Selection Group which will include the nomination form, nominee profile and the outcome of how the nominee met the selection criteria against the scoring matrix. The ‘Walk of Fame’ Selection Group will review and consider the nominees for induction to the ‘Walk of Fame’.

It is proposed that the nomination cycle is every two years, (in an off-election year). with the first public nomination process commencing in 2020, inviting the community to nominate.

Upon finalisation of the nominees to be inducted, the City will commence arrangements for the construction of concrete pavers and an event to induct the nominees.

'Walk of Fame' Program Inaugural Nominees

Upon establishment of the 'Walk of Fame' Selection Group, it is proposed that a group of nominees, who have already been identified, researched and deemed to meet the selection criteria are the inaugural inductees to the 'Walk of Fame'.

It is proposed that the selected nominees are inducted in 2019 and the public nomination process is commenced in 2020 in the off-election year cycle.

The 'Walk of Fame' Selection Group will review and confirm the nominees for the inaugural induction to the 'Walk of Fame'. This will enable the launch of the 'Walk of Fame' program in 2019.

This will establish the 'Walk of Fame' in Central Walk Joondalup, create public awareness of the program and highlight to the community the opportunity to nominate candidates for 2020.

Issues and options considered

It is recommended that a public nomination process be established and conducted every two years in an off-election year. The public nomination process will reduce the amount of staff time taken to research each nominee. Given the bulk of the information will be provided for consideration, this moves the research more into due-diligence and validation of the information provided to ensure accuracy. To preserve the high standard of inductees, the 'Walk of Fame' Selection Group reserve the right to not select a nominee.

After the nominee group has been finalised by the 'Walk of Fame' Selection Group, a report will be presented to Council to approve the nominees being inducted into the 'Walk of Fame'.

It is preferred that concrete pavers are installed. This would involve the laying of inscribed concrete pavers in Central Walk between Boas Avenue and Reid Promenade, Joondalup to create a pathway recognising the recipients.

Legislation / Strategic Community Plan / Policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Community spirit.

Strategic initiative Support and facilitate the development of community leaders.

Policy Not applicable.

Risk management considerations

There are risks of the Council formally recognising individuals. The formal recognition of selected members of the community may offend some members of the community who perceive others as being more deserving. To minimise this risk, the importance of setting a strong and robust criteria will support transparency of the nomination, selection and awarding process.

Financial / budget implications

There are currently no funds listed for the establishment of a 'Walk of Fame' program. Any costs related to the establishment of this program would need to be considered in future budget considerations.

Costs that would be associated with this program are expected to include the following, at a minimum:

- Signage to the entry points of the 'Walk of Fame' - \$5,000 (once off cost).
- Individual pavers - \$1,000 (per recipient).
- Operational costs relating to printing, promotion - \$2,000.
- Civic function with the inclusion of catering, audio visual - \$10,000.

Sustainability implications

Social

The sustainability of the program is unclear due to the reliance on the community to nominate eligible persons. It has been evidenced through similar programs in other local governments that the nomination pool has reduced considerably over the years, resulting in the change of frequency of the award cycle.

Consultation

Not applicable.

COMMENT

The City already has programs in place that recognise individuals who make contributions to the community. The City recognises community volunteers through the *Recognition of Volunteers Policy*. It is noted that the City has a large number of volunteers who contribute their time and skills. It is not possible to recognise all who make contributions under this framework.

The City also has a *Freeman of the City of Joondalup Policy*. This policy currently recognises people who have "through their personal endeavours and commitment, have made an outstanding contribution to the local and broader community".

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION**That Council:**

- 1 AGREES to the establishment of the City of Joondalup ‘Walk of Fame’ program as detailed in this Report;**
- 2 APPROVES the establishment of a ‘Walk of Fame’ Selection Group, consisting of the Mayor, the Chief Executive Officer and an independent community member;**
- 3 APPROVES the Mayor and the Chief Executive Officer to identify and recommend to Council an independent community member for the ‘Walk of Fame’ Selection Group;**
- 4 APPROVES the ‘Walk of Fame’ being located in Central Walk, Joondalup;**
- 5 APPROVES the use of concrete pavers and the specification of the pavers;**
- 6 ENDORSES the ‘Walk of Fame’ nomination criteria as detailed in this Report;**
- 7 ENDORSES the community nomination process subsequent to the inaugural induction;**
- 8 NOTES the inaugural inductees to the ‘Walk of Fame’ program will be selected by the ‘Walk of Fame’ Selection Group once established.**

ITEM 4 STATUS OF PETITIONS

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

BACKGROUND

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

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

DETAILS

Issues and options considered

Attachment 1 provides a list of all outstanding petitions, which were received during the period 16 August 2016 to 16 April 2019, with a comment on the status of each petition.

Legislation / Strategic Community Plan / policy implications

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

Strategic Community Plan

Key Themes Governance and Leadership.

Objective Active democracy.

Strategic Initiatives

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

Policy Implications

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

Risk Management Considerations

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

Financial/Budget Implications

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

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council **NOTES:**

- 1** the status of outstanding petitions submitted to Council during the period 16 August 2016 to 16 April 2019, forming Attachment 1 to this Report;
- 2** in relation to the petition requesting Council create a working group to review and develop appropriate signage guidelines and policy to allow small business to have a say on signage and place-making within the City of Joondalup, *Local Planning Scheme No. 3* was gazetted on 23 October 2018. A review of the *Signs Policy* has commenced and the petition will be considered as part of that review;
- 3** in relation to the petition requesting that Council to introduce the following to drive growth and success in the Performing Arts and Cultural Sector, thereby making opportunities available to our families and businesses:

- 3.1** establish a formal subcommittee of Council to manage and deliver all performing arts and cultural growth / events in the City with 80% of members drawn from this City's community;
- 3.2** establish safe, secure and accessible equipment storage for groups along with a dedicated, City supplied, equipment library to supply (free of charge) key equipment;
- 3.3** the City of Joondalup to have a professional Performing Arts and Cultural team that will:
 - 3.3.1** act as the production and support for all suburbs with activities being centralised;
 - 3.3.2** support all groups with fundraising applications, professional PR and memberships;
 - 3.3.3** facilitate access to all current facilities in the City of Joondalup such as school theatres, churches, parks or empty business units for all groups and activities;
 - 3.3.4** raise cross-cultural understanding and accessibility for families / disadvantaged groups;
- 3.4** source a Performing Arts and Cultural Facility that is fully funded by grants and donations,

it is anticipated that a report will be presented to Council at its meeting to be held on 17 September 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 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;
- 6** in relation to the petition requesting that Council abandon its plans to install a footpath along Charonia Road, Mullaloo:
 - 6.1** the installation of a footpath on the southern side of Charonia Road, Mullaloo will not be progressed at this time;
 - 6.2** the lead petitioner will be advised of this decision;

- 7** in relation to the petition requesting that Council refuses the application for the proposed development of 12 apartments at 80 and 82 Trailwood Drive, Woodvale:
- 7.1** the application was approved by the Metropolitan North-West Joint Development Assessment Panel (JDAP) on 25 March 2019;
- 7.2** the lead petitioner has been advised;
- 8** in relation to the petition requesting that Council:
- 8.1** refuses the proposed development of 13 apartments at 4-6 Brechin Court, Duncraig and 16 apartments at 8-10 Brechin Court, Duncraig due to its size, bulk, scale and design and the effect on adjoining neighbours and the impact on the amenity of the local community;
- 8.2** advises the Metropolitan North-West Joint Development Assessment Panel (JDAP) of its refusal and takes all steps necessary to stop the proposed developments,
- a report was presented to Council at its meeting held on 21 May 2019 (CJ047-05/19 refers) in relation to Lots 102 and 103 (4 and 6) Brechin Court, Duncraig in which Council resolved to refuse the application and the application in relation to 8-10 Brechin Court, Duncraig will be considered by the Metropolitan North-West Joint Development Assessment Panel (JDAP) at an upcoming meeting;
- 9** the lead petitioner will be advised of part 8 above.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf190611.pdf](#)

ITEM 5 2019 ANNUAL REVIEW OF REGISTER OF DELEGATION OF AUTHORITY

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	07032, 101515
ATTACHMENT	Attachment 1 Amended Register of Delegation of Authority (marked-up version)
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 undertake a formal review of its delegations within the *Register of Delegation of Authority*.

EXECUTIVE SUMMARY

Sections 5.18 and 5.46 of the *Local Government Act 1995* (the Act) requires at least once every financial year, delegations are to be reviewed by the delegator. The Council last performed its annual review of delegations at its meeting held on 26 June 2018 (CJ101-06/18 refers).

The Register of Delegation of Authority, incorporating the proposed amendments, is submitted as Attachment 1 to this Report.

It is therefore recommended that Council:

- 1 *ENDORSES the review of its delegations in accordance with sections 5.18 and 5.46 of the Local Government Act 1995;*
- 2 *BY AN ABSOLUTE MAJORITY and in accordance with sections 5.16 and 5.42 of the Local Government Act 1995, section 127 of the Building Act 2011, section 48 of the Bush Fires Act 1954, section 44 of the Cat Act 2011, section 10AA of the Dog Act 1976, section 118(2)(b) of the Food Act 2008, sections 214(2), (3) and (5) of the Planning and Development Act 2005, clause 82 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and section 21 of the Public Health Act 2016 DELEGATES the local government functions as listed in the amended Register of Delegation of Authority forming Attachment 1 to this Report.*

BACKGROUND

In accordance with sections 5.16 and 5.42 of the Act, a local government can delegate certain functions to a committee of Council, or the Chief Executive Officer. A variety of other legislation also permits the delegations of functions to the Chief Executive Officer, as well as other officers.

