

# minutes

MEETING HELD ON **TUESDAY 25 JUNE 2019**

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## CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP ON TUESDAY 25 JUNE 2019.**

### DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

### ANNOUNCEMENT OF VISITORS

#### Mayor:

HON. ALBERT JACOB, JP

#### Councillors:

CR KERRY HOLLYWOOD	North Ward	
CR TOM McLEAN, JP	North Ward	
CR NIGE JONES	North Central Ward	
CR CHRISTOPHER MAY	Central Ward	
CR RUSSELL POLIWKA	Central Ward – <i>Deputy Mayor</i>	
CR CHRISTINE HAMILTON-PRIME	South-West Ward	
CR MIKE NORMAN	South-West Ward	
CR JOHN CHESTER	South-East Ward	
CR JOHN LOGAN	South-East Ward	<i>Absent from 7.24pm to 7.28pm</i>
CR RUSS FISHWICK, JP	South Ward	<i>Absent from 7.40pm to 7.42pm</i>
CR SOPHIE DWYER	South Ward	<i>Absent from 8.38pm to 8.41pm</i>

#### Officers:

MR GARRY HUNT	Chief Executive Officer	
MR JAMIE PARRY	Director Governance and Strategy	
MR NICO CLAASSEN	Director Infrastructure Services	
MR BRAD SILLENCE	Manager Governance	
MR CHRIS LEIGH	Acting Director Planning and Community Development	
MR MIKE SMITH	Acting Director Corporate Services	
MR MARK McCRORY	Manager Marketing and Communications	
MR RONEY OOMMEN	Manager Financial Services	
MR MALCOLM JENKINSON	Manager Rangers, Parking and Community Safety	<i>to 8.29pm</i>
MS RUTH MARCH	Manager Infrastructure Services	<i>to 8.30pm</i>
MR MICHAEL HAMLING	Manager Operation Services	<i>to 8.29pm</i>
MS CHRISTINE ROBINSON	Manager Audit and Risk Services	<i>to 8.30pm</i>
MR GLENN HEAPERMAN	Manager Human Resource Services	<i>to 8.29pm</i>
MRS SHEREE EDMONDSON	Manager Asset Management	<i>to 9.01pm</i>
MRS JUDE THOMAS	Manager Community Development and Library Services	
MR JOSEPH HUSSEY	Acting Manager Compliance and Regulatory Services	<i>to 8.29pm</i>
MR MIKE WYNDHAM	Acting Manager Information Technology	<i>to 8.29pm</i>
MRS JILL WILSON	Acting Manager Strategic and Organisational Development	
MR DANIEL DAVINI	Media Advisor	
MRS LESLEY TAYLOR	Acting Governance Coordinator	
MRS DEBORAH GOUGES	Governance Officer	

There were 22 members of the public and one member of the press in attendance.

## DECLARATIONS OF INTEREST

### Disclosures of Financial / Proximity Interest

Nil.

### Disclosures of interest affecting impartiality

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

<b>Name/Position</b>	<b>Cr Sophie Dwyer.</b>
<b>Item No./Subject</b>	CJ080-06/19 - List of Payments made during the month of April 2019.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A payment made to Cr Dwyer's employer is noted on Stamped Page 130.

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No./Subject</b>	CJ082-06/19 – Potential Launching and Landing Sites for Drones in the City of Joondalup.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime owns a drone.

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer.</b>
<b>Item No./Subject</b>	CJ083-06/19 - Confidential - Employment Contract - Director Planning and Community Development.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	The Director Planning and Community Development reports to the Chief Executive Officer.

**PUBLIC QUESTION TIME**

The following questions were submitted prior to the Council meeting on 25 June 2019:

**Ms J Quan, Edgewater:**

*Re: CJ079-06/19 – City of Joondalup Delegation to Jinan and Huzhou.*

**Q1** *Total expense was \$35,000. All the expenses are for flights and accommodation, including \$20,000 for Mayor and Director of Planning and Community Development, Dale Page. \$15,000 was for Councillors who joined the trip. Is that correct? If not, please provide who else did Council pay for, or what kind of expense did Council cover other than flights and accommodation?*

**A1** At its meeting held on 11 December 2018 (CJ232-12/18 refers), Council approved the City led Civic delegation visit to the Chinese cities of Jinan and Huzhou, commencing 24 March 2019 and returning 30 March 2019.

Council authorised attendance on the delegation by the Mayor and Chief Executive Officer, representatives (the Director Planning and Community Development and the International Economic Development Advisor) and interested Councillors (Cr Kerry Hollywood and Cr Russ Fishwick, JP). Expenses for the civic delegation included airfares, transport, accommodation and meals, and visa application fees.

The City engaged an interpreter to travel to China with the delegation. The total cost of this service was \$8,409 which included interpretation services, airfares, transportation and accommodation. An additional interpreter was engaged in China for \$150 per day.

Since the briefing report was released the financial figures have been updated to include additional costs related to the delegation. Some of these costs relate to items that will also be utilised for purposes other than the delegation such as the development of brochures and tourism video, cultural awareness training and translated business cards.

**Q2** *List of events delegation attended during the delegation and who attended the event.*

**A2** The list of delegates is included within the Details section of the 25 June 2019 Council Report (CJ079-06/19 refers).

The meetings and events attended are as follows:

<b>Summary of Events and Meetings - Delegation to China: March/April 2019</b>	
<b>DATE</b>	<b>MEETING</b>
<b>Day 1: 24 March 2019</b>	Arrive Beijing. Met by representatives from the Jinan Government.
<b>Day 2: 25 March 2019</b>	Meeting with Jinan senior officials from Health / Education sector. Lunch hosted by Jinan. Jinan-Joondalup workshop and round table meeting. Dinner with Ms Emma Zhang, Part owner of a large Jinan construction organisation.
<b>Day 3: 26 March 2019</b>	Round table meeting: Shandong Academy of Medical Sciences. Lunch (with Shandong Academy of Medical Sciences). Leave Jinan for HuZhou.
<b>Day 4: 27 March 2019</b>	Group 1: Round table with HuZhou Tafe. Group 2: Meeting with HuZhou Vocational Training College.
<b>Day 5: 28 March 2019</b>	Meeting DeQing County - Deputy Governor.
<b>Day 6: 29 March 2019</b>	Leave HuZhou for Shanghai. Meeting with C Trip. Tour of C Trip operations. Greenland/Carelink meeting – Shanghai.
<b>Day 7: 30 March 2019</b>	Meeting with Stuart Crockett – Chief Representative / Commissioner-China Govt WA. Meeting with Pudong Aged Care Facility. Dinner, Smart Fire, Shanghai.

Q3 *Breakdown of expenses by type (such as flights, trains, accommodation, car rental, travel allowance and meals).*

A3 The breakdown of costs for the delegation are as follows:

<b>Item</b>	<b>Cost</b>
Flights	\$ 4,440.00
Accommodation	\$ 6,903.00
Internal China travel and transfers	\$ 8,144.00
Gifts	\$ 680.00
Translation services	\$ 8,409.00
Travel expenses	\$ 861.24
Visa applications	\$ 750.00
Printing	\$ 564.00
Photography and video	\$ 1,950.00
Cultural awareness training	\$ 1,500.00
Translated business cards	\$ 370.00
<b>Total</b>	<b>\$ 34,571.24</b>

At its meeting held on 11 December 2018 (CJ232-12/18 refers), Council resolved 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 which included airfares, accommodation, internal travel and transfers and travel expenses.

Q4 *Itemise the hotel room paid by the City of Joondalup, including which hotel, type of room, number of rooms booked and how many days booked.*

A4 Accommodation was provided for the Mayor, two Chief Executive Officer representatives and Cr Kerry Hollywood and Cr Russ Fishwick, JP for the duration of the delegation. A hotel was booked for each City that was visited in China. The hotel rooms were standard accommodation at corporate rates.

Q5 *Itemise the flight ticket paid for by City of Joondalup, including flight date, flight number, seat class (economy / business), and number of tickets booked for each seat class.*

A5 Travel dates are outlined within the Council report. The following Singapore airlines were booked:

Economy airfares x 3 – Total: \$4,440

Business class airfares x 2 – Total: \$8,360

The City's *Elected Members Entitlements Policy* provides for the class of air travel that may be taken.

**Mr M Moore, Edgewater:**

*Re: Housing Opportunity Areas and CJ074-06/19 – Development and Subdivision Applications – April 2019.*

*Q1 Development Control Policy 2.2 allows corner lots to be subdivided in R20 coded areas such that the average lot size is less than 450m<sup>2</sup>. How many additional lots have been created in the non HOA areas using that provision since Scheme Amendment No. 73 was gazetted in February 2016?*

A1 Development Control Policy 2.2 (DC2.2) is an operational policy of the Western Australian Planning Commission (WAPC) which allows the WAPC to consider and approve lots with sizes below those outlined in the Residential Design Codes in certain circumstances as outlined in the policy. This includes special provisions for corner lots with a density coding of R20.

Fifty six additional lots have been given conditional approval by the WAPC under the DC2.2 provision relating to corner lots, with 13 created as new lots to date.

*Q2 The number of Certified Building Permits approved each month and their value isn't reported to Council, why not?*

A2 There is no legislative requirement for the number of certified building permits approved each month and their value to be reported to Council. The City provides this information in its Annual Report and intends to provide more detail in future Annual Reports.

*Q3 How many Certified Permits for Grouped Dwellings and Multiple Dwellings respectively have there been in the HOAs since Amendment 73 was gazetted in February 2016?*

A3 This question will be taken on notice.

*Q4 The number of Development Assessment Panel application approvals each month and their value is not reported to Council, why not?*

A4 Development applications that are determined by the City are reported to Council each month in accordance with requirements and as per the City's Register of Delegated Authority. Development Assessment Panel decisions on development applications are not delegated decisions of the City and are therefore not required to be reported to Council.

Development Assessment Panel decisions on development applications are publicly available on the Department of Planning, Lands and Heritage public website.

*Q5 The reports on Development Applications which come before Council and Development Applications submitted to the Development Assessment Panel do not include the estimate value of the projects, why not?*

A5 The reports on Development Applications presented to Council are prepared to enable Council to undertake their quasi-judicial role in determining proposals based on planning merits. The cost of a development is not relevant to the planning assessment of a proposal.

The reports submitted to the Development Assessment Panel do include the estimated value of the projects in accordance with the reporting template prepared by the Department of Planning, Lands and Heritage.

**Dr T Green, Padbury:**

*Re: Draft New Planning Framework for Infill Development.*

*Q1 What is the City's vision for infill within the City of Joondalup?*

A1 The City's Housing Opportunity Areas were first identified in the *Local Housing Strategy*, which is underpinned by seven principal objectives as set out in the document.

More recently, the consultant work undertaken to prepare a new draft planning framework for infill includes a vision for the 'Place Neighbourhoods' based on the principles of traditional urban form, and more specifically, to create more connected, liveable and vibrant places to live closer to centres and train stations.

*Q2 How many residentially coded corner blocks greater in area than 700m<sup>2</sup> are there across the City?*

A2 There are approximately 62,500 rateable properties within the City of Joondalup and responding to the question will divert a substantial and unreasonable portion of the City's resources away from its other functions and therefore a response will not be provided.

*Q3 What is the predicted yield in the housing opportunity areas from the consultants proposed coding maps at 100% uptake?*

A3 Yield analysis has been undertaken by the consultants which demonstrates that the draft new planning framework has the ability to achieve the dwelling targets set by State Government, when also considering the dwelling potential within the Joondalup Activity Centre and the remaining greenfield development.

The yield analysis will be made available as part of community engagement to be undertaken on the draft new planning framework for infill development.

*Q4 Will the report on the Local Planning Policy (LPP) (requested by Council at its meeting held on 21 May 2019) be presented at the Briefing Session to be held on 9 July 2019?*

A4 No, as the draft local planning policy requested by Council is not yet finalised.

*Q5 Will the new LPP also incorporate protections from the existing LPP?*

A5 It is not possible to respond to this question as it is unclear which existing local planning policy is being referred to. Notwithstanding, as requested by Council at its meeting held on 21 May 2019 (CJ052-05/19 refers), a draft local planning policy is to be prepared with relevant provisions of Section Three: General Development Provisions of the draft *Joondalup Place Neighbourhoods Local Planning Policy*.

**Mr J Raftis, Duncraig:**

Re: CJ072-06/19 – Proposal for Levying Differential Rates for the 2019-20 financial period.

The Joondalup 2022 Strategic Community Plan 2012-2022 Summary Document refers to one of the City's values of being Compassionate - We will act with empathy and understanding of our community's needs and ambitions". Given this statement:

Q1 Does the City believe it is compassionate to impose a rates increase of 2.25% against the current CPI rate of 1.1% (according to City of Joondalup meeting agenda papers)?

A1 The proposed rates increase of 2.25% accommodates funding requirements for ongoing projects, facilities and services determined to be necessary by the community. Historical CPI is a useful guide for planning and budgeting as long as it is considered in conjunction with other indices and data, rather than in isolation. CPI is primarily an indicator of prices of goods and services purchased by households. This does not readily reflect goods and services acquired by organisations such as the City, and does not take cognisance of specific requirements such as capital infrastructure costs which do not feature in household expenditure baskets. It also does not reflect other indices, such as the Wage Price Index or future economic projections that take into account data not included in calculation of historical indices. For example, the Western Australian Treasury forecasts CPI to be 1.75% in 2019-20 and 2.25% thereafter.

It should be noted that the annual refuse charge is proposed to remain unchanged for a fifth year in a row. Taken together with the general rates increase proposed in 2019-20, this is effectively a 1.77% increase in total compared to 2018-19.

Q2 How many rates increases over the past five years have been above the CPI index for WA?

A2 Refer A3 below, as Q2 and Q3 are part of the same question.

Q3 How many rates increases over the past 10 years have been above the CPI index for WA?

A3 The table below outlines the annual rates increase over the past 10 years (not including 2019-20) compared to Perth All Groups CPI at the end of that financial year.

Rates are set by Council to meet ongoing infrastructure facilities and services required by the community, where other funding sources, such as external grants and existing cash reserves are insufficient to meet the anticipated costs. As can be seen, Perth CPI has been quite volatile from year to year in several instances over this period, which does not aid sound, long-term planning if CPI is used in isolation as the sole benchmark of acceptable annual rates increases.

Year	Rates Increase	Perth CPI (end of June)*
2018-19	2.95%	1.1% (YTD March)
2017-18	1.95%	1.1%
2016-17	2.5%	0.7%
2015-16	3.9%	0.5%
2014-15	3.9%	1.2%
2013-14	5.2%	3.3%
2012-13	4.9%	2.5%
2011-12	5.5%	1.1%

Year	Rates Increase	Perth CPI (end of June)*
2010-11	7.9%	3.0%
2009-10	3% (residential) 5% (commercial)	3.4%
2008-09	5%	1.4%

\* Source: Australian Bureau of Statistics. Consumer Price Index, Australia, catalogue number 6401.0

- Q4 *Given the recent cut in interest rates and the fact that the City of Joondalup can barely earn 2.5% on term deposits for cash holdings, particularly for the rates paid in advance at the start of the financial year, is it a sign of empathy to levy a 5.5% interest charge on the ratepayers who use the instalment payment methods, a rate over 100% higher than the interest rates earned?*
- A4 The instalments payment options are provided for those who cannot pay in full by the due date. However, not receiving all rates in full by the due date comes at a cost to the City due to the deferred cashflow and opportunity costs involved. Investment interest foregone is just one of a number of aspects considered. The interest rate of 5.5% is set in accordance with the provisions of the *Local Government (Financial Management) Regulations 1995*.
- Q5 *Given the City has only spent \$29 million to 30 April 2019 of the full year budget for 2018-19 of \$47 million, this would appear to indicate that the works were not urgent and were able to be deferred without causing issue for the City. If this is the case, given the current poor economic climate in WA, why is the City of Joondalup not looking within this Budget process as to how to reduce the capital expenditure budget from \$40 million in 2019-20 to ensure that it could live within its means and still deliver a surplus while holding rates increases to CPI or lower?*
- A5 While the full year capital expenditure budget for 2018-19 is \$47 million, the year to date budget at 30 April 2019 is \$29 million, reflecting the phasing of budgeted expenditure across the financial year which is much closer to the actual capital expenditure incurred. It is not an indication that the works were not urgent or required. The City has, as part of the annual budget process reviewed capital expenditure and projected estimates to the end of year, which are reflected in the proposed 2019-20 budget. Capital expenditure budgets are reviewed through this process, which includes budget workshops with the elected members, and are based on the City's approach to asset management being, as a minimum, to ensure that all City facilities, amenities and assets deliver an acceptable level of service to the community.

**The following questions were submitted verbally at the Council meeting:**

**Ms B Hewitt, secretary of the Edgewater Community Residents Association:**

Re: *Obtaining Quotes for City insurances.*

Q1 *Can Council please confirm that the administration has undertaken care to obtain a number of quotes for its insurances this year, or has the City taken the word of the Western Australian Local Government Association (WALGA) that its premiums and the large brokerage fee paid to WALGA is the best price available for the City's insurances?*

A1 The Manager Financial Services advised at this point no quotes have been sourced.

Q2 *Is it the intent of Council that quotes will be sourced?*

A2 The Manager Financial Services advised that is the intention. There will be a more formal procurement process undertaken, possibly proceeding to tender, but not at this point.

**Ms M O'Byrne, Kinross:**

Re: *CJ072-06/19 - Proposal for levying differential rates for the 2019-20 financial period.*

Q1 *Does the City of Joondalup have a publishable and yearly reviewed financial hardship policy that publicly demonstrates procedural fairness to ratepayers in situations of vulnerability?*

A1 The Chief Executive Officer advised with respect to hardship, there are provisions under the City's rating regime for people to take a number of opportunities to pay rates such as the four instalment method, as well as tailored programs for individuals based on their specific circumstances. In addition, ratepayers can be direct debited on an ongoing basis similar to Synergy, Alinta and other government agencies.

Q2 *Would the City of Joondalup consider rewarding rating services staff through peer recognition, public recognition and possibly financial reward for demonstrating great skills and compassion in their dealings with vulnerable ratepayers?*

A2 Mayor Jacob commented that consideration in this regard would need to be undertaken by Council and not something that has been considered at this point. Mayor Jacob indicated he was not aware of any models that entertained this type of recognition and encouraged Mrs O'Byrne to submit those that she may be aware of to the City.

**Mrs F Patey, Duncraig:**

Re: *Apartment Development – Marri Road, Duncraig.*

Q1 *Who ensures transparency by developers and who in this case is accountable for regulating non-compliance and addressing the issue?*

A1 Mayor Jacob advised if reference was being made to a discussion between a developer and a private resident, the City is not party to those discussions. Any accountability for those discussions would have to be on the developer, or if the resident had been given assurances and wanted to check those assurances, the resident should have contacted the City to ensure the veracity of the assurances given.

Q2 *Should the resident have contacted the City to say the development was going to shadow her garden and increase her electricity costs?*

A2 Mayor Jacob commented no, if an assurance was given around shadow lines during private discussions between individuals, I would suggest the veracity of those assurances should have been tested. The City is accountable for regulating non-compliance of approvals. The City is not accountable for regulating outcomes or discussions between private individuals.

**Mrs F Gilbert, Kallaroo:**

*Re: Draft New Planning Framework for Infill Development.*

*Q1 At what frequency does the City report its progress to the State Government on the State's set infill targets?"*

A1 The Acting Director Planning and Community Development advised there are no formal reporting requirements, but the City is in regular contact with the WAPC on a range of matters including its infill framework and progression. Through those meetings the City is able to provide information to the WAPC as to how far along the City has progressed.

*Q2 In the interests of open, transparent and accountable Government, can the City provide regular updates to Council and the public on its progress against the infill targets which detail from which source infill is from, that is not just from housing opportunity areas, but across the whole City?*

A2 Mayor Jacob advised the City has provided that information when requested to do so and from recollection the City falls well short of what a linear target towards infill dwellings would be.

The Acting Director Planning and Community Development commented further that when requested, the City does provide information through its monthly reporting of development and subdivision applications. There is reference to decisions made in relation to additional dwelling yield from both a building and subdivision development proposal perspective.

**Mr J Raftis, Duncraig:**

*Re: CJ073-06/19 – Draft 2019-20 Budget.*

*Q1 Why does the City reward ratepayers for early payment, instead of those who are able to meet their instalment plans?*

A1 The Manager Financial Services advised the incentives provided for early payment of rates is primarily directed at those who pay by the due date. Payment by the due date is essential to the City's operations from a cash flow perspective - that is where the direction of the rates prize draw is.

*Q2 The City budgets for a 12 month period and issues rates notices 12 months in advance. So is it being said that for the City to operate, it requires 12 months operating cash in the bank to meet the cash requirements for the second half of the year?*

A2 The Manager Financial Services commented the City does not require cash up front in order to fund 12 months work. The City holds sufficient cash reserves to fund operations on an ongoing basis. However, the receipt of payments by the specified due date assists the City's operations without any liquidity issues.

**Mr M Moore, Edgewater:**

*Re: Housing Opportunity Area 10.*

*Q1 There is an area in housing opportunity area 10 to the west of the railway line and train station which is not in the place neighbourhoods. When and how was the area removed from the housing opportunity area in Currambine?*

*A1 Mayor Jacob advised that was not an area that was rezoned as it was a pre-existing zoning, hence the reason why it was removed from the place neighbourhood discussions.*

*Q2 Relating to the place neighbourhood report that has been submitted by the consultants, has this been critically reviewed by planning staff?*

*A2 The Acting Director Planning and Community Development commented the City is currently reviewing the place neighbourhood framework report submitted by the consultants and in addition will continue to do so when the framework proceeds to informal engagement with the community.*

**Dr T Green, Padbury:**

*Re: GIS Analyst staff at the City of Joondalup.*

*Q1 Does the City have any GIS Analysts on staff?*

*A1 Mayor Jacob advised yes.*

*Q2 Why then would a simple query on the City's spatial data divert a unreasonable portion of the City's resources away from its other functions?*

*A2 The Acting Director Planning and Community Development advised although the City does have a GIS Analyst available, depending on the nature of the query will determine the amount of time and resources required. In respect to the particular query that has been raised and in discussing it with the GIS Analyst, they have advised it would take a significant amount of time and resources to address the query.*

**Mrs Z Murphy, Edgewater:**

*Re: CJ072-06/19 - Proposal for levying differential rates for the 2019-20 financial period.*

*Q1 It was stated that people suffering from hardship when paying rates are able to access payments by instalments. Is the City aware that when people access this instalment option, they are making a higher payment?*

*A1 Mayor Jacob advised yes and that it is well communicated that the instalment program is higher.*

*Q2 How is that helping people who are suffering hardship, as it is more expensive for four instalments than it is for a single payment?*