Sections 5.18 and 5.46 of the Act require that at least once every financial year, delegations are to be reviewed by the delegator for those delegations under the Act, but opportunity is also presented to review other delegations made under other legislation.

At its meeting held on 24 June 2014 (CJ091-06/14 refers), Council undertook a comprehensive review of the Register of Delegation of Authority, incorporating the following measures:

- A revised layout for each instrument of delegation.
- Improvements to the wording and referencing of individual delegations.
- New and increased scope of individual delegations.

The Council last performed its annual review of its delegations at its meeting held on 26 June 2018 (CJ101-06/18 refers) and therefore, a formal review by Council is required. The 2019 review has focused on assessing the suitability and relevance of delegations as well as any new delegations that need to be made.

DETAILS

The 2019 annual review of the *Register of Delegation of Authority* was undertaken to determine:

- the appropriateness of the existing delegations and whether to amend or delete any delegations
- the need for any additional delegations.

The proposed amendments reflect:

- amending existing delegations to improve workflow processes and service delivery
- deletion of delegations that are no longer required
- new delegations that will assist with workflow processes as well as ensuring Council focuses on strategic issues.

Other than minor wording and formatting changes, details of the main proposed changes are as follows:

Agreement for payment of rates and services charges

This new delegation gives authority to accept rates and service charge payments that are due to be paid in accordance with an agreement that has been established for that person. This is currently a deemed administrative function to facilitate the payment of rates and the new delegation reflects this process.

Amendment to the rate record

As soon as a local government imposes rates in a financial year, is to ensure that a rate record is compiled. From time to time however amendments may need to be made to the rate record to ensure that the information contained in the rate record is current and correct. This new delegation gives authority to administratively amend the rate record for properties if a need is identified for the preceding five years from the current financial year.

Appointment of authorised persons

Two sections of the Act have been identified where a local government can appoint persons to perform particular functions. The two new sections have been added to the existing delegation and relate to powers of authorised persons when notice is given to enter private land.

Choice of tender

The Chief Executive Officer currently has delegated authority to accept tenders up to a value of \$350,000. This delegation was last increased from \$300,000 by Council at its meeting held on 23 June 2015 (CJ095-06/15 refers). It is recommended that this delegation be increased to \$500,000 to cater for cost increases as well as those tender amounts for routine operational contracts. Since its decision in 2015, Council has approved 15 tenders between the value of \$350,000 and \$500,000.

Disposing of property

The Chief Executive Officer currently has authority to dispose of property (up to \$600,000):

- at public auction
- by public tender
- or
- by private treaty.

This delegation was increased from \$500,000 to \$600,000 by Council at its meeting held on 26 June 2012 (CJ108-06/12 refers).

As has been reported through the Major Projects and Finance Committee and Council as and when required, the City has been progressively disposing of land, previously identified by Council for disposal. More recently at its meeting held on 21 May 2019 (CJ063-05/19 refers) Council supported the disposal of Lot 2 (20) Kanangra Crescent, Greenwood for the amount of \$1,225,000 (exclusive of GST). Prior to this disposal, the following table details the sale price of those properties previously sold:

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

Out of the 14 sites originally identified for sale, there is currently only one property left for sale, being Lot 803 (15) Burlos Court, Joondalup (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, taking the number of sites down to 12). It should be noted with any property sale, it is the City's practice to obtain an independent market evaluation to determine the reserve price for the sale of a property and this is used in determining whether any offer is accepted or not, and in accordance with the provisions of the Act.

In view of the above sale prices it is recommended that the delegation for disposing of property is increased from \$600,000 to \$900,000.

The definition of disposal, as per the Act, has been included in this instrument of delegation to provide further clarity.

Entry in an emergency

Local governments have the ability to enter land without notice, where an emergency exists as determined by the local government or the Chief Executive Officer. When entering property for reasons under the Act, a notice generally needs to be given unless there are circumstance that dictate that these processes cannot be followed.

The Act prescribes that an emergency exists, and therefore property can be entered without notice, if there is an imminent risk of:

- injury or illness to any person
- a natural disaster or other disaster or emergency or
- such other occurrence that may be prescribed under Regulations.

A delegation to enter property in an emergency assists with mitigating those risks in a timely and expedient manner.

Objection to the rate record

A delegation currently exists for officers to consider objections to the rate record and to make an appropriate determination on those objections. The existing delegation has been amended to allow officers to extend the time for making an objection to the rate record for a period that is deemed fit to do so.

Payments from municipal fund – incurring liabilities and making payments

This delegation allows the Chief Executive Officer, and other officers with respective authority, to make payments and incur financial liabilities on behalf of the City. Simplistically, the delegation allows officers to approve the payment of invoices for services or products supplied to the City. The delegation currently has a category banding system that sets the limits on expenditure that can be approved by officers within that specific category, as follows:

- Category A – unlimited individual amounts subject to annual budget limitations.
- Category B – limited to \$2 million.
- Category C – limited to \$250,000.
- Category D – limited to \$25,000.
- Category E – limited to \$5,000.

There is a significant approval gap between Category C and D payment thresholds, and therefore it is proposed that a new category, limited to \$100,000, be inserted. This is considered an appropriate value in between the existing categories and likely to assist with operational efficiencies and workflow. Following Council's endorsement appropriate employees will be identified to have the payment authority under the new category.

Recovery of rates and service charges from owner or lessee

The payment of rates and service charges to a local government is an important activity to ensure financial viability and necessary cash flow. From time to time there is a need to recover rates and service charges from property owners, as well as costs, in court, although the City's payment return rate is satisfactory. The Act also allows a local government to recover rates and service charges from lessees of land, which may be outstanding in lieu of rent that is to be paid to a lessor.

In view of this, two new delegations are recommended to allow the Chief Executive Officer to begin recovery proceedings from a ratepayer in court, should it be necessary, as well as delegate functions to the Chief Executive Officer to recover outstanding rates and service charges from a lessee.

Local Planning Scheme No. 3 – Delegations - General

The changes to the general delegations under the *Local Planning Scheme No. 3* are minor in effect and in summary include the following:

- Removed delegation for Senior Urban Planners / Coordinators to determine applications for Single Houses, Grouped Dwellings and Multiple Dwellings that have been referred to the Joondalup Design Reference Panel. Any applications reviewed by the Joondalup Design Reference Panel are determined by either the Manager Planning Services or the Director Planning and Community Development.
- Review and include further restriction on the delegations for multiple dwellings so that all new multiple dwellings (10 or less) are determined by Director Planning and Community Development and the Manager Planning Services. Currently, although it has not occurred to date, the current delegations would allow for Senior Urban Planners and Coordinator Planning Approvals to determine multiple dwellings in some instances. The proposed changes still allow incidental work/additions associated with multiple dwellings to be determined by Senior Urban Planners and Coordinator Planning Approvals to ensure efficiency in processing timeframes. Senior Urban Planners and Coordinator Planning Approvals will be restricted to only ancillary/incidental works associated with a multiple dwelling (where it is within the other parameters of the delegations).
- Where required, references within delegations have been updated to reflect terminology in the recently released *State Planning Policy 7.0 (Planning for the Built Environment)* and *State Planning Policy 7.3 (Residential Design Codes Volume 2 – Apartments)* (commonly known as Design WA).

A report presented to Council in October 2018 (CJ170-10/18 refers) responds to a Notice of Motion in relation to the stimulation of hospitality and tourism ventures in the City of Joondalup. One of the items in Council's resolution requests that the Chief Executive Officer investigates amendments to the levels of delegated authority for the City's planning staff, with a view to reducing timeframes for processing of certain planning applications. This investigation is still being undertaken and a separate report will be presented to Council seeking approval to amend the Register of Delegation of Authority in the future.

Deletions

Choice of Tender – Smart Monitoring and Management – Yellagonga Wetlands Project

At its meeting held on 11 December 2018 (CJ219-12/18 refers) delegated authority was given from Council to the Chief Executive Officer to accept tenders for the Smart Monitoring and Management of Yellagonga Wetlands Project (valued at less than \$1,491,500, inclusive of a contingency of 15%). This delegation is no longer required as no tenders were accepted for the project and the project is not progressing in its current form.

Local Planning Scheme No. 3 – Determine Future Applications for Renewal of Home Occupation

This delegation was put in place to give authority to determine future applications for renewal of the Home Occupation (Music/Drum School) at 6 (Lot 397) Melrose Crest, Kinross. This delegation can be deleted as permanent approval has been given by the City.

Issues and options considered

Council can either:

- accept the proposed amendments
- vary the proposed amendments
or
- reject the proposed amendments

and adopt the Register of Delegation of Authority accordingly.

Legislation / Strategic Community Plan / policy implications

Legislation	<p>Sections 5.16 – 5.18 and 5.42 – 5.46 of the <i>Local Government Act 1995</i>. Section 127 of the <i>Building Act 2011</i>. Section 48 of the <i>Bush Fires Act 1954</i>. Section 44 of the <i>Cat Act 2011</i>. Section 10AA of the <i>Dog Act 1976</i>. Section 118(2)(b) of the <i>Food Act 2008</i>. Sections 214(2), (3) and (50) of the <i>Planning and Development Act 2005</i>. Clause 82 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Section 21 of the <i>Public Health Act 2016</i>.</p>
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Strategic Community Plan

Key theme	Governance and Leadership.
Objective	Corporate capacity.
Strategic initiative	Continuously strive to improve performance and service delivery across all corporate functions.
Policy	Not applicable.

Risk management considerations

Council is required to review its delegations under the *Local Government Act 1995* at least once every financial year and to review its delegations made under clause 82 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* every two years. Failure to complete the review would result in non-compliance with its statutory responsibilities under these legislative frameworks.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

Where legislation confers a function or power in a “local government” it was generally intended by Parliament to mean Council. However, there are many instances within the Act and other legislation that a function given to a local government is not exercisable, at least on a day to day basis by a Council but by the Chief Executive Officer or the local government’s administration. The Act itself makes it clear that:

- 1 a Council’s role is not to exercise administrative (or management powers) but to exercise broader governance powers (section 2.7 of the Act)
- 2 a Chief Executive Officer has the principal administration or management role of the local government – reflected in the specific statutory function to ‘manage the day to day operations of the local government (section 5.4(e) of the Act).

In view of this local governments utilise levels of delegated authority to allow the Chief Executive Officer (and other officers) to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership.

The use of delegated authority means the large volume of routine work of a local government can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community. The 2019 review has resulted in refining delegations to ensure the City’s continued ability to maintain high standards of service delivery and improved workflow processes.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council:

- 1 **ENDORSES** the review of its delegations in accordance with sections 5.18 and 5.46 of the *Local Government Act 1995*;
- 2 **BY AN ABSOLUTE MAJORITY** and in accordance with sections 5.16 and 5.42 of the *Local Government Act 1995*, section 127 of the *Building Act 2011*, section 48 of the *Bush Fires Act 1954*, section 44 of the *Cat Act 2011*, section 10AA of the *Dog Act 1976*, section 118(2)(b) of the *Food Act 2008*, sections 214(2), (3) and (5) of the *Planning and Development Act 2005*, clause 82 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 21 of the *Public Health Act 2016* **DELEGATES** the local government functions as listed in the amended *Register of Delegations of Authority* forming Attachment 1 to this Report.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf190611.pdf](#)

ITEM 6 CITY OF JOONDALUP DELEGATION TO JINAN AND HUZHOU

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	52469, 101515
ATTACHMENT	<p>Attachment 1 International Economic Development Activities Plan (Summary)</p> <p>Attachment 2 Three-year Cooperation and Exchange Plan between Jinan, China and the City of Joondalup</p> <p>Attachment 3 Three-year Cooperation Framework Agreement between HuZhou City and the City of Joondalup</p> <p>Attachment 4 Letter of intent between HuZhou City, Zhejiang province of the People's Republic of China and the City of Joondalup</p>
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 receive an overview of the highlights and outcomes of the visit made by the City of Joondalup delegation to Jinan and HuZhou from 23 March to 30 March 2019 and the City led trade visit to Shanghai and WuHan from 30 March to 5 April 2019.

EXECUTIVE SUMMARY

The City of Joondalup has had a Sister City Relationship with the City of Jinan, China since Council endorsed the signing of a Memorandum of Understanding at its meeting held on 25 July 2000 (CJ183-07/00 refers). In 2004, the two Cities signed an official protocol agreement formalising the Sister City Relations between the two Cities.

The City of Joondalup has led several civic delegations to China since the commencement of the relationship with Jinan which have led to mutually beneficial outcomes for both cities. The City of Joondalup had also completed two successful trade delegations to China which have delivered significant economic benefit to the City and its stakeholders within the City's International Economic Development Activities Plan (IEDAP) target sectors of aged care, health, education and foreign direct investment.

To date, the benefit for the City's economy, as a direct result of the implementation of the City's international activities, is in excess of \$70 million in output, \$26 million in value added and additional employment of 247 FTE (full time equivalent).

During 2018 the City of Joondalup received an invitation from the Foreign Affairs Office of the City of Jinan to send a formal delegation to negotiate a new three-year exchange agreement for the Sister City Relationship between the City of Joondalup and Jinan. In addition, it was proposed that the delegation meet with key Jinan government and industry representatives to discuss and advance economic opportunities.

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

At its meeting held on 11 December 2018 (CJ232-12/18 refers), Council approved the third City led Civic delegation visit to the Chinese cities of Jinan and Huzhou, commencing on 24 March 2019 and returning on 30 March 2019 comprising of City representatives and representatives from the City's stakeholders.

In order to expand upon the work of the two previous City led trade delegations to China and to progress priority activities of the City's IEDAP, a trade delegation component was also included within the visit to China.

A key objective of the delegation was for the City to assist its key stakeholders to achieve their business goals and to increase international trade between Joondalup and businesses in China. This has largely been achieved and the City's business stakeholders, in the priority sectors of education and health, have secured the required contacts and opportunities to take the next steps to directly engage with China, with minimal involvement from the City.

This report provides a summary of the activities undertaken by the civic and trade delegations as well as the economic development opportunities identified for further advancement by the City and its stakeholders.

BACKGROUND

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

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

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

Following the City outbound delegation to Jinan, China in August and September 2015, it was identified that a greater focus on international engagement was required by the City in order to achieve its strategic international economic development goals. Council adopted a Strategic Position Statement on International Economic Development Activities at its meeting held on 19 April 2016 (CJ055-04/16 refers). The position statement is as follows:

“The City should build upon its international recognition for liveability by continuing to demonstrate and embrace innovation and best practice in all fields of service, which are comparable on a global scale.”

At its meeting held on 18 April 2017 (CJ042-04/17 refers), Council endorsed the IEDAP (Attachment 1 refers) and the City subsequently appointed an International Economic Development Advisor to coordinate the implementation of the plan. The IEDAP identifies priority activities relating to investment attraction by way of coordination and participation in trade and investment missions aligning with identified target markets and opportunities including health / medical (such as aged care, midwifery and nursing), education and tourism as high value target sectors.

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

- Edith Cowan University School of Nursing and Midwifery.
- Edith Cowan University School of Engineering.
- Bethanie Aged Care.
- Australian Medical Association (WA).
- National Electrical and Communications Association (NECA).

At its meeting held on 11 December 2018 (CJ232-12/18 refers), Council approved the third City led Civic delegation visit to the Chinese cities of Jinan and Huzhou, commencing 24 March 2019 and returning 30 March 2019. An extended trade component to 5 April 2019 was also undertaken, allowing opportunities for key stakeholders to develop upon existing relationships and secure additional opportunities in China.

DETAILS

The City of Joondalup delegation consisted of the following:

- The Hon Albert Jacob, Mayor.
- Councillor Kerry Hollywood.
- Councillor Russ Fishwick.
- Ms Dale Page, Director Planning and Community Development.
- Mr Michael Faulkner, International Economic Development Advisor.
- Mr Jan Norberger, General Manager, Training services, Australian Medical Association (WA) (AMA WA).
- Mr Carl Copeland, CEO National Electrical & Communications Australia (NECA).
- Mr Steve Hall, General Manager, NECA.
- Ms Felicity Balleiu, Chief Operating Officer, Communities, Bethanie.
- Mr David Harrison, Chief Operating Officer, Residential, Bethanie.
- Dr Norman Baker, Executive Director, Northern Metro TAFE.
- Ms Terina Grace, CEO, Black Swan Health LTD.
- Claire Cleary, Programs Manager, Black Swan Health LTD.
- Ms Jillian Pan, Director, Ausglobal Exchange Pty Ltd (Interpreter).

Outcomes of civic delegation

The following is a summary of the key civic outcomes achieved by the delegation in the Cities of Jinan and Huzhou.

- 1 A three-year Cooperation and Exchange Plan between Jinan, China and the City of Joondalup, Australia was signed on 25 March 2019 (Attachment 2 refers) including the progression of the Jinan Garden project.
- 2 An invitation from Jinan has been received for two City of Joondalup students to participate in a full scholarship summer school program in Jinan (28 July-11 August 2019).
- 3 A three year Cooperation Framework Agreement between HuZhou City and the City of Joondalup was signed on the 27 March 2019 (Attachment 3 refers).
- 4 A Letter of intent between HuZhou City, Zhejiang province of the People's Republic of China and the City of Joondalup of the Commonwealth of Australia on the establishment of friendly exchange relationships, was signed on the 27 March 2019 (Attachment 4 refers).
- 5 Cooperation between the City of Joondalup, North Metro TAFE, City of HuZhou and HuZhou Vocational Education and Training College is progressing toward a three month "Artist in Residence" program.
- 6 HuZhou University, Dean of Foreign Affairs and Dean of International College and Edith Cowan University is considering developing a Sister University relationship.

Outcomes of trade delegation

The following is a summary of the key stakeholder outcomes achieved by the delegation's visit to the Chinese cities of Jinan, Huzhou, Shanghai and Wuhan.

Sector	Stakeholder	Outcome
Health/ Education	Australian Medical Association WA (AMAWA)	The AMAWA is finalising an agreement for the delivery of regular 12 session training courses on dementia, utilising virtual classroom technology for students in Shanghai.
Health/ Education	AMA WA	<p>The AMA WA is progressing a proposal for HuZhou University to partner with the AMA WA for the delivery of three courses:</p> <ul style="list-style-type: none"> • Certificate III in Individual Support • Certificate IV in Ageing Support • Diploma of Health Administration. <p>A trial intake of 50 students will commence in September 2019, increasing to 100 students per year.</p>
Health/ Education	AMA WA	Wuhan District: AMA WA has agreed to commence delivery of courses with three intakes of Certificate III in Individual Support students, which will be undertaken every six months, commencing March 2020. Each intake would initially have a minimum number of 30 students, with likely student numbers expected to be closer to 50 students per class.