*A2 Mayor Jacob advised it was self explanatory and the payments were spread over 12 months.*

**Ms N Dangar, Beldon:**

*Re: CJ079-06/19 – City of Joondalup Delegation to Jinan and Huzhou.*

*Q1 When will ratepayers see a report as to what benefit is given to the ratepayers as so many people go regularly every year?*

*A1 Mayor Jacob commented the report was provided in the Briefing Session agenda for the meeting held on 11 June 2019 and is included in the agenda for this evening's Council meeting. It lists a range of outcomes that the City has achieved in excess of some \$70,000,000 in terms of local economic activity. It is incorrect to say that Elected Members attend every year, as that is not the case. The City coordinates a visit from local business stakeholders within the City of Joondalup who are responsible for their own expenses. With the benefit of a long-term Sister City relation with Jinan, the City can open up opportunities for stakeholders which may lead to employment and investment opportunities in the City of Joondalup for those who participate in these delegations. A recent example is the Australian Medical Association (AMA) who have participated in the tours. AMAWA is one of the strongest chapters in WA and seeks to expand its training regime that it applies to an international college. As a result, the AMA has moved its international college from Nedlands and will be relocating to the City of Joondalup. The AMA will be running an international college for training on the back of partnerships the City has helped to secure within the City of Joondalup.*

*Q2 At what stage does the City have to run these visits across the Department of Foreign Affairs?*

*A2 Mayor Jacob advised the City engages with other tiers of government. The City had a meeting with the trade commissioner while in China and has continued correspondence and good relationships with him. The meeting was discussed both pre and post the event with the Minister for Asian Engagement, with the City attracting interest and support from other tiers of government for its Sister City activity.*

**PUBLIC STATEMENT TIME**

**The following statements were submitted verbally at the Council meeting:**

**Mrs B Hewitt, Edgewater:**

*Re: Joondalup Performing Arts Centre.*

Mrs Hewitt raised her concerns in relation to the proposed performing arts facility and was of the belief a performing arts facility was not wanted by the community and suggested a more appropriate option would be to return the land to the State Government, with the City investing the proceeds of sale into projects more suited to the community as a whole.

Mrs Hewitt commented there is currently adequate art centres within the City of Joondalup, the State Government having recently announced the provision of two new arts centre to be located at local high schools.

**Ms M O'Byrne, Kinross:**

*Re: CJ072-06/19 - Proposal for levying differential rates for the 2019-20 financial period.*

Ms O'Byrne made reference to a recent WA Ombudsman report in relation to the collection of unintentionally overdue rates and the financial stress that may be placed on ratepayers in relation to additional fees and charges for payment of rates by instalment or penalties for late payment.

Ms O'Byrne suggested the City develop and publish a rates hardship policy that is responsive and respectful to the needs of those vulnerable in the community, and releases such a statement at the same time it releases its yearly response to regional homelessness.

Mrs O'Byrne commented as the City no longer provides a financial counselling service, such a function should be inbuilt into the services provided by rate services staff at the City in order they may provide assistance to those ratepayers who are experiencing difficulty in meeting their rates payments.

*Cr Logan left the Chamber at 7.24pm.*

**Mr R Repke, Kallaroo:**

*Re: Draft New Planning Framework for Infill Development.*

Mr Repke made reference to correspondence he had received from the Minister for Planning in response to his communications to the Minister. Mr Repke expressed his concerns at what he believed were discrepancies around information contained within the correspondence he had received to what is occurring at ground level.

Mr Repke commented he looked forward to the results of the review of the consultant's report undertaken by the City.

**Mr W Ormsby, Duncraig:**

*Re: CJ082-06/19 – Potential launching and landing sites for drones in the City of Joondalup.*

Mr Ormsby is a member of the Western Australian Electric Flyers Club (WAEFC) and spoke in relation to the differentiation between drones and petrol powered radio controlled planes, providing a visual example of the lower end of the type of aircraft that can be purchased.

Mr Ormsby requested that in formulating the proposed local law the City considers assigning non-pad or electric pad radio controlled fixed winged aircraft either to the category of drones or create a new third category. This is on the basis of low noise and that landing space requirements are less than petrol powered planes.

Mr Ormsby commented the WAEFC would appreciate being consulted as part of the development of any proposed local law.

*Cr Logan entered the Chamber at 7.28pm.*

**Mr J Raftis, Duncraig:**

*Re: CJ073-06/19 – Draft 2019-20 Budget.*

Mr Raftis made reference to the 2019-20 draft budget and raised his concerns that the documentation had not been made available in an adequate timeframe for the community to peruse its contents.

Mr Raftis commented on the increase in rates in view of the current economic climate and queried whether it would be prudent to cut back on capital works expenditure and associated spending.

**APOLOGIES AND LEAVE OF ABSENCE****Apology**

Cr Philippa Taylor.

**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.

**C38-06/19      REQUESTS FOR LEAVE OF ABSENCE – CR PHILIPPA TAYLOR, CR JOHN LOGAN, MAYOR ALBERT JACOB, JP, CR RUSS FISHWICK, JP AND CR JOHN CHESTER - [107864]**

Cr Philippa Taylor requested Leave of Absence from Council duties covering the period 25 to 30 June 2019 inclusive.

Cr John Logan requested Leave of Absence from Council duties covering the period 5 to 15 July 2019 inclusive.

Mayor Albert Jacob, JP requested Leave of Absence from Council duties covering the period 17 July to 12 August 2019 inclusive.

Cr Russ Fishwick, JP requested Leave of Absence from Council duties covering the period 23 to 25 July 2019 inclusive.

Cr John Chester requested Leave of Absence from Council duties covering the period 25 to 31 August 2019 inclusive.

**MOVED Cr Poliwka, SECONDED Cr Hamilton-Prime that Council APPROVES the requests for Leave of Absence from Council duties covering the following dates:**

- |          |                               |   |
|----------|-------------------------------|---|
| <b>1</b> | <b>Cr Philippa Taylor</b>     | <b>25 to 30 June 2019 inclusive;</b>        |
| <b>2</b> | <b>Cr John Logan</b>          | <b>5 to 15 July 2019 inclusive;</b>         |
| <b>3</b> | <b>Mayor Albert Jacob, JP</b> | <b>17 July to 12 August 2019 inclusive;</b> |
| <b>4</b> | <b>Cr Russ Fishwick</b>       | <b>23-25 July 2019 inclusive;</b>           |
| <b>5</b> | <b>Cr John Chester</b>        | <b>25 to 31 August 2019 inclusive.</b>      |

**The Motion was Put and**

**CARRIED (12/0)**

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

## **ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

### **City Award Win**

Mayor Jacob advised the City of Joondalup was presented with a Gold Award for its 2017-18 Annual Report in the 2019 Australasian Reporting Award, held in Melbourne on Wednesday 19 June 2019.

Mayor Jacob commented the awards provided an opportunity for organisations to benchmark their annual reports against ARA criteria, which are based on world best practice.

Mayor Jacob outlined 'Achievement of a Gold Award' recognises that an organisation has achieved overall excellence in annual reporting, provided high-quality coverage of most aspects of the ARA Criteria, provided full disclosure of key aspects of its core business, addresses current legislative and regulatory requirements, and is a model for other peer reports including reports in the local government sector.

Mayor Jacob stated Achievement of a gold award recognises the City's commitment to excellence in annual reporting to its key stakeholders and the wider community.

### **Business Forum**

Mayor Jacob advised this Thursday 27 June 2019, the City has the great pleasure of welcoming the Hon. Mark McGowan, Premier of Western Australia, to address more than 200 members of the City's local business community at a breakfast forum at Joondalup Resort.

Mayor Jacob stated Premier McGowan will share an overview of the State Government's *Our Priorities: Sharing Prosperity* program and will also take part in a question and answer session.

Mayor Jacob believed there is alignment between the State Government's priorities and current City of Joondalup focus areas, particularly jobs creation, Asian engagement and international education, innovation and cyber security.

Mayor Jacob stated the City offers a warm welcome to Mr McGowan and also looks forward to hosting the Premier at future City events.

### **Naidoc Week**

Mayor Jacob advised the City's 2019 NAIDOC Week Celebrations begin on Monday 8 July 2019 with a flag-raising ceremony outside the City's administration building.

Mayor Jacob commented this would commence an exciting program of events throughout the month of July including local area tours, language classes, an art exhibition, workshops and theatre.

Mayor Jacob stated each of the City's NAIDOC Week programming elements responded to this year's national theme: *Voice, Treaty, Truth: Let's work together for a shared future*.

Mayor Jacob referenced the fact the City of Joondalup is built on land that has an important connection to traditional custodians. As such, it is important our City provides leadership that improves cultural understanding between indigenous and non-indigenous Australians.

Mayor Jacob encouraged residents to visit [joondalup.wa.gov.au](http://joondalup.wa.gov.au) for the full program.

**CONFIRMATION OF MINUTES****C39-06/19      MINUTES OF COUNCIL MEETING HELD ON 21 MAY 2019**

**MOVED** Cr Fishwick, **SECONDED** Cr Poliwka that the Minutes of the Council Meeting held on 21 May 2019 be **CONFIRMED** as a true and correct record.

**The Motion was Put and**

**CARRIED (12/0)**

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

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

CJ083-06/19 - Confidential - Employment Contract - Director Planning and Community Development.

**PETITIONS****C40-06/19      PETITION REQUESTING THE INSTALLATION OF A PLAY SPACE WITHIN LACEPEDE PARK, SORRENTO - [06141, 05386]**

Mayor Jacob tabled a 30 signature petition on behalf of residents of the City of Joondalup requesting that Council investigate the installation of a small, family based play space within Lacepede Park, Sorrento and make provision for this installation within the City's forward works program.

The petitioners are of the belief there is a significant gap in the walkable catchment proximity to City of Joondalup playgrounds for the north west corner of the suburb of Sorrento.

**C41-06/19      PETITION REQUESTING PROVISION OF WIND BREAK AROUND EXISTING SHELTER AND BBQ AND INSTALLATION OF SOLAR LIGHT AT BRADEN PARK, MARMION - [04519, 05386]**

Cr Fishwick tabled a 126 signature petition on behalf of residents of the City of Joondalup requesting that Council consider providing a wind break around the existing shelter and BBQ on Braden Park, Marmion similar to those provided to the shelters at Mullaloo Beach recreational areas, including a solar light to the roof of the shelter.

**MOVED Cr Fishwick, SECONDED Cr Hamilton-Prime that the following petitions be RECEIVED, REFERRED to the Chief Executive Officer and a subsequent report presented to Council for consideration:**

- 1 Petition in relation to installation of a play space within Lacepede Park, Sorrento;**
- 2 Petition in relation to provision of wind break around the existing shelter and BBQ on Braden Park, Marmion similar to those provided to the shelters at Mullaloo Beach recreational areas, including a solar light to the roof of the shelter.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**REPORTS****CJ072-06/19 PROPOSAL FOR LEVYING DIFFERENTIAL RATES FOR THE 2019-20 FINANCIAL PERIOD**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107783, 101515
<b>ATTACHMENT</b>	Attachment 1    Public Comments Submission List
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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**PURPOSE**

To consider submissions in response to the City's advertised proposal for applying differential rates for the 2019-20 financial year.

**EXECUTIVE SUMMARY**

At its meeting held on 21 May 2019 (CJ070-05/19 refers), Council considered and resolved to apply differential rates in the draft 2019-20 Budget, to advertise seeking public submissions in relation to the proposed differential rates and minimum payments and requested that a report be presented to Council to consider any submissions received before the adoption of the draft 2019-20 Budget.

The advertising period for submissions closed on Monday 17 June 2019. Two submissions were received. One of the submissions provided comments and an objection to the higher differentials on vacant residential land and proposed that the differential be the same as for improved residential land. The other submission did not address the proposal for differential rating and generally referred to rate increases and the prevailing economic conditions.

*It is therefore recommended that Council APPLIES differential rates for rating in the 2019-20 financial year in accordance with Section 6.33 of the Local Government Act 1995 and that the differential rates and minimum payments for the draft 2019-20 Budget be those as advertised.*

**BACKGROUND**

The report considered by Council, at its meeting held on 21 May 2019 (CJ070-05/19 refers), set out the object and reasons for the proposed differential rates for the 2019-20 financial year. Differential rating was introduced in 2008-09 to maintain the distribution of the rate burden between the classes of residential, commercial and industrial property following a revaluation. The relativities between the differentials have been adjusted at subsequent revaluations in 2011-12, 2014-15 and 2017-18.

In addition to a differential between classes of property the City has applied a differential between improved and vacant land within each of the classes of residential, commercial and industrial property. The City is keen to promote and encourage the development of vacant land. This can be done through a number of positive initiatives and in this regard the City makes a significant contribution to encourage and promote economic development. It can also be done by actively discouraging the holding of vacant and undeveloped land. In respect of the latter a higher differential rate imposed on vacant land than the rate applicable for improved land acts as an inducement to develop vacant land.

The differential rates and minimum payments proposed and advertised represent a 2.25% increase in each case compared to 2018-19.

## DETAILS

In accordance with the provisions of Section 6.36 of the *Local Government Act 1995* (the Act), the City advertised its intention to apply differential rating in the 2019-20 financial year and the proposed differential rates.

The City placed advertisements in *The West Australian* on Saturday 25 May 2019 and in subsequent editions of the local newspapers on 28 and 30 May, 4 and 6 June 2019, as well as on the City's public noticeboards and website. Posts were also made on the City's social media sites.

The period of advertising was for a minimum 21 days during which the City invited submissions in relation to the proposed differential rates. The closing day for public submissions was Monday 17 June 2019. Two submissions were received.

The submissions are listed in Attachment 1. Of the two submissions, one provides comments and an objection to issues related to the differential for vacant residential land. These include the following:

- That the rate on vacant land at twice the rate on developed land is a disincentive to development in regard to the City meeting the State Government's infill targets rather than an incentive as intended because of the increase in rates that will result when an existing development is demolished.
- Acknowledged that a previous suggestion that developed residential land continue to be rated as developed for five years after the commencement of a redevelopment is not possible under the current legislation and that although the legislation is under review nothing has changed at this time.
- Suggested that the administrative costs of applying the higher differential for vacant residential land will be high.
- Proposed that the vacant residential differential be the same as the improved residential differential.

Response:

- It is acknowledged that a consequence of applying a higher differential on vacant land is that currently improved properties which are genuinely being redeveloped will be rated as vacant during this period. A redevelopment however will itself invariably attract a higher total value when completed and will not revert to a value similar to the original development.
- A proposal to allow an exemption for a period of time to allow a redevelopment to be completed has been put forward as part of the current *Local Government Act 1995* review which is still underway.

- In terms of the administrative costs the impact is modest. In terms of administrative process, a complete redevelopment is no different to the other types of property changes which result in valuation changes. These are numerous and there are well established systems and processes to manage these.

The second submission does not address the proposal for differential rating and generally refers to rate increases and the prevailing economic conditions.

The City's proposal to apply a higher differential to vacant residential land is considered to be soundly based and is considered appropriate to address the land banking of undeveloped land. It is hoped that the review of the Act currently underway will consider changes to overcome the impact on genuine redevelopments of existing developed property.

### **Issues and options considered**

The City is required under Section 6.36 of the Act to consider any submissions received in relation to the proposed differential rates.

Council may determine to either:

- Option 1 - amend any or all, of the differential rate, cents in the dollar and / or minimum payments proposed and advertised in accordance with the provisions of Sections 6.33 and 6.36 of the Act.
- or
- Option 2 - approve the differential rates as advertised for the draft 2019-20 Budget.

Option 2 is recommended.

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

#### **Legislation**

Section 6.33 of the *Local Government Act 1995* sets out the provisions in relation to differential rating and enables the City to apply separate rates in the dollar for different categories of property based on zoning, land use, whether they are improved or unimproved or any other characteristic or combination of characteristics prescribed.

Section 6.36 of the *Local Government Act 1995* requires that if the City intends to apply differential rating it must give local public notice of its intention to do so and invite submissions in relation to the proposed differential rates and minimum payments, within 21 days of the date of the notice. Before making a final resolution in relation to the setting of the rates in the dollar and the adoption of the budget the Council is required to consider any submissions received.

**Strategic Community Plan**

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

**Risk management considerations**

There are no risk management issues for applying a differential rate provided the statutory provisions are complied with.

**Financial / budget implications**

If a differential for vacant residential property was applied at the same rate in the dollar as the improved residential differential with no change to the proposed improved residential rate in the dollar the reduction in rate revenue would be approximately \$1.016 million or 1%.

**Regional significance**

Not applicable.

**Sustainability implications**

Applying differential rating is important to ensure an equitable distribution of rates across all sectors of the community. Having a reasonable rate increase is considered prudent and in the best interests of the long-term financial sustainability of the City of Joondalup and its community.

**Consultation**

The proposed differential rates have been advertised and submissions invited in accordance with the requirements of Section 6.36 of the Act. The City placed advertisements in *The West Australian* on Saturday 25 May 2019 and in subsequent editions of the local newspapers on 28 and 30 May, 4 and 6 June 2019, as well as on the City's public noticeboards and website. Posts were also made on the City's social media sites. Two submissions were received.

**COMMENT**

At its meeting held on 21 May 2019 (CJ070-05/19 refers), Council considered and resolved its intention to apply differential rates in the draft 2019-20 Budget, to advertise seeking public submissions in relation to the proposed differential rates and minimum payments and requested that a report be presented to Council to consider any submissions received before the adoption of the draft 2019-20 Budget.

After consideration of the two submissions received, it is recommended that the differential rates and minimum payments advertised be applied in the draft 2019-20 Budget.

**VOTING REQUIREMENTS**

Simple Majority.

*Cr Fishwick left the Chamber at 7.40pm and returned at 7.42pm.*

**MOVED Mayor Jacob, SECONDED Cr Hamilton-Prime that Council APPLIES differential rates for rating in the 2019-20 financial year in accordance with Section 6.33 of the *Local Government Act 1995* and that the differential rates and minimum payments for the draft 2019-20 Budget be as follows:**

	Cents in \$	Minimum Payment
<b>General Rate - GRV</b>		\$
Residential Improved	5.5886	909
Residential Vacant	11.1772	929
Commercial Improved	6.8854	929
Commercial Vacant	11.1772	929
Industrial Improved	5.8666	929
Industrial Vacant	11.1772	929
<b>General Rate - UV</b>		
Residential	1.0349	909
Rural	1.0300	909

**The Motion was Put and**

**CARRIED (10/2)**

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

**Against the Motion:** Crs Chester and Poliwka.

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9agn190625.pdf](#)

**CJ073-06/19 DRAFT 2019-20 BUDGET**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107783, 101515
<b>ATTACHMENTS</b>	<p>Attachment 1 City of Joondalup draft 2019-20 Budget Executive Report</p> <p>Attachment 1a Statement of Comprehensive Income by Nature or Type</p> <p>Attachment 1b Statement of Comprehensive Income by Program</p> <p>Attachment 2 Statement of Cash Flows</p> <p>Attachment 3 Rate Setting Statement</p> <p>Attachment 4 Rating Information Statement</p> <p>Attachment 5 Notes to and forming Part of the Budget</p> <p>Attachment 6 Capital Expenditure</p> <p>Attachment 7 Vehicle and Plant Replacement Program</p> <p>Attachment 8 Schedule of Fees and Charges</p> <p>Attachment 9 City Services</p>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For Council to adopt the draft *2019-20 Budget*.

**EXECUTIVE SUMMARY**

The process of preparing the *2019-20 Budget* commenced in late 2018. It has encompassed detailed budget analysis and preparation, executive review and Elected Member workshops.

The draft *2019-20 Budget* has been developed within a strategic financial planning framework after due consideration of Council priorities and the resource allocation requirements of these priorities.

The City's *Strategic Community Plan, Joondalup 2022*, has been reviewed to ensure the City's *2019-20 Budget* continues to deliver the vision of "A global City: bold, creative and prosperous". The City's *20 Year Strategic Financial Plan* guides the development of the *2019-20 Budget*. The budget is achievable and sustainable with challenging targets to contain operational expenditure growth.

It is therefore recommended that Council ADOPTS the annual budget for the City of Joondalup for the year ending 30 June 2020, incorporating the following:

- 1 Budget Statements.
- 2 Rates.
- 3 Emergency Services Levy.
- 4 Domestic Refuse Charges.
- 5 Private Swimming Pool Inspection Fees.
- 6 Early Payment Incentives.
- 7 Payment Options.
- 8 Late Payment Interest.
- 9 Emergency Services Levy Interest Charge.
- 10 Instalment and Payment Arrangement Administration Fees and Interest Charges.
- 11 Capital Works Program.
- 12 Reserve Amendments – Asset Renewal Reserve.
- 13 Reserve Amendments – Strategic Asset Reserve.
- 14 Transfers from Reserves.
- 15 Transfers to Reserves.
- 16 Fees and Charges.
- 17 Material Variances for Reporting Purposes.

## BACKGROUND

The *2019-20 Budget* process has been in progress since late 2018. The contents of the budget have been refined over this period after presentations, analysis and review by the Chief Executive Officer, executive and senior staff, followed by extensive workshops and consultation with Elected Members.

The draft *2019-20 Budget* has been guided by a long-term financial planning framework aimed at securing the financial sustainability of the City. This requires continuing commitment and the draft *2019-20 Budget* represents another step in that commitment.