Sector	Stakeholder	Outcome
		The Hubei Silver Industry Association is looking to establish a long-term relationship with AMA WA and has developed a five-year plan into the future with potential for 4,000 students to receive training per year with potential income generated for the AMA WA, through the International Training College at Shenton House, Joondalup, with an estimated income generation of \$9.3 million per annum.
Health/ Aged Care	Bethanie	<p>Bethanie has invited management staff from Huzhou Jiao tong Hospital affiliated nursing home to visit for a week's training (including observation, site visit and workshop).</p> <p>This is to establish the starting point for Bethanie to explore their model of care and management expertise and provide assistance to the nursing home in order to upgrade their staff's skills and quality of care.</p>
Health/ Aged Care	Bethanie	<p>Carelink in Shanghai has invited Bethanie to participate in a dementia seminar which was held on 20 May 2019 in Shanghai via video conference (completed).</p> <p>The Chief Executive Officer of Carelink has confirmed a visit to Bethanie facilities by end of July 2019 in order to progress cooperation arrangements between the two organisations.</p> <p>Carelink Director of Strategy visited and met with senior Bethanie representatives and conducted site visits during the week commencing 3 May 2019.</p>
Health/ Aged Care	Bethanie	Bethanie is preparing an overview presentation on their wellness programs and facilities, to be presented to Chinese aged tourism organisation Greenland to pursue aged care tourism for Greenland's members.
Health/ Education	Black Swan Health LTD	A group of community health providers in Shanghai will visit Black Swan Health between September and October 2019 to learn about community health system and experience and progress collaborative agreements.
Health/ Education	Black Swan Health LTD	Black Swan is interested in facilitating training exchange programs between Black Swan and key Chinese stakeholders in the areas of diabetes prevention and management, pain management and Chinese medicine.
Health/ Education	Black Swan Health LTD	Black Swan is also investigating introduction of their smoke cessation program and mental health programs in due course.
Education	North Metropolitan TAFE	Jinan Engineering College is progressing discussions regarding potential collaborations in animation and construction.

Sector	Stakeholder	Outcome
Education	North Metropolitan TAFE	Student / staff exchanges with Shandong Traditional Medicine Hospital are currently being considered.
Education	North Metropolitan TAFE	Shanghai Maritime University (SMU) is interested in delivery of North Metropolitan TAFE's Certificate III Cookery units for the cruise ship industry.
Education	North Metropolitan TAFE	HuZhou Vocational College is discussing a potential "Artist in Residence" opportunity and considering courses for September 2020 delivery. This is a collaborative project with the City of Joondalup.
Education	NECA	NECA has commenced discussions with Jinan Vocational College for both training and the setup of a delivery and assessment centre in Jinan.
Education	NECA	NECA has agreed to establish a delivery and assessment centre in HuZhou with HuZhou Vocational Education and Training University.
Education	NECA	NECA has a formal agreement for the setup of training courses and assessment and delivery facility in Shanghai.

Issues and options considered

Council notes the civic and trade outcomes as a result of the delegation visit from the 24 March to 5 April 2019.

Legislation / Strategic Community Plan / policy implications

Legislation Not applicable.

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

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

Policy Not applicable.

Risk management considerations

The City's civic and trade delegations to China has achieved significant outcomes for the City and its stakeholders. Continual support for the City's key industry sectors is required to ensure ongoing economic benefit for the City and continued goodwill that has been developed with the Cities of Jinan and HuZhou. The City should continue to build with China and support investment attraction for local industries through the delivery of delegations and ongoing engagement in accordance with the IEDAP.

In order to inform the community of the benefits and outcomes of the work that the City is undertaking in international engagement, and to provide transparency to the community, a communications campaign will be developed and implemented over the next 12 months.

Financial / budget implications

Funds for the delegation visits to China were included within the 2018-19 budget.

Current financial year impact:

Account no.	532.A5302.3346.5003
Budget Item	Jinan Sister City Relationship.
Budget amount	\$20,000
Amount spent to date	\$20,394
Proposed cost	\$20,394
Balance	\$ - 394

At its meeting held on 11 December 2018 meeting (CJ232-12/18 refers) Council resolved that any costs for a Councillor to participate in the Jinan delegation would be sourced from their individual training and conference allocation under the *Elected Members' Entitlements Policy*. The cost for participating Councillors on the delegation was an additional \$15,560.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

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

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

It is important to note that economic impact modelling of the City's recent international economic development activities has been undertaken (using the NEIRD economic model) enabling the City to analyse how changes in employment, output (direct addition of funds) and added value (indirect benefits) are achieved through the delivery of activities within various sectors of the economy.

To date, the benefit for the City's economy, as a direct result of the implementation of the City's IEDAP activities, is in excess of \$70 million in output, \$26 million in value added and additional employment of 247 FTE (full time equivalent).

Consultation

Not applicable.

COMMENT

Through the City's international activities, the City is facilitating engagement between City of Joondalup stakeholders and overseas markets to deliver social and economic benefits for the City and its community. To date, the economic benefit for the City, as direct result of the implementation of the City's IEDAP activities, is in excess of \$70 million in output, \$26 million in value added and additional employment of 247 FTE (full time equivalent).

The recent civic delegation to China provided the opportunity to further strengthen the exchanges between the City of Joondalup and the cities of Jinan and HuZhou through the signing of new three year agreements to ensure continued benefits for the three cities in regard to cultural and civic initiatives.

The most recent trade delegation to China was successful in assisting the City's key stakeholders to increase international trade with businesses in China, building upon the success of previous delegations. The proposed activities of the most recent delegation will be monitored and assessment of the economic benefit for the City and its stakeholders will be undertaken to quantify the direct and indirect economic impacts.

While the City will continue to engage and develop exchange opportunities with the cities of Jinan and HuZhou, over the next 12 to 24 months, the City will also focus on other IEDAP priorities including tourism opportunities in China and exploration of opportunities within the Indonesian and Singaporean markets. These initiatives align with the City's Strategic Position Statement on Economic Development – International Activity endorsed by Council at its meeting held on 19 April 2016 (CJ055-04/16 refers).

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council RECEIVES the report on the outcomes of the City of Joondalup civic and trade delegation visit to China from the 23 March to 5 April 2019.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf190611.pdf](#)

ITEM 7 LIST OF PAYMENTS MADE DURING THE MONTH OF APRIL 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 April 2019 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of April 2019 Attachment 3 Municipal and Trust Fund Vouchers for the month of April 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 April 2019.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of April 2019, totalling \$14,325,367.81.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for April 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 this Report, totalling \$14,325,367.81.

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 April 2019. Lists detailing the payments made are appended as Attachments 1 and 2 to this Report.

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

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 108119 - 108259 & EF077107 – EF077717 Net of cancelled payments.	\$9,228,130.65
	Vouchers 2508A – 2530A	\$5,082,469.56
Trust Account	Trust Cheques & EFT Payments 207345 - 207353 & TEF001674 – TEF001689 Net of cancelled payments.	\$14,767.60
Total		\$14,325,367.81

Issues and options considered

There are two options in relation to the list of payments.

Option 1

That Council declines to note the list of payments paid under delegated authority. The list is required to be reported to Council in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, and the payments listed have already been paid under the delegated authority. This option is not recommended.

Option 2

That Council notes the list of payments paid under delegated authority. This option is recommended.

Legislation / Strategic Community Plan / policy implications

Legislation

The Council has delegated to the Chief Executive Officer the exercise of its authority to make payments from the Municipal and Trust Funds, therefore in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Officer is prepared each month showing each account paid since the last list was prepared.

Strategic Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

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

Financial / budget implications

All expenditure from the Municipal Fund was included in the Annual Budget as adopted or revised by Council.

Regional significance

Not applicable.

Sustainability implications

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

Consultation

Not applicable.

COMMENT

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the *2018-19 Annual Budget* as adopted by Council at its meeting held on 26 June 2018 (CJ114-06/18 refers) and subsequently revised or has been authorised in advance by the Mayor or by resolution of Council as applicable.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Chief Executive Officer's list of accounts for April 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 this Report, totalling \$14,325,367.81.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf190611.pdf](#)

ITEM 8 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 APRIL 2019

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

PURPOSE

For Council to note the Financial Activity Statement for the period ended 30 April 2019.