## DETAILS

### Development of the draft 2019-20 Budget

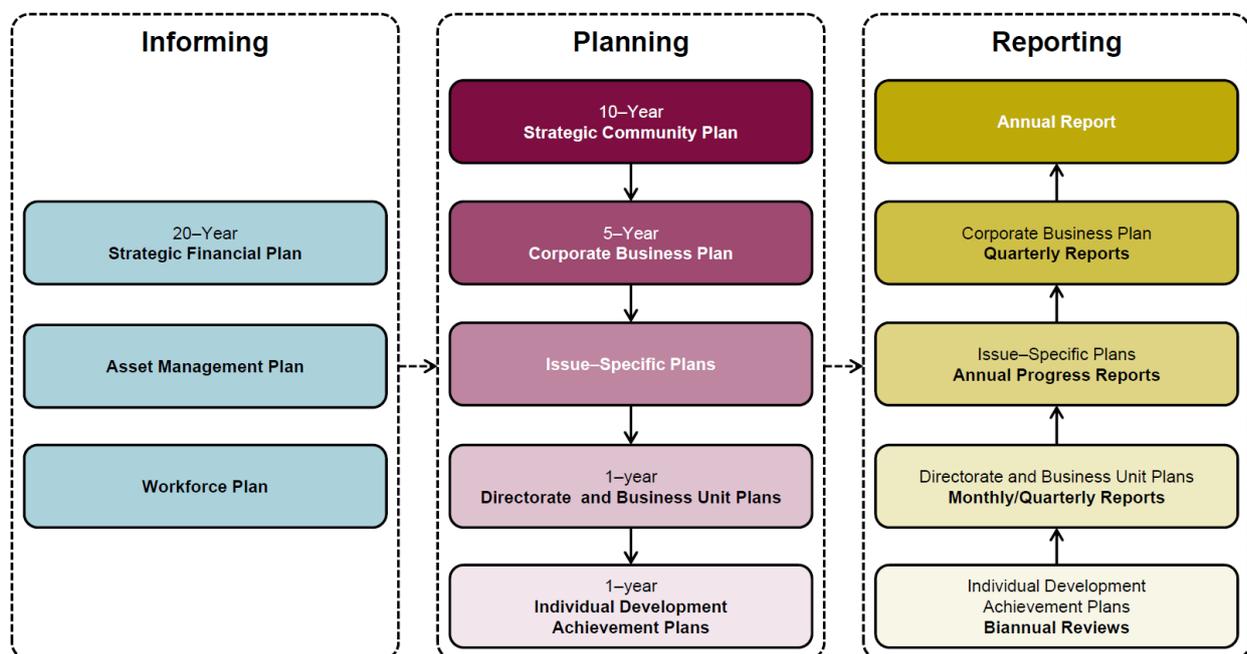
The City's *Strategic Community Plan, Joondalup 2022*, has been reviewed to ensure the City's *2019-20 Budget* continues to deliver the vision of "A global City: bold, creative and prosperous". The development of the 2019-20 Budget is guided by the principles and parameters outlined in the City's *20 Year Strategic Financial Plan*. The budget is achievable and sustainable with the ongoing challenge to contain operational expenditure growth.

The budget process has been conducted over seven months and has involved extensive analytical and review stages as summarised below:

- Assessment of financial capacity, sustainability, assets and reserves.
- Set budget parameters.
- Submission of operating and capital proposals.
- Initial assessment of proposals:
  - operations
  - capital
  - community need

- plans and strategies
- implementation of new efficiencies
- reference and alignment to the *Strategic Community Plan*.
- Ongoing review of service delivery and confirmation of service standards.
- Critical analysis of 2017-18 and progress in *2018-19 Annual Plan* performance
- Review proposals for capacity:
  - rating and revenue
  - resources to implement and deploy.
- Determine potential reductions.
- Executive analysis.
- *Strategic Financial Plan* alignment and review.
- Elected Member workshops (six during February, March, April and May 2019).

The integrated planning framework is depicted below:



### Operating Budget

The economic environment in the last few years has been defined by sustained low growth, low inflation and low interest rates and that situation is not expected to change significantly in the near term. This has framed the context for the City of Joondalup's 2019-20 Budget.

Challenges the City has had to address in framing the draft 2019-20 Budget include:

- the economic outlook remains uncertain:
  - addressing the operating deficit
  - obtaining grant funding remains challenging
  - cost shifting continues to be a concern
- community expectations of the City's capacity to continuously provide or contribute significantly to sporting and community infrastructure.

With this environment Federal and State grants and contributions are expected to remain very challenging as a source of funding.

The City has reviewed its fees and charges to ensure they reflect legislative requirements, current policies and are set at appropriate levels for the services provided. The City is mindful of the impacts of fee increases on the community and in most cases the increases are modest. The operating budget provides the resources required to enable the City to provide the services, facilities and works that the community have identified in *Joondalup 2022* and reflected in the *20 Year Strategic Financial Plan*, the *Five Year Capital Works Program* and other City supporting plans. There is no surplus capacity to undertake or implement unbudgeted or unplanned works or services during 2019-20.

This budget has delivered a significant improvement to the operating position with the City budgeting a modest operating surplus, the first in many years. This has been achieved by a sustained effort over the last several years and in the 2019-20 Budget, to reduce expenditure through efficiencies and program changes and identifying revenue opportunities other than rates.

These have delivered an improved projected position for 2018-19 and will carry through into the 2019-20 operating budget. The 2019-20 operating budget includes real reductions in employee costs of \$342,000 or 0.5% and materials and contracts of \$1.5 million or 2.9%. These have been achieved through efficiencies and program changes, particularly in waste services and patrol services.

On the revenue side the City has benefitted from increased rate revenue as a result of new developments particularly the completion of Prime House in the City Centre that now houses the Department of Water and Environmental Regulation. In terms of non-rate revenue in 2018-19 the City successfully introduced a fee for the Valentines Concert and service and sales initiatives at Craigie Leisure Centre that have driven revenue which is carried into the 2019-20 operating budget. The City has also made a change to the accounting treatment of Federal Local Road Grants. Traditionally the City of Joondalup has treated this as a capital grant whereas most other local governments treat it as operating. In the 2019-20 operating budget it has been treated as an operating grant.

### Expenditure Program

The 2019-20 expenditure program includes a number of significant projects and programs including (Attachment 1 refers):

- \$2.5 million to progress Kiosks/Restaurants for Burns Beach and Pinnaroo Point.
- \$2.4 million to progress Stage 1 upgrades at the Craigie Leisure Centre.
- \$4 million for Street Lighting which includes \$3.2 million for the Joondalup City Centre Lighting project.
- \$1.8 million to undertake various upgrade and refurbishment works at Percy Doyle reserve including:
  - Mildenhall Refurbishment
  - Commencing floodlighting Upgrades for Pitches and Oval
  - Sorrento Bowling Clubrooms Extension
  - Percy Doyle Utilities Upgrade
  - Duncraig Community Centre Refurbishment.
- \$5 million for parks equipment, playground equipment, shelters, barbecues and parks irrigation refurbishments in accordance with landscape master plans or asset preservation plans.
- \$1.3 million to undertake streetscape enhancement and landscaping works including the Leafy City program.
- \$3.3 million to undertake refurbishment and upgrade works at City owned buildings.
- \$13 million for various road construction, drainage and other infrastructure including:

- Blackspot projects at Ocean Reef Road and Hepburn Avenue
- Warwick Road and Erindale Road intersection upgrade
- Road preservation and resurfacing, local traffic treatments, stormwater drainage, and other infrastructure
- New footpaths, shared use paths and slab path replacements
- Parking facilities.
- \$797,775 on maintenance and capital for natural areas, landscaping and conservation including fencing, paths and firebreaks and management of dedicated bushland areas, bushland in developed parks and foreshores.

### Reserve Transfers

The City has established various reserve accounts to which monies are set aside at the discretion of Council to fund future City requirements.

During the 2019-20 financial year the City will transfer the following:

- \$14.5 million into various reserve accounts of which \$1.7 million represents investment earnings as well as \$5.3 million into the Asset Renewal Reserve, \$2.8 million into the Strategic Asset Reserve, \$2.1 million into the Waste Management Reserve, \$2.1 million into the Parking Facility Reserve, \$0.5 million into the Tamala Park Land Sales Reserve and \$100,000 into the Long Service Leave Reserve.
- \$13.1 million will be drawn from reserves of which the major amounts are \$5.3 million from the Strategic Asset Reserve, \$5.3 million for capital works in various stages of progress that will be carried forward from 2018-19 and \$1 million from the Parking Facility Reserve. Details of reserves are described in the Notes to and Forming Part of the Budget (Attachment 5 refers).

### Loan Borrowings

The City is not proposing any new borrowings during the 2019-20 financial year.

Existing and new borrowings will require principal and interest repayments of \$3,603,627 and \$333,689 respectively. Loan principal outstanding is expected to decrease from \$10.4 million at 30 June 2019 to \$7.1 million at 30 June 2020, of which \$4.6 million is for the Reid Promenade Multi-Storey Car Park and is fully paid for from paid parking revenue.

### Material Variances

The *Local Government (Financial Management) Regulations 1996* require that each year a local government is to adopt a materiality level for the purpose of reporting variances in the monthly Statement of Financial Activity. At its meeting held on 19 October 2010 (CJ179-10/10 refers), Council resolved that in future a materiality level be determined as part of budget adoption each year if it was not proposed to make any changes.

The current level of variance which is considered material for the purposes of reporting under Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* is \$50,000 or 5% of the appropriate base, whichever is the higher. It is not proposed to make any changes to that level.

### Rate and Refuse Charges Increases

As has been the case since the 2008-09 financial year differential rating will be applied for 2019-20 ensuring that the City is able to equitably spread rate increases across the community. The differential rates proposed for residential, commercial and industrial property, both improved and unimproved, have been reviewed.

Differential rates have been proposed for residential improved, residential vacant, commercial improved, commercial vacant, industrial improved and industrial vacant. The proposed differential rates for residential, commercial and industrial vacant land are twice the lowest differential rate as in previous years.

The overall rate and refuse increase for a residential improved property on the average gross rental value (GRV) of \$23,409 and a standard refuse service is 1.77%. This is made up of a differential rate in the dollar increase for 2019-20 of 2.25% and a 0% increase in the refuse charge for the fifth consecutive year.

The City has put in place a number of initiatives, including in respect of the 2019-20 Annual Budget, to minimise expenditure growth and enhance revenue streams. By comparison with other local governments, the City's rates charges sit at the lower end of the scale.

The table below compares the City of Joondalup's current 2018-19 rates and charges to the Cities of Stirling, Melville, Wanneroo and Swan, firstly comparing based on the City of Joondalup Average GRV and secondly comparing those properties on the minimum payment.

<b>Current 2018-19</b>	<b>Joondalup</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4*</b>
<b>Residential Rate \$</b>	0.054656	0.04967	0.064963	0.074124	0.06437
<b>City of Joondalup Average Gross Rental Value (GRV)</b>	\$23,363	\$23,363	\$23,363	\$23,363	\$23,363

<b>Average Residential Rate</b>					
<b>Rates</b>	\$1,276.93	\$1,160.44	\$1,517.73	\$1,731.76	\$1,503.88
<b>Refuse</b>	\$346	\$345	\$410	\$418	\$0
<b>Security Charge (if applicable)</b>	\$0	\$30	\$0	\$0	\$55
<b>Total Local Government Charge (excl ESL)</b>	\$1,623	\$1,535	\$1,928	\$2,150	\$1,559
<b>Rank Lowest to Highest</b>	3	1	4	5	2

<b>Minimum Residential Payment</b>					
<b>Minimum</b>	\$889.00	\$845.00	\$971.00	\$880.00	\$1,269.47
<b>Refuse</b>	\$346.00	\$345.00	\$410.00	\$418.00	\$0.00
<b>Security Charge (if applicable)</b>	\$0.00	\$30.00	\$0.00	\$0.00	\$56.40
<b>Total Local Government Charge (excl ESL)</b>	\$1,235.00	\$1,220.00	\$1,381.00	\$1,298.00	\$1,325.87
<b>Rank Lowest to Highest</b>	2	1	5	3	4

\* Refuse charge is included in the rates that is no separate refuse charge.

On the first comparison the City ranks third lowest with the range from lowest to third lowest being only \$88. Fourth and fifth are in excess of \$300 more than the three lowest ranked.

On the second comparison the City is the second lowest only \$11 more than the lowest ranked.

Rate revenue will be \$103.4 million excluding Specified Area Rates. Rates is the City's largest single source of funds without which the City could not deliver many of its services or undertake planned works and projects.

### Emergency Services Levy Increases

The Emergency Services Levy (ESL) is a State Government charge levied on all properties in Western Australia and is calculated based on the GRV subject to both a minimum and a maximum levy. There are several ESL categories but properties in the City of Joondalup all fall within Category 1. The City is required to collect the levy on behalf of, and remit it to, the State Government. The ESL appears as a separate line item on the City of Joondalup Rate Notice but it is included in the total due for payment.