EXECUTIVE SUMMARY

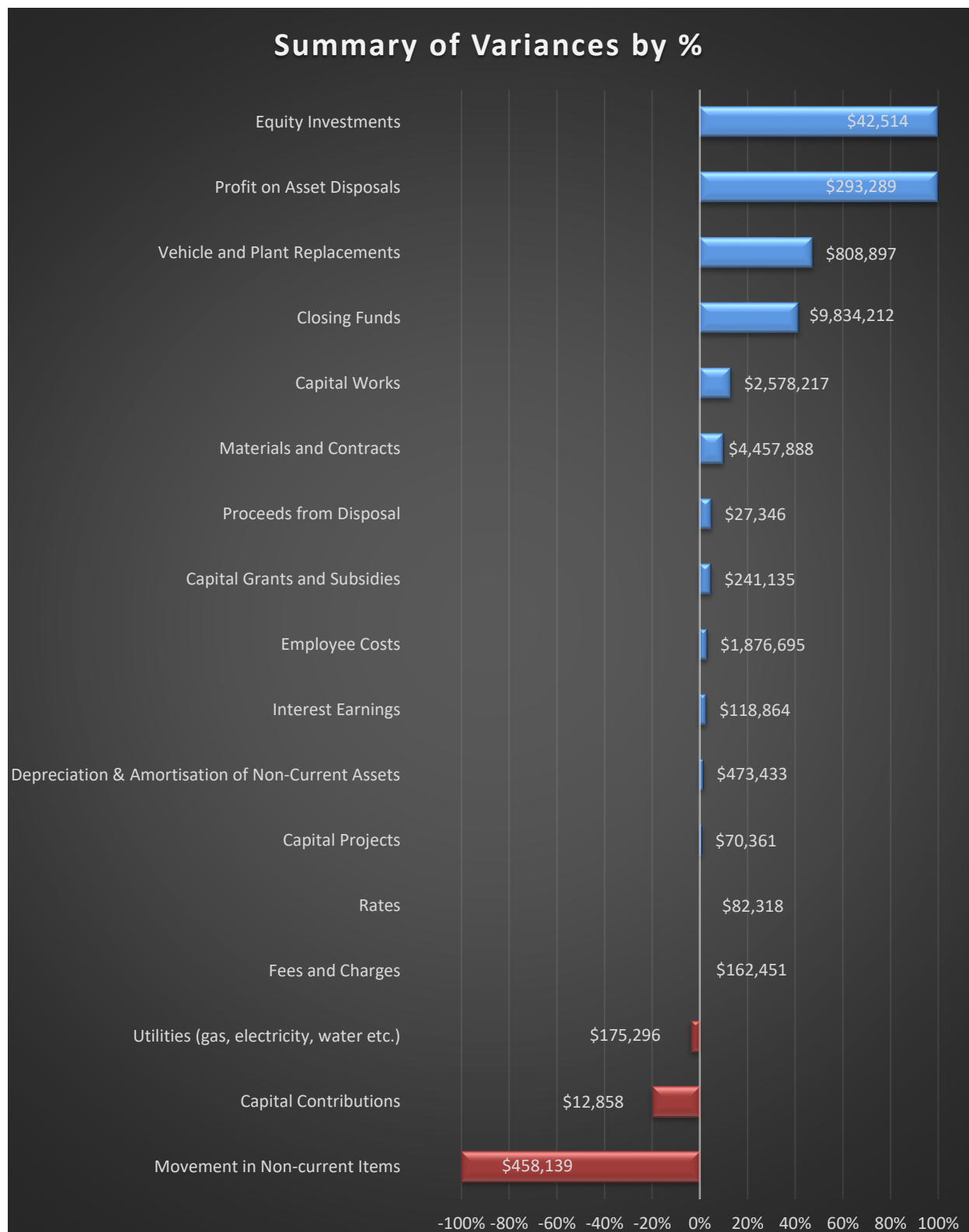
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. Council subsequently revised the budget at its meeting held on 19 February 2019 (CJ017-02/19 refers). The figures in this report are compared to the revised budget.

The April 2019 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$9,834,212 for the period when compared to the revised 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 30 April 2019 and results from a number of factors identified in the report.

There are a number of factors influencing the favourable variance, but it is predominantly due to the timing of revenue and expenditure compared to the budget estimate. The notes in 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 April were:

Materials & Contracts

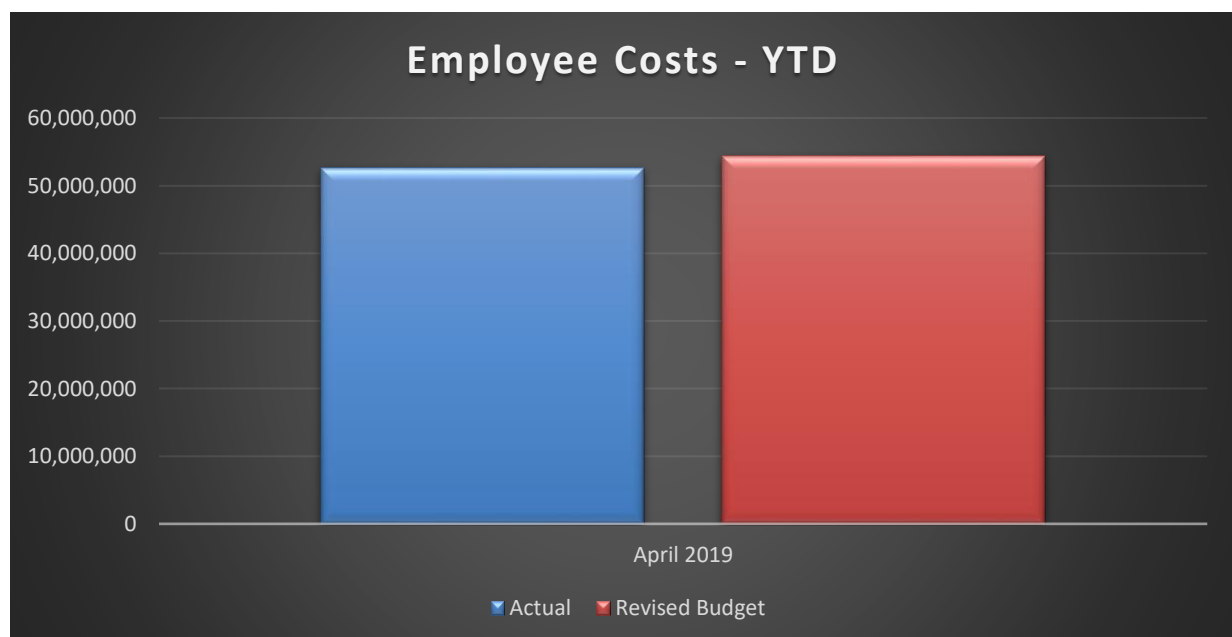
\$4,457,888



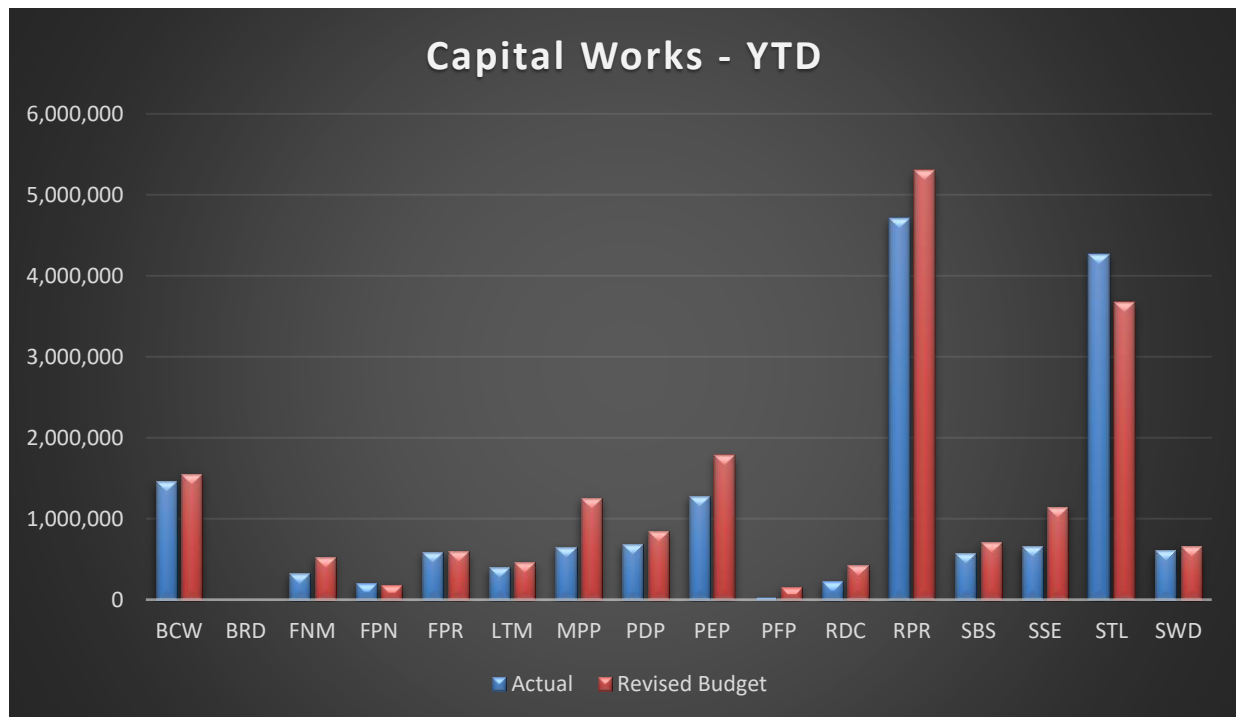
Materials and Contracts expenditure is \$4,457,888 below budget. This is spread across a number of different areas including favourable timing variances for External Service Expenses \$2,385,314, Administration \$401,065 and Public Relations, Advertising and Promotions \$367,770.

Employee Costs

\$1,876,695



Employee Costs expenditure is \$1,876,695 below budget. Favourable variances arose for Salaries and Wages across a number of areas including Parks \$243,805, Engineering Maintenance \$163,868, Planning Approvals \$125,888 and Organisational Development Administration \$113,864 mainly due to vacant positions.

Capital Works**\$2,578,217**

Capital Works is \$2,578,217 below budget. This is spread across a number of different areas including favourable timing variances for Major Projects Program \$595,052, Road Preservation Program \$593,554 and Parks Equipment Program \$500,003.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 30 April 2019 forming Attachment 1 to this Report.

BACKGROUND

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

DETAILS**Issues and options considered**

The Financial Activity Statement for the period ended 30 April 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

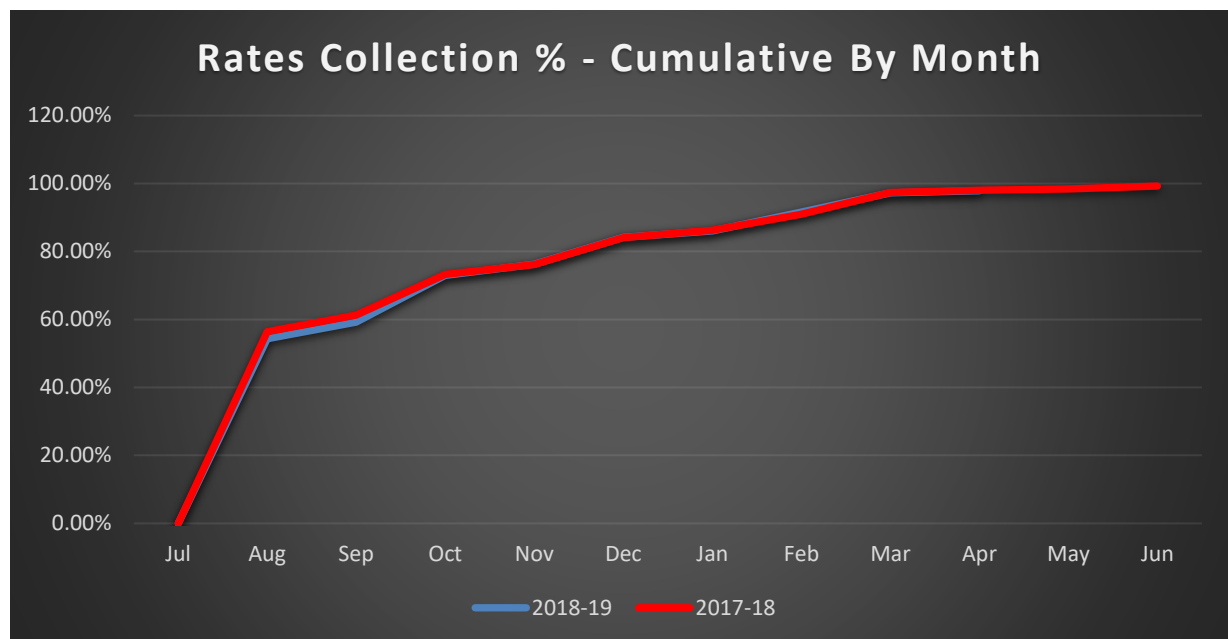
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

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*. The Mid Year Review Budget was prepared in accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*.

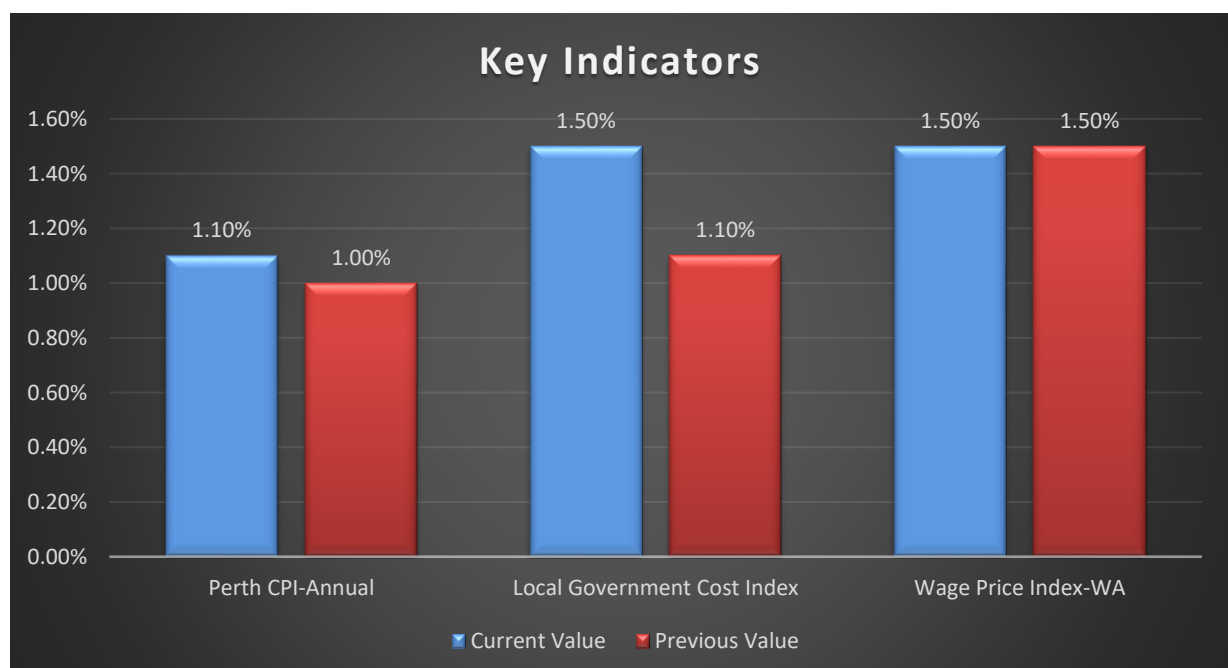
KEY INDICATORS

Rates Collection



Rates collections as a percentage of rates issued (debtors) continues on par with the prior year at the end of April 2019. This trend is expected to continue to the end of the financial year.

Economic Indicators



Increase in the Perth CPI during the March quarter demonstrates the WA economy continues to emerge from its downturn further indicating an increase to future cost pressures in the general economy. Wage inflation data for December demonstrates the WA wage price index has remained steady and above CPI, and continues to contrast the national wage price index which increased 2.2% for the same period.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council NOTES the Financial Activity Statement for the period ended 30 April 2019 forming Attachment 1 to this Report.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf190611.pdf](#)

ITEM 9 POTENTIAL LAUNCHING AND LANDING SITES FOR DRONES IN THE CITY OF JOONDALUP

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	107598, 101515, 01122
ATTACHMENT	Attachment 1 City of Joondalup - Civil Aviation Safety Authority Fly Zones
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider a report on the opportunities within the City of Joondalup for locations where recreational aerial drones may take off and land from City controlled land.

EXECUTIVE SUMMARY

At its meeting held on 21 August 2018 (C75-08/18 refers), Council requested that the Chief Executive Officer prepare a report which examines and identifies potential launching and landing sites within the City of Joondalup for recreational aerial drone usage.

It is therefore recommended that Council:

- 1 *RECEIVES the report on the potential launching and landing of drones in the City of Joondalup;*
- 2 *REQUESTS the Chief Executive Officer to prepare a report to initiate an amendment to the Local Government and Public Property Local Law 2014 that in effect allows the City to make determinations as to specific local government property where drones cannot be launched from.*

BACKGROUND

At its meeting held on 21 August 2018 (C75-08/18 refers), Council resolved following a notice of motion, that:

“Council requests the Chief Executive Officer prepare a report which examines and identifies potential launching and landing sites within the City of Joondalup for recreational aerial drone usage.”

The flying of drones for recreational purposes is a growing activity with a large range of models readily available and designed to cater for a range of users. For recreational use drones range in size from a few grams to a couple of kilograms. They are typically electric powered with rechargeable battery packs and a range that can vary from a few hundred metres to a couple of kilometres depending on the sophistication of the drone, the control device and the battery pack.

They are usually equipped with a camera. The growth of recreational drone usage has come off the rapid and recent uptake in commercial drone usage, as the technology and functionality improve.

Obtaining accurate and up to date data on the current status of the industry is difficult. Most of the information readily available is based on the United States, but the key elements that can be taken from this is the extraordinary growth in both numbers and types of use of drones which is likely very translatable to the Australian scenario. Some examples are:

Business Insider reporting in July 2017 on the outlook for the drone industry in the United States stated:

“... in 2015, drone industry growth took a major step forward when the Federal Aviation Administration (FAA) granted hundreds of new exemptions for companies to operate drones in the U.S.

These exemptions included several new use cases in multiple industries, such as insurance, construction, and agriculture. Each of these scenarios demonstrate the broad range of commercial applications for drones.

The FAA helped push drone market growth forward by formulating a regulatory framework with its consumer drone registry. Drone manufacturers and tech suppliers are doing all they can to capitalize on this and turn drones into a full-fledged industry.”

“Total drone unit sales climbed to 2.2 million worldwide in 2016, and revenue surged 36% to \$4.5 billion, according to research firm Gartner.”

Defining drones as aerial vehicles that can fly autonomously or be piloted by a remote individual, BI Intelligence:

“...expects sales of drones to surpass \$12 billion in 2021. That's up by a compound annual growth rate (CAGR) of 7.6% from \$8.5 billion in 2016.

This growth will occur across the three main segments of the drone industry: Consumer Drones, Enterprise Drones (also known as Commercial Drones), and Government Drones.

Consumer drones are drones purchased by individuals for noncommercial and nonprofessional purposes. BI Intelligence expects consumer drone shipments to hit 29 million in 2021, which would indicate a CAGR of 31.3%.”

The Federal Aviation Administration (FAA) in its annual Aerospace Forecast in March 2017 projected that small model hobbyist drones would more than triple from an estimated 1.1 million vehicles at the end of 2016 to more than 3.5 million units by 2021.

In Australia the Civil Aviation Safety Authority (CASA) reported in 2017 that there were 28% more drone operator certificate holders than manned aviation certificate holders. At that time 1,106 drone operator certificate holders were employing more than 5,870 remote pilots around Australia.

The use of City of Joondalup controlled land is regulated through the *Local Government and Public Property Local Law 2014* (the local law). The local law defines an aircraft, but the definition does not specifically refer to drones.

The local law defines:

- ***aircraft*** has the meaning given to it in the Civil Aviation Act 1988 (Cth);

The Civil Aviation Act 1988 defines:

- ***aircraft*** means any machine or craft that can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth's surface.

The City currently treats a drone as an aircraft for the purposes of the local law and therefore requires a permit. It provides in clause 3.1 (1)(p) that to “launch an aircraft from, or land an aircraft onto, local government property;” is an activity requiring a permit. The City’s practice has been to not grant permits for the taking off and landing of any aircraft including drones.

The local law contains provisions in clause 2 to be able to make determinations in respect of local government property. Determinations can be about activities that may be pursued on specified local government property, clause 2.7, or activities that are prohibited, clause 2.8. A determination can include certain conditions such as days and times of use, classes of things to which the determination applies. One of the activities that a determination could be made that may be pursued on specified local government property is “(c) fly or use a motorised model aircraft, car, ship, glider or rocket;”. No determinations in this respect have been made.