The State Government has announced the levy cents in the dollar and the minimum and maximum levy for 2019-20. The overall total increase in levy revenue expected in 2019-20 from across the State is 3.5%. The minimum levy of \$84 and the maximum levy of \$441 represent increases of 2.4% and 2.6% respectively.

### **Issues and options considered**

The process for the development of the draft 2019-20 Budget has involved:

- the identification of long-term directions for financial management of income and expenditure following a rigorous analysis and consideration of Council's current financial position
- the establishment of financial parameters for the 2019-20 financial year including consideration of rating income, grants, fees and charges and other income, and likely demands on expenditure.

The City has, for a number of years, offered a variety of options for the payment of rates including those required under legislation. The City offers direct debit arrangements, individualised instalment arrangements and AdvancePay that enables ratepayers to commence paying the following year's rates in advance in weekly, fortnightly or monthly payments.

Since 2016-17 the City has also offered an eRates service enabling ratepayers to register and receive their rates and instalments notice by email ensuring quicker delivery, accessible at ratepayers convenience and saving costs.

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

#### **Legislation**

The accompanying draft 2019-20 Budget has been prepared in accordance with the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

**Strategic Community Plan**

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

**Risk management considerations**

When setting the annual budget the City is exposed to financial risk over the long-term if insufficient regard is given to both revenue and expenditure implications beyond the budget period. Alignment of the *20 Year Strategic Financial Plan* during the budget process has helped to mitigate the long-term risks.

**Financial / budget implications**

These are detailed in the budget papers.

All amounts quoted in this report are exclusive of GST, unless otherwise stated.

**Regional significance**

Not applicable.

**Sustainability implications**

The Council has, as a key financial objective, the long-term financial sustainability of the City in order to strengthen its capacity to achieve its key objectives as set out in the *Strategic Community Plan*.

**Consultation**

The City's 2019-20 Budget has been prepared against the backdrop of significant on-going review and assessment of the City's strategic direction and financial position by the executive and Elected Members. Six budget workshops were undertaken in the preparation of the 2019-20 Budget.

The proposed differential rates for the 2019-20 year have been advertised for public comment for 21 days. The outcome of the public advertising of differential rates is contained in a separate report in this agenda.

**COMMENT**

The City's 2019-20 Budget continues to be influenced by the prevailing economic environment with growth and inflation at very low levels and record low interest rates. Opportunities for funding from Federal and State programs remain constrained and have had an impact on City services. The City continues to maximise those grant opportunities when they present.

The 2019-20 Budget has been very challenging with the prevailing economic conditions and, at the same time, the need to address the City's historical operating deficit position and ongoing capital requirements. It is in this context that for 2019-20 the overall rate and refuse increase for a residential improved property on the average gross rental value (GRV) of \$23,409 and with a standard refuse service is 1.77%. This is made up of a differential rate in the dollar and minimum increase for 2019-20 of 2.25% and a 0% increase in the refuse charge for the fifth consecutive year.

This budget has delivered a significant improvement to the operating position with the City budgeting a modest operating surplus, the first in many years. This has been achieved by a sustained effort over the last several years and in the 2019-20 Budget, to reduce expenditure through efficiencies and program changes and identifying revenue opportunities other than rates.

In particular the 2019-20 operating budget includes real reductions in employee costs of \$342,000 or 0.5% and materials and contracts of \$1.5 million or 2.9% and additional non-rate revenue of \$1.5 million or 3.1% excluding the change in treatment of Federal Local Roads Grants.

The City will strive to deliver on the 2019-20 Budget while maintaining alignment to the City's *Strategic Community Plan, Joondalup 2022*, to ensure the City is delivering on the vision of "A global City: bold, creative and prosperous" and will be guided by the City's *20 Year Strategic Financial Plan*.

## **VOTING REQUIREMENTS**

Absolute Majority.

**MOVED Mayor Jacob, SECONDED Cr Hamilton-Prime that Council BY AN ABSOLUTE MAJORITY:**

- 1 ADOPTS the annual budget for the City of Joondalup for the year ending 30 June 2020 as per Attachments 1 – 9 to Report CJ073-06/19 comprising the following:**
  - 1.1 Executive Report;**
  - 1.2 Statement of Comprehensive Income by Nature or Type (Attachment 1a refers);**
  - 1.3 Statement of Comprehensive Income by Program (Attachment 1b refers);**
  - 1.4 Statement of Cash Flows (Attachment 2 refers);**
  - 1.5 Rate Setting Statement (Attachment 3 refers);**
  - 1.6 Rating Information Statement (Attachment 4 refers);**
  - 1.7 Notes to and Forming Part of the Budget (Attachment 5 refers);**
  - 1.8 Capital Expenditure (Attachment 6 refers);**

1.9 Vehicle and Plant Replacement Program (Attachment 7 refers);

1.10 Schedule of Fees and Charges (Attachment 8 refers);

1.11 City Services (Attachment 9 refers);

2 Rates:

2.1 In accordance with the provision of sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995* IMPOSES Differential Rates and Minimum Payments for the 2019-20 financial year in accordance with the following tables:

2.1.1 Gross Rental Valued Properties:

On each Residential, Commercial and Industrial Lot or other piece of rateable land as follows:

Category of Property	Gross Rental Value Rates (Cents in the dollar)	Minimum Payment (\$)
Residential Improved	5.5886	909
Residential Vacant	11.1772	929
Commercial Improved	6.8854	929
Commercial Vacant	11.1772	929
Industrial Improved	5.8666	929
Industrial Vacant	11.1772	929

2.1.2 Unimproved Valued Properties:

On each Residential and Rural Lot or other piece of rateable land as follows:

Category of Property	Unimproved Value Rates (Cents in the dollar)	Minimum Payment (\$)
Residential	1.0349	909
Rural	1.0300	909

2.2 In accordance with the provisions of section 6.32 and section 6.37 of the *Local Government Act 1995* IMPOSES Specified Area Rates for the 2019-20 financial year in accordance with the following tables:

Specified Area	Gross Rental Value Rates (Cents in the dollar)	Purpose
Harbour Rise (described in 2.2.1)	0.67236	Maintaining enhanced landscaping which will be applied during 2019-20.
Iluka (described in 2.2.2)	0.67544	Maintaining enhanced landscaping which will be applied during 2019-20.

<b>Specified Area</b>	<b>Gross Rental Value Rates (Cents in the dollar)</b>	<b>Purpose</b>
<b>Burns Beach (described in 2.2.3)</b>	<b>0.33550</b>	<b>Maintaining enhanced landscaping which will be applied during 2019-20.</b>
<b>Woodvale Waters (described in 2.2.4)</b>	<b>0.25513</b>	<b>Maintaining enhanced landscaping which will be applied during 2019-20.</b>

### **2.2.1 Harbour Rise Specified area comprises the area bounded by:**

Going along Whitfords Avenue from the corner of Seychelles Lane and following the shared boundaries of Whitfords Avenue with Lot 29 Martinique Mews, Lots 470-478, 413-414, Lot 397, Lots 331-333, crossing Barbados Turn and continuing north with shared boundaries of Curacao Lane and Lots 337-334, 378, 377, 403, 402, 376-367, and strata lots 1-19 Lot 28 Angove Drive; North-east along the boundary of Lot 28 Angove Drive, across Mallorca Avenue and following the boundaries of Lot 251 and 250 where they meet Angove Drive;

Following the shared boundaries of Ewing Drive with Lots 250, 249, 409, 410, 247, 245-240, 411 and to strata Lots 1 and 2 (Lot 408) and then across Ewing Drive along the boundary that strata Lot 1 (Lot 201) Ewing Drive shares with Lot 650 Ewing Drive, and along the rear boundaries of strata Lot 1 (Lot 201) Ewing Drive and Lots 200-198 Marbella Drive;

Along the boundary that Lot 198 Marbella Drive shares with Lot 171 and 172 Waterford Drive, across Marbella Drive and continuing along the rear boundaries of strata Lots 1 and 2 (Lot 301) to strata Lots 1 and 2 (Lot 190) Algarve Way, along the boundary that Lot 184 Tobago Rise shares with Lot 181 Waterford Drive, across Tobago Rise and then along the boundary between Lot 1 Tobago Rise and Lots 182 and 183 Waterford Drive, continuing along the rear boundaries of Lots 75-66 The Corniche and Lots 142-149 The Corniche. Along the rear boundary of Lot 150 The Corniche until the boundary between Lot 204 and Lot 166 Lukin Road is reached. Along the boundary between Lots 204 and 166 Lukin Road, along the front boundaries of Lots 166-164 Lukin Road. Along the boundary of Lot 164 Lukin Road that is shared with Hepburn Avenue and continuing along Hepburn Avenue along the south-eastern boundaries of Leeward Park;

Continuing along the shared boundaries of Hepburn Avenue with Lot 170 Amalfi Drive, Lots 492-503 Seychelles Lane and Lot 29 Martinique Mews;

### **2.2.2 Iluka Specified Rate area comprises the area bounded by Shenton Avenue, Marmion Avenue and Burns Beach Road;**

### 2.2.3 Burns Beach Specified Rate area comprises the area bounded by:

Starting from the north western corner of Marmion Avenue and Burns Beach Road, westwards along the northern boundary of Burns Beach Road to Lot 263 Whitehaven Avenue, northwards along the western boundaries of Lot 263 through to Lot 251 Whitehaven Avenue, north-westward and westward along the southern boundaries of Lot 108 to Lot 121 Beachside Drive, northwards along the western boundary of Lot 121 Beachside Drive to Beachside Drive, westwards along the southern edge of the footpath on the northern side of Lot 11537 (Reserve 48489) to where it meets the southern boundary of Lot 3000 (1551) Marmion Avenue (Burns Beach Foreshore Reserve), north and then eastwards along the southern boundary of Lot 3000 (1551) Marmion Avenue (Burns Beach Foreshore Reserve) to the western boundary of Marmion Avenue, then southwards along the western boundary of Marmion Ave to the starting point at the north western corner of Marmion Avenue and Burns Beach Road;

### 2.2.4 Woodvale Waters Specified Rate area comprises the area bounded by Timberlane Drive and Yellagonga Regional Park with street addresses of Grey-Smith Gardens, Phillips-Fox Terrace, Buvelot Place, Wakelin Close, Conder Place, Streeton Parade, Withers Grove, Olsen Court, Heysen Crest, Fullwood Walk except for Lots 156 Streeton Parade and Lot 12240 Phillips-Fox Terrace;

## 3 Emergency Services Levy:

In accordance with the provisions of sections 36B and 36L of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES the 2019-20 Emergency Services Levy Rates and Minimum and Maximum Payments on

Residential, Vacant Land, Commercial, Industrial and Miscellaneous Lots as follows:

ESL Category 1	ESL Rate (Cents in dollar)	Minimum and Maximum Payments ESL CHARGES BY PROPERTY USE			
		Residential and Vacant Land		Commercial, Industrial and Miscellaneous	
		Minimum	Maximum	Minimum	Maximum
2019-20	1.4839	\$84	\$441	\$84	\$251,000

## 4 Domestic Refuse Charges:

In accordance with the provisions of section 67, Division 3, Part 6 of the *Waste Avoidance and Resource Recovery Act 2007*, IMPOSES the following domestic refuse charges for the 2019-20 financial year:

a	Waste Refuse Charge - Existing Service	Per Annum	\$346
b	Waste Refuse Charge – For Each Service Additional to Existing Service	Per Annum	\$346