The local law makes no distinction between recreational use and commercial use of aircraft or drones. The local law only has application when City controlled land is being used for taking off and landing and the flying of drones and other remotely piloted aircraft is regulated by CASA once they are in the air.

DETAILS

There is no clear specific definition for a drone, however they are generally recognised as remotely piloted aircraft systems (RPAS), being an aircraft without a human pilot aboard. The flight of a RPAS may operate with various degrees of autonomy either under remote control by a human operator or autonomously by onboard computer.

There are definitions in use in the local government context for model aircraft or drone. The Shire of Murray recently amended its definition of aircraft to read:

- ***model aircraft*** means unmanned mechanically operated aircraft capable of flight, whether operated by remote control or otherwise and includes helicopters, blimps, rockets, drones and remotely piloted aircraft.

CASA's rules for the flying of drones are designed to protect other people in the air and on the ground. They set out that drones must not be flown in a way that creates a hazard to another aircraft, person or property.

CASA currently has separate drone safety rules and requirements depending on whether it is a drone being flown for recreational purposes or for commercial purposes. Within the commercial purposes category there are different requirements for drones under two kilograms and those greater than two kilograms, as well as whether the operator wishes to fly outside of CASA Standard Operating Conditions.

CASA have identified restricted fly zones in Australia and these are publicly available through its website and on their “Can I Fly There Drone Safety App”. There are restrictions that apply to the City of Joondalup local government area. The north eastern part of the City including the Joondalup City Centre are covered by a part of the ‘no fly’ restricted zone that surrounds Pearce Air Base. There are also some helicopter landing pads in or close to the City. These are not ‘no fly’ zones but there is a requirement to exercise caution and not fly a drone greater than 100 grams when there is helicopter activity underway. Attachment 1 shows the restrictions as set out on the CASA website.

Following an extensive period of review and community consultation, CASA will be introducing new drone registration and accreditation requirements later in 2019 which will apply (with certain exceptions) to:

- drones more than 250 grams operated recreationally
- all drones operated commercially regardless of weight.

Other key parts of the proposal include:

- flyers under 16 years of age need to be supervised by someone 18 or older who is accredited
- accreditation will be an online education course, watching video and answering a quiz
- registration for recreational flyers will be less than \$20
- for commercial flyers registration is likely to be from \$100 to \$160 per drone.

CASA recreational drone safety rules have been in place since 2002 and set out:

- *You must not fly your drone higher than 120 metres (400 ft) above the ground.*
- *You must not fly your drone over or near an area affecting public safety or where emergency operations are underway (without prior approval). This could include situations such as a car crash, police operations, a fire and associated firefighting efforts and search and rescue operations.*
- *You must not fly your drone within 30 metres of people, unless the other person is part of controlling or navigating the drone.*
- *You must fly only one drone at a time.*
- *If your drone weighs more than 100 grams:*
 - *You must keep your drone at least 5.5 kilometers away from controlled aerodromes (usually those with a control tower).*
 - *You may fly within 5.5 kilometers of a non-controlled aerodrome or helicopter landing site (HLS) only if manned aircraft are not operating to or from the aerodrome. If you become aware of manned aircraft operating to or from the aerodrome/ HLS, you must manoeuvre away from the aircraft and land as soon as safely possible. This includes:*
 - *not operating your drone within the airfield boundary (*without approval).*
 - *not operating your drone in the approach and departure paths of the aerodrome (*without approval).*
- *You must only fly during the day and keep your drone within visual line-of sight.*
 - *This means being able to orientate, navigate and see the aircraft with your own eyes at all times (rather than through a device; for example, through goggles or on a video screen).*
- *You must not fly over or above people. This could include festivals, sporting ovals, populated beaches, parks, busy roads and footpaths.*
- *You must not operate your drone in a way that creates a hazard to another aircraft, person, or property*
- *You must not operate your drone in prohibited or restricted areas.*

** Approval is generally linked to an approved model flying association and its members.*

Commercial Drone operators are exempt from the rules above if they are flying drones for money or for any form of economic gain, but must hold a Remote Pilots Licence (RePL) and be certified as an operator, or work for a certified operator.

The City's records indicate that up to March 2019, 44 enquires/complaints have been received into various aspects of the use of drones:

Recreational Use	Commercial Use	General enquiry	Complaint/Concern
14	11	10	9

Other than the enquiries and complaints there is little evidence, with a couple of exceptions, of current usage on City reserves. The exceptions include the following:

- The Sorrento and Mullaloo Surf Life Saving Clubs, as well as Surf Life Saving WA. These groups use drones to assist with their patrol and water monitoring activity.
- The City of Joondalup has a drone used by the Natural Areas Team to provide visual observation of natural areas that are difficult to access.

To ascertain the current general local government industry approach, the City contacted a number of local governments who were known to have considered the issue of drones as well as the Western Australian Local Government Association (WALGA). A summary of their position is set out below:

CITY OF STIRLING
<ul style="list-style-type: none"> • Drones allowed at Yokine West and Hertha Reserve. • The drone flyer must belong to a club and the club must have a booking with City of Stirling. • They have amended their local law to define a drone and to determine that drone use is allowed with a permit. • Commercial use is allowed with CASA approval.
CITY OF MANDURAH
<ul style="list-style-type: none"> • No restrictions as long as they comply with CASA. • They have specified areas drones are not allowed such as foreshore and high usage areas. • Commercial operators would need to make a park booking and demonstrate that CASA licenses are in place. • Consider any injury or damage to property to be a private issue between both parties, City does not accept any liability. • Have worked with surf lifesaving club who have a block period of use and have provided the City with their flight plans.
SHIRE OF DARDANUP
<ul style="list-style-type: none"> • No restrictions as long as they comply with CASA.
CITY OF SOUTH PERTH
<ul style="list-style-type: none"> • No restrictions as long as they comply with CASA. • No complaints from residents.
CITY OF PERTH
<ul style="list-style-type: none"> • Do not allow recreational use of Drones under <i>Local Government Property Local Law 2005</i>. • Commercial use requires a permit and assessed on individual basis, restrictions are in line with CASA regulations. • Very difficult to find an area of the City that will meet CASA regulations because of the helipads at RPH, QE2 and PCH. Langley Park is also a registered airstrip. (must be 5.5 kilometres away from aerodromes).

TOWN OF VICTORIA PARK
<ul style="list-style-type: none"> Do not allow any drones of 100 grams or heavier for any purpose within the Town boundaries.
WALGA
<ul style="list-style-type: none"> Do not have an official position. Have concerns that if activity is allowed from local government land then the City will be contributing to a public safety risk and must become responsible for managing the risk. Local Government officers will become reporting officers for CASA. Have concerns about enforcing CASA regulations, have a responsibility to report any breach to CASA.

Issues and options considered

The City's jurisdiction, in regard to drones, is restricted to taking off and landing from City controlled property. The City has no jurisdiction over taking off and landing from private property. CASA is the responsible agency when a drone is airborne. As the land manager the City has a responsibility to ensure that all users of City land are able to do so in a safe environment.

If residents believe a drone is being flown unsafely this needs to be reported to CASA. If the report is that the launching and landing of a drone on City land is causing a nuisance there is currently provision to address this within the local law:

“4.1 Behaviour which interferes with others

A person must not, in or on any local government property, behave in a manner which
–

- (a) is likely to interfere with the enjoyment of a person who might use the property;*
- (b) interferes with the enjoyment of a person using the property; or*
- (c) places the public at risk or interferes with the safety of others.”*

The modified penalty under this provision is \$125.

If the City were to identify locations where the launching and landing of drones were permitted, it would be prudent to identify that CASA regulations and rules apply once the drone is in the air.

As can be seen from the statistics above, the City has had almost as many enquiries in regard to commercial use of drones as recreational use. While Council's motion specifically referred to considering “recreational aerial drone usage” it is difficult to see how this could be addressed without also considering the issues of commercial drone usage. While the basic jurisdictional elements of City control being limited to taking off and landing from City controlled property and CASA being the responsible agency when a drone is airborne, apply to commercial as well as recreational drones there are some further considerations.

In terms of safety, commercial drones can be much larger than recreational ones, sometimes weighing several kilograms or more. The potential to do damage and harm if something goes wrong is therefore much greater. On the other hand, the requirements for licensing and certification are more onerous and it would be expected that a commercial drone pilot would be well trained and equipped to fly the drone. In addition, there is the issue of identifying whether a drone that is being flown is being used for recreational or commercial purposes. It would be difficult from simple observation unless the operator had some form of corporate identifier such as a uniform or clothing with insignia and badging.

On balance it is felt that if the City were of a mind to permit the use of recreational drones taking off and landing from City controlled land, in particular circumstances, then it is reasonable that commercial drones also be permitted.

It is considered that there are three potential options:

Option 1 – No Change

No change is made to the current consideration of drone usage from City controlled land. Under the local law the use of drones would continue to be an activity needing a permit which is currently generally not granted. This would not address the growing demand from the City's community who wish to fly drones for recreational or commercial purposes within the City of Joondalup.

This option is not recommended.

Option 2 – Amend the local law to Define Model Aircraft, Incorporating Drones and Determine that Landing and Taking Off of a Drone is Permitted on Certain Designated Parks and Reserves.

Under this option it would be proposed that the local law be amended to include a definition of model aircraft. The definition would specifically reference drones.

Making a determination that the use of drones is an activity that the City permits on certain City controlled parks and reserves provided this is done in compliance with CASA rules and requirements for recreational and commercial drones, respectively, would provide an avenue to permit drone use while ensuring the activity is conducted in a safe manner.