<b>c</b>	<b>New Standard Bin</b>	<b>Establishment Fee</b>	<b>\$105</b>
<b>d</b>	<b>Waste Refuse Charge – Additional Fee for 240L Refuse Bin</b>	<b>Per Annum</b>	<b>\$185</b>
<b>e</b>	<b>New 240L Refuse Bin</b>	<b>Establishment Fee</b>	<b>\$85</b>

**5 Private Swimming Pool Inspection Fees:**

In accordance with the *Building Act 2011* and regulation 53 of the *Building Regulations 2012*, IMPOSES for the 2019-20 financial year, a Private Swimming Pool Inspection fee of \$36.40 for each property where a private swimming pool is located;

**6 Early Payment Incentives:**

6.1 In accordance with the provisions of section 6.46 of the *Local Government Act 1995*, OFFERS early payment incentives for the payment of rates and charges being full payment of all current and arrears of rates including specified area rates, emergency services levy, domestic refuse charge and private swimming pool inspection fees within 28 days of the issue date on the annual rate notice, for eligibility to enter the early incentive prize draw;

6.2 The Major Prizes will comprise two Mitsubishi ASX- LS 2WD vehicles;

6.3 The Chief Executive Officer is AUTHORISED to finalise the Prize Package Sponsors;

**7 Payment Options:**

7.1 In accordance with the provisions of section 6.45 of the *Local Government Act 1995*, OFFERS the following payment options for the payment of rates, specified area rates (where applicable), emergency services levy, domestic refuse charge and private swimming pool inspection fees:

**7.1.1 One Instalment:**

7.1.1.1 Payment in full (including all arrears) within 28 days of the issue date of the annual rate notice to be eligible to enter the rates incentive scheme for prizes:

7.1.1.2 Payment in full within 35 days of the issue date of the annual rate notice and no entitlement to enter the rates incentive scheme for prizes;

**7.1.2 Two Instalments:**

7.1.2.1 The first instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of the issue date of the annual rate notice;

**7.1.2.2** The second instalment of 50% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable 63 days after the due date of the first instalment;

**7.1.3 Four Instalments:**

**7.1.3.1** The first instalment of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, plus the total outstanding arrears payable within 35 days of the issue date of the annual rate notice;

**7.1.3.2** The second, third and fourth instalments, each of 25% of the total current rates, specified area rates (where applicable), emergency services levy, domestic refuse charge, private swimming pool inspection fees and instalment charge, payable as follows:

- the second instalment 63 days after due date of the first instalment;
- the third instalment 63 days after the due date of the second instalment;
- the fourth instalment 63 days after due date of the third instalment;

**7.2** The City offers AdvancePay as a further alternative option for the payment of rates whereby, following the payment of the 2019-20 rates and charges, ratepayers can, if they wish, commence paying the 2020-21 rates in advance in weekly, fortnightly or monthly payments, by direct debit, with no fees or interest charges for any payments received by the City prior to the due date in August 2020;

**8 Late Payment Interest:**

In accordance with the provisions of section 6.13 and 6.51 of the *Local Government Act 1995*, IMPOSES interest on all current and arrears of rates, specified area rates (where applicable), current and arrears of domestic refuse charges, current and arrears of private swimming pool inspection fees at a rate of 11% per annum, calculated on a simple interest basis on arrears amounts which remain unpaid and current amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of the instalment as the case may be and continues until the instalment is paid in full. Excluded are deferred rates, instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance and is debited to the account monthly in arrears;

## **9 Emergency Services Levy Interest Charge:**

In accordance with the provisions of section 36S of the Fire and Emergency Services Authority of Western Australia Act 1998, IMPOSES interest on all current and arrears amounts of emergency services levy at the rate of 11% per annum, calculated on a simple interest basis on amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of an instalment and continues until the arrears is fully paid. Excluded are instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance and is debited to the account monthly in arrears;

## **10 Instalment and Payment Arrangement Administration Fees and Interest Charges:**

**10.1** In accordance with the provisions of section 6.45 of the *Local Government Act 1995*, for the 2019-20 financial year, IMPOSES the following administration fees and interest charges for payment of rates (including specified area rates), domestic refuse charge and private swimming pool inspection fees:

### **10.1.1 Two Instalment Option:**

An administration fee of \$12 for instalment two, together with an interest charge of 5.5% per annum, calculated on a simple interest basis on 50% of the total current general rate and specified area rate (where applicable) calculated from the due date of the first instalment for 63 days until the due date of the second and final instalment;

### **10.1.2 Four Instalment Option:**

An administration fee of \$12 for each of the second, third and fourth instalments, together with an interest charge of 5.5% per annum, calculated on a simple interest basis on:

- 75% of the total current general rate and specified area rate (where applicable) calculated from the due date of the first instalment for 63 days until the due date of the second instalment;
- 50% of the total current general rate and specified area rate (where applicable) calculated from the due date of the second instalment to the due date of the third instalment;
- 25% of the total current general rate and specified area rate (where applicable) calculated from the due date of the third instalment to the due date of the fourth instalment;

### **10.1.3 Special Payment Arrangements:**

Special weekly, fortnightly, monthly or bi-monthly payment arrangements can be made with the City for those ratepayers who may be unable to pay in full or according to the instalment plans

offered. An administration fee of \$34 if paid by Direct Debit (bank account only) or \$52 for non-direct debit is charged on each special payment arrangement and penalty interest of 11% per annum, from and including the thirty sixth day from the issue of the rates notice, is applied to the outstanding balance until the account is paid in full;

- 10.2 In accordance with the provisions of section 6.49 of the *Local Government Act 1995*, AUTHORISES the Chief Executive Officer to enter into special payment arrangements with ratepayers for the payment of general rates, specified area rates (where applicable), emergency services levy, domestic refuse charges and private swimming pool inspection fees during the 2019-20 financial year;
- 11 ADOPTS the *Five Year Capital Works Program* with the 2019-20 program incorporated into the 2019-20 Budget as set out in the budget papers in Attachment 6 to Report CJ073-06/19;
- 12 AUTHORISES the establishment of an Asset Renewal Reserve by renaming and redefining the purpose of the existing Vehicle, Plant and Equipment Reserve, for the purpose as follows:
- “To fund renewal of existing City infrastructure, building assets and vehicle, plant and equipment to ensure that the City can continue to utilise these at service levels expected. The Asset Renewal Reserve will not be used to fund upgrades of existing assets or acquisition or construction of new assets”;*
- 13 AUTHORISES the the renaming of the Strategic Asset Management Reserve to the Strategic Asset Reserve and the change in purpose to the following:
- “The Strategic Asset Reserve is used for the purposes of new or upgrade capital expenditure on major projects or other projects as determined by Council. The Reserve is not to be used for asset renewal expenditure.”;*
- 14 AUTHORISES as part of the 2019-20 Budget the following transfers from Reserves:

Reserve	Amount	Purpose
Capital Works Carried Forward	\$6,168,667	2018-19 uncompleted works and projects to be undertaken in 2019-20.
Joondalup Performing Arts and Cultural Facility	\$450,479	To fund the re-scoping of this project and the Development of Jinan Gardens.
Parking Facility	\$1,009,452	To provide for principal and interest repayments on the Reid Promenade Car Park loan.
Public Art	\$194,628	For a public art project.
Specified Area Rating – Woodvale Waters	\$13,494	To maintain enhanced landscaping in 2019-20.
Specified Area Rating – Iluka	\$141	To maintain enhanced landscaping in 2019-20.

Reserve	Amount	Purpose
Specified Area Rating – Harbour Rise	\$5,898	To maintain enhanced landscaping in 2019-20.
Specified Area Rating – Burns Beach	\$3,539	To maintain enhanced landscaping in 2019-20.
Cash in Lieu of Parking	\$11,345	To fund renewal of Arnisdale Road Street-On Street Parking
Strategic Asset	\$5,282,000	To fund several infrastructure asset projects, as specified in the Capital Expenditure Programs.

15 **AUTHORISES** as part of the 2019-20 Budget the following transfers to Reserves:

Reserve	Amount	Purpose
Waste Management	\$2,090,008	Surplus arising from waste management operations.
Tamala Park Land Sales	\$500,000	Equity distribution from Tamala Park Regional Council.
Strategic Asset	\$2,793,000	Provision for future projects.
Parking Facility	\$2,065,087	Surplus from paid parking to provide for the repayment of the loan for parking and other future Joondalup City Centre works and services.
Non-Current Long Service Leave	\$100,000	Increase in cover for future long service leave liabilities.
Asset Renewal	\$5,325,800	To fund renewal of assets
All reserves	\$1,674,249	Interest earned on the investment of reserve funds.

16 **ADOPTS** as part of the 2019-20 Budget, the Fees and Charges, as set out in Attachment 8 to Report CJ073-06/19 to the Budget, with those fees and charges being applicable from Monday, 3 July 2019 unless indicated otherwise in Attachment 8 to Report CJ073-06/19 to the Budget;

17 **ADOPTS** for the financial year ended 30 June 2019 a variance amount of \$50,000 or 5% of the appropriate base, whichever is the higher, to be a material variance for the purposes of reporting under Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*.

#### Extension of Time to Speak

**MOVED** Cr Poliwka, **SECONDED** Cr May that Mayor Jacob be permitted an extension of time to speak for a further five minutes.

The Motion to Extend was Put and

**CARRIED (12/0)**

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

**The Motion as moved by Mayor Jacob, seconded by Cr Hamilton-Prime was Put and  
CARRIED (11/1)**

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

**Against the Motion:** Cr Poliwka.

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10agn190625.pdf](#)*

## **CJ074-06/19      DEVELOPMENT AND SUBDIVISION APPLICATIONS – APRIL 2019**

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

### **PURPOSE**

For Council to note the number and nature of applications considered under delegated authority during 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
<b>TOTAL</b>	<b>14</b>	<b>16</b>

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

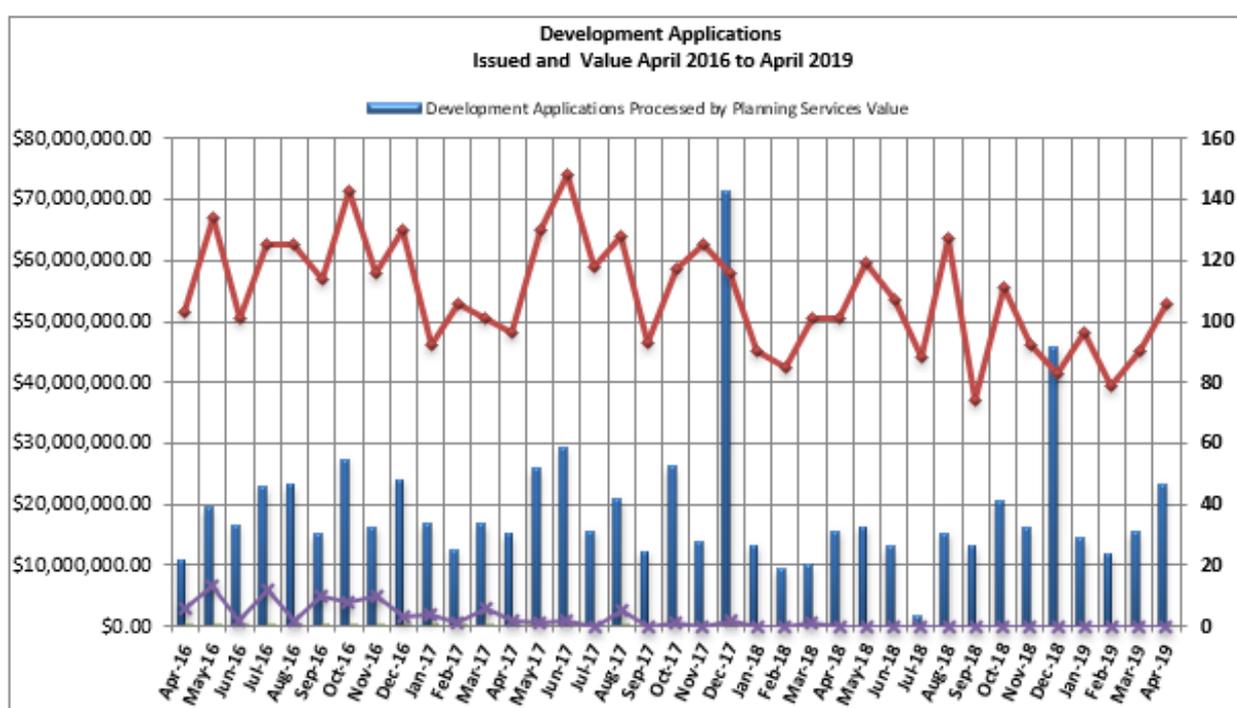
### Development applications

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
<b>TOTAL</b>	<b>106</b>	<b>\$23,221,169</b>

*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.