The determination process would allow the City to restrict the activity to a specified time if considered desirable (current CASA recreational safety rules only permit flying in daylight and restrict flying in certain weather conditions). It would also allow the City to prohibit the activity on specified parks and reserves should it be considered desirable in certain areas.

The issue with restricting the use of drones to certain City controlled parks and reserves is that unlike other forms of model aircraft flying where the recreational attraction is in the skill of flying, in the case of drones it is also about the landscape and scenery that is traversed and quite often filmed or photographed. Drone flyers are interested in trying different locations. Only being able to use the same small number of parks and reserves all the time is not likely to be particularly attractive. The potential for unauthorised use of other parks and reserves is likely to be an issue with the resulting requirement for the City to provide enforcement.

This option is not recommended.

Option 3 - Amend the local law to Define Model Aircraft, Incorporating Drones and Determine that Landing and Taking Off of a Drone is Permitted on all Parks and Reserves other than those Designated.

Under this option it would be proposed that the local law be amended to include a definition of model aircraft. The definition would specifically reference drones.

Making a determination that the use of drones is an activity that the City permits on all City controlled parks and reserves provided this is done in compliance with CASA rules and requirements for recreational and commercial drones, respectively, would best meet the demand from the community for this type of activity while ensuring it is conducted in a safe manner. The reference to parks and reserves would include beach reserves and include the current activities of the Surf Clubs and Surf Life Saving WA.

The determination process would allow the City to restrict the activity to a specified time if considered desirable. It would also allow the City to prohibit the activity on specified parks and reserves should it be considered desirable in certain areas.

This option is recommended.

Legislation / Strategic Community Plan / policy implications

Legislation	<i>Local Government and Public Property Local Law 2014.</i>
Strategic Community Plan	
Key theme	Governance and Leadership.
Objective	Effective representation.
Strategic initiative	Ensure the elected body has a comprehensive understanding of its roles and responsibility.
Policy	Not applicable.

Risk management considerations

While it is clear from the *Civil Aviation Act 1988* (Cth) that CASA is the responsible agency once a drone is in the air, in regard to taking off and landing, the use of City controlled land is the responsibility of the City as regulated through the local law. The City does not however have any jurisdiction in regard to taking off and landing from private property.

The City has a responsibility to manage the activities that are conducted on the land it controls, that is made available for public use such that users can enjoy the benefits of that use in a safe environment.

In enforcement and reporting terms CASA would need to address all issues related to activity occurring while a drone was in-flight including over flying and safety particularly flying dangerously. The City would be able to enforce provisions in regard to land usage and there are several offences for which infringements may be issued including:

- behaviour that interferes with others
- behaviour detrimental to property (local government property)
- failure to comply with sign on local government property.

If there is no change to the current local law and its management, the taking off and landing of drones, whether recreational or commercial, would continue to be an activity needing a permit which is generally not granted. This would mean no additional risk associated with the use of City controlled land. It could however lead to increased illegal use of drones on City controlled land as this activity continues to grow in popularity.

If the local law were to be amended and its management changed such that the taking off and landing of drones were permitted on City controlled land, there is a risk that there could be some conflict with other users. It is not considered that these risks are likely to be any more significant, in a non-organised sport situation, than the existing potential conflicting activities involving balls, throwing objects, running dogs off lead, flying kites and other activities. It is felt though that risks would be heightened in an organised sport situation, both games and training, where a much larger portion of a reserve is likely to be occupied with a much smaller area for a safety margin between the two activities.

To mitigate this, it is suggested that the taking off and landing of drones not be permitted on an active reserve while organised sport, both games and training, are in progress. Further a booked use such as that by a sporting club would have precedent over casual use by a drone operator.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The City has engaged with other local governments, the WALGA and various government agencies in researching this report. In addition, there has been input from various City Business Units that would potentially be impacted by any decision to permit the taking off and landing of drones on City controlled property.

COMMENT

There is a wealth of information available about the significant rise in commercial drone usage, particularly in the small vehicle category under two kilograms, including land surveying, agriculture surveying, film making, emergency response surveying, power line inspections and similar. There is very little quantifiable information or research about the recreational drone market across the world, mostly because there are multiple manufacturers of drones and no single point for registration, indeed in many countries, including Australia, there is no requirement for them to be registered. This makes it impossible to be accurate about the uptake of recreational drone flying as a separate activity from commercial drone flying. It would also be difficult from simple observation of a drone and its operator to know whether the flight was recreational or commercial unless the operator had some form of corporate identifier such as a uniform or clothing with insignia and badging.

The City's current management of drones such that they require a permit which is generally not granted have evolved from the provisions within the existing local law and its definition of aircraft. The context for this definition was more about managing issues associated with piston engine model aircraft that are noisy and require significant space to take off and land as they are generally not capable of taking off and landing vertically.

The development of drones that take off and land vertically from a small space, are electrically powered and operate relatively quietly has meant the context for current local law management arrangements have changed. There still needs to be provisions to manage piston engine type model aircraft but these provisions are overly onerous for managing the use of drones.

It is therefore proposed that subject to compliance with CASA rules and requirements for recreational and commercial drones, respectively, the taking off and landing of drones be permitted on all City controlled reserves and parks that are open and accessible to the public except active sport reserves when organised sport is in progress, either games or training.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 RECEIVES** the report on the potential launching and landing of drones in the City of Joondalup;
- 2 REQUESTS** the Chief Executive Officer prepare a report to initiate an amendment to the *Local Government and Public Property Local Law 2014* that in effect allows the City to make determinations as to specific local government property where drones cannot be launched from.

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf190611.pdf](#)

REPORT OF THE CHIEF EXECUTIVE OFFICER

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

REPORTS REQUESTED BY ELECTED MEMBERS

CLOSURE



DECLARATION OF FINANCIAL INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

To: CHIEF EXECUTIVE OFFICER
CITY OF JOONDALUP

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

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

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

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

DECLARATION OF FINANCIAL INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

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

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

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- (b) at the meeting immediately before the matter is discussed.”*



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

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

QUESTIONS

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Please submit this form at the meeting or:

- email to council.questions@joondalup.wa.gov.au

Please note that:

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



STATEMENT TO BE MADE AT
BRIEFING SESSION / COUNCIL MEETING

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

STATEMENT

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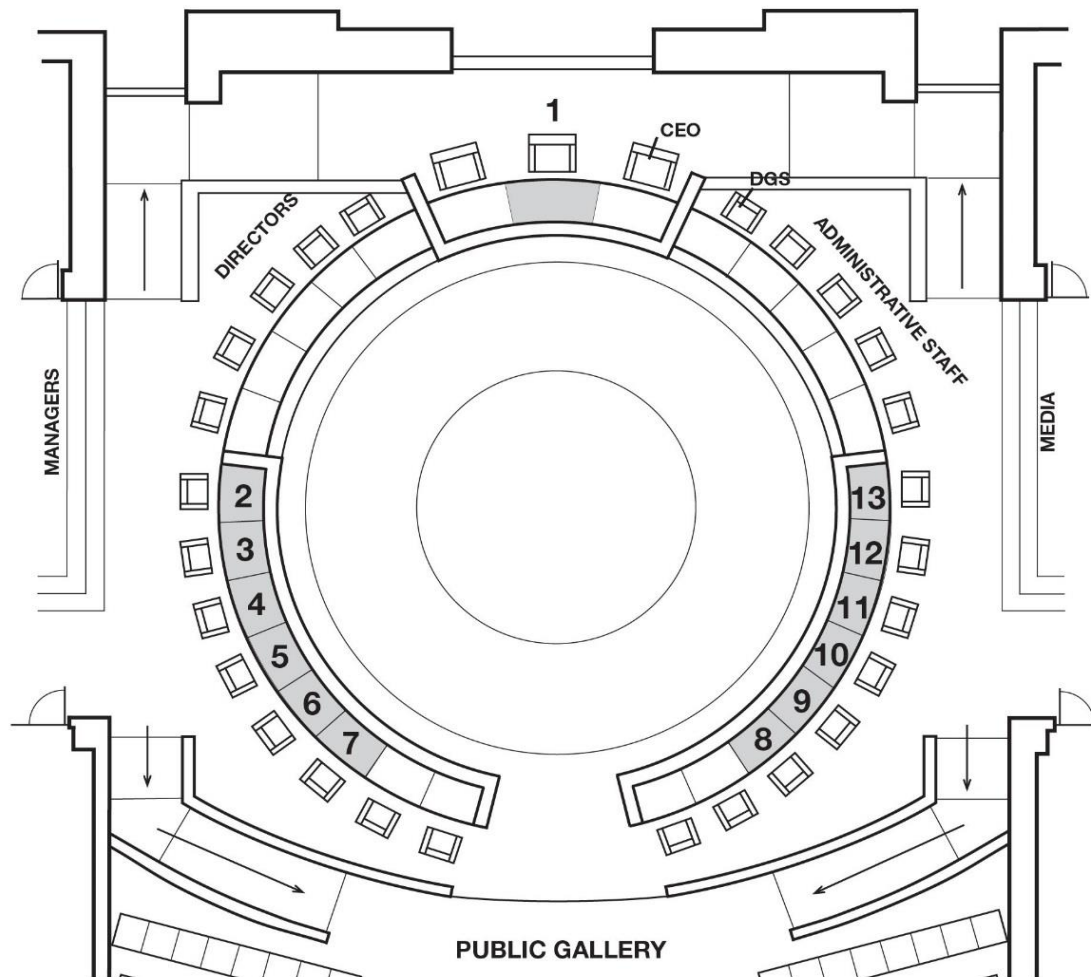
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Please submit this form at the meeting.

Please note that:

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

Council Chamber – Seating Diagram



Mayor

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

North Ward

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

North-Central Ward

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

Central Ward

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

South-West Ward

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

South-East Ward

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

South Ward

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