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

- 1 development applications described in Attachment 1 to Report CJ074-06/19 during April 2019;**
- 2 subdivision applications described in Attachment 2 to Report CJ074-06/19 during April 2019.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ082-06/19, page 104 refers.**

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

*Appendix 1 refers*

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

## CJ075-06/19 EXECUTION OF DOCUMENTS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	15876, 101515
<b>ATTACHMENT</b>	Attachment 1 Documents executed by affixing the Common Seal during the period 30 April and 29 May 2019
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

### PURPOSE

For Council to note the 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 Report CJ075-06/19.*

### 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 implications**Current financial year impact

Not applicable.

Future financial year impact

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Norman 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 Report CJ075-06/19.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ082-06/19, page 104 refers.**

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

*Appendix 2 refers*

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

**CJ076-06/19 WALK OF FAME**

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

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**PURPOSE**

For Council to 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 Report CJ076-06/19;*
- 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 Report CJ076-06/19;*
- 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 an educational institution that is located within the City of Joondalup for five years or more.
- 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.

## OFFICER'S RECOMMENDATION

That Council:

- 1 AGREES to the establishment of the City of Joondalup 'Walk of Fame' program as detailed in Report CJ076-06/19;
- 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 Report CJ076-06/19;
- 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.

*The Manager Rangers, Parking and Community Safety left the Chamber at 8.29pm.*

*The Manager Operation Services left the Chamber at 8.29pm.*

*The Manager Human Resource Services left the Chamber at 8.29pm.*

*The Acting Manager Compliance and Regulatory Services left the Chamber at 8.29pm.*

*The Acting Manager Information Technology left the Chamber at 8.29pm.*

*The Manager Infrastructure Services left the Chamber at 8.30pm.*

*The Manager Audit and Risk Services left the Chamber at 8.30pm.*

**MOVED Cr Fishwick, SECONDED Cr Dwyer that Council:**

- 1 AGREES to the establishment of the City of Joondalup 'Walk of Fame' program vas detailed in Report CJ076-06/19;**
- 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 Report CJ076-06/19;**
- 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;**
- 9 AGREES the group of nominees who have already been identified, researched and deemed to meet the selection criteria, to be the inaugural inductees into the 'Walk of Fame' and that an inscribed concrete paver for each inductee be installed in Central Walk Joondalup prior to the end of the 2019 calendar year.**

**The Motion was Put and**

**CARRIED (12/0)**

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

**CJ077-06/19 STATUS OF PETITIONS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	05386, 101515
<b>ATTACHMENT</b>	Attachment 1      Status of Petitions – 16 August 2016 to 16 April 2019
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

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**PURPOSE**

For Council to note the 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.

**MOVED Mayor Jacob, SECONDED Cr Norman 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 Report CJ077-06/19;
- 2** in relation to the petition requesting Council create a working group to review and develop appropriate signage guidelines and policy to allow small business to have a say on signage and place-making within the City of Joondalup, *Local Planning Scheme No. 3* was gazetted on 23 October 2018. A review of the *Signs Policy* 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.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ082-06/19, page 104 refers.**

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

*Appendix 3 refers*

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

## CJ078-06/19      2019 ANNUAL REVIEW OF REGISTER OF DELEGATION OF AUTHORITY

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	07032, 101515
<b>ATTACHMENT</b>	Attachment 1      Amended Register of Delegation of Authority (marked-up version)
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### PURPOSE

For Council to 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 Report CJ078-06/19.

*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 Report CJ078-06/19.*

### 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, it 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:

<b>Property</b>	<b>Date Sold</b>	<b>Sale Price</b>
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 circumstances 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.

#### Building Act 2011 – Granting Building and Demolition Permit Applications, Building Approval Certificates, Building Certificate Strata, Occupancy Permits

As part of the 2018 annual review of delegations conducted by Council at its meeting held on 26 June 2018 (CJ101-06/18 refers), a substantial review was undertaken of the delegations made under the *Building Act 2011* and associated regulations. Two of the changes involved the following:

- Separating out those activities under the *Building Act 2011* that require formal qualification requirements under the *Building Services (Registration) Regulations 2011*. Activities include the issuing of certificates of building compliance, construction compliance and design compliance that need certification by a qualified Building Surveyor of a particular level.
- Providing a delegation framework for those activities that do not require formal qualifications under the *Building Act 2011* and associated regulations and which are considered administrative functions of the City. Activities include administratively granting permits so long as the necessary certificates have been certified by a qualified person under the *Building Services (Registration) Regulations 2011*.

The delegation titled “*Building Act 2011 – Granting Building and Demolition Permit Applications, Building Approval Certificates, Building Certificate Strata, Occupancy Permits*” was created for those administrative functions that are not required to be undertaken by a qualified person under the *Building Act 2011* but are required for the building approval process.

To provide better clarity around this particular delegation, it has been amended to reflect firstly its administrative intent, and secondly by providing a new condition that clarifies the granting of certificates and permits is restricted to where any relevant certificates of building compliance, construction compliance and/or design compliance have been certified and approved by a person meeting the qualification requirements of the *Building Services (Registration) Regulations 2011*.

Some sub-delegations from the Chief Executive Officer to employees have been removed, as these employees are no longer required as they do not form part of the building application approval process.

#### 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**

<b>Legislation</b>	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> .
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**Strategic Community Plan**

<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Corporate capacity.
<b>Strategic initiative</b>	Continuously strive to improve performance and service delivery across all corporate functions.
<b>Policy</b>	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.

## OFFICER’S 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 Report CJ078-06/19.

**MOVED Cr Poliwka, SECONDED Cr Fishwick 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 Report CJ078-6/19, subject to the following amendments:
  - 2.1 for the delegation titled “Local Planning Scheme No. 3 – Delegations - General” amend the delegation as follows:
    - 2.1.1 Amend (1)(a) to read as follows:

*“the approval of an application for development approval for the purpose of a ‘single house’, or up to five ‘grouped dwellings’, or any associated ancillary or incidental development to a ‘Single House’, ‘Grouped Dwelling’ or ‘Multiple Dwelling’ where:”;*
    - 2.1.2 Amend (2)(a) to read as follows:

*“the determination of an application for development approval for the purpose of a ‘single house’, and/or up to five ‘grouped dwellings’, ‘multiple dwellings’, or any associated ancillary or incidental development;”.*
  - 2.2 for the delegation titled “Disposing of Property” include the following condition:

*“Following the disposal of City land, the detail of the disposal is to be reported to a relevant Committee of the Council for its information”.*

*Cr Dwyer left the Chamber at 8.38pm and returned at 8.41pm.*

It was requested that each Part of the Motion be voted upon separately. Mayor Jacob indicated he would put Parts 1 and 2 (2.2) collectively, followed by Part 2 (2.1).

**MOVED Cr Poliwka, SECONDED Cr Fishwick 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 Report CJ078-6/19, subject to the following amendment:
  - 2.2 for the delegation titled “Disposing of Property” include the following condition:

*“Following the disposal of City land, the detail of the disposal is to be reported to a relevant Committee of the Council for its information”.*

The Motion was Put and

**CARRIED (11/1)**

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

**Against the Motion:** Cr Hollywood.

**MOVED Cr Poliwka, SECONDED Cr Fishwick that Council:**

- 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 Report CJ078-6/19, subject to the following amendment:
  - 2.1 for the delegation titled “Local Planning Scheme No. 3 – Delegations - General” amend the delegation as follows:
    - 2.1.1 Amend (1)(a) to read as follows:

*“the approval of an application for development approval for the purpose of a ‘single house’, or up to five ‘grouped dwellings’, or any associated ancillary or incidental development to a ‘Single House’, ‘Grouped Dwelling’ or ‘Multiple Dwelling’ where:”;*

**2.1.2 Amend (2)(a) to read as follows:**

***“the determination of an application for development approval for the purpose of a ‘single house’, and/or up to five ‘grouped dwellings’, ‘multiple dwellings’, or any associated ancillary or incidental development;”.***

**The Motion was Put and**

**CARRIED (7/5)**

**In favour of the Motion:** Crs Chester, Dwyer, Fishwick, Jones, Logan, May and Poliwka.

**Against the Motion:** Mayor Jacob, Crs Hamilton-Prime, Hollywood, McLean and Norman.

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4agn190625.pdf](#)*

## **CJ079-06/19 CITY OF JOONDALUP DELEGATION TO JINAN AND HUZHOU**

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

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### **PURPOSE**

For Council to 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.

<b>Sector</b>	<b>Stakeholder</b>	<b>Outcome</b>
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	The AMA WA is progressing a proposal for HuZhou University to partner with the AMA WA for the delivery of three courses: <ul style="list-style-type: none"> <li>• Certificate III in Individual Support</li> <li>• Certificate IV in Ageing Support</li> <li>• Diploma of Health Administration.</li> </ul> A trial intake of 50 students will commence in September 2019, increasing to 100 students per year.
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

Sector	Stakeholder	Outcome
		<p>would initially have a minimum number of 30 students, with likely student numbers expected to be closer to 50 students per class.</p> <p>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.</p>
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	<p>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.</p>
Health/ Education	Black Swan Health LTD	<p>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.</p>
Health/ Education	Black Swan Health LTD	<p>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.</p>

<b>Sector</b>	<b>Stakeholder</b>	<b>Outcome</b>
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.
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:

<b>Account no.</b>	532.A5302.
<b>Budget Item</b>	Jinan Sister City Relationship.
<b>Budget amount</b>	\$ 20,000
<b>Amount spent to date</b>	\$ 34,571
<b>Proposed cost</b>	\$ 34,571
<b>Balance</b>	\$ - 14,571

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.

**MOVED Mayor Jacob, SECONDED Cr Norman that Council RECEIVES the report on the outcomes of the City of Joondalup civic and trade delegation visit to China from 23 March to 5 April 2019.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ082-06/19, page 104 refers.**

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

*Appendix 5 refers*

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

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Sophie Dwyer.</b>
<b>Item No./Subject</b>	CJ080-06/19 - List of Payments made during the month of April 2019.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	A payment made to Cr Dwyer's employer is noted on Stamped Page 130.

## CJ080-06/19 LIST OF PAYMENTS MADE DURING THE MONTH OF APRIL 2019

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENTS</b>	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
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to note the 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 Report CJ080-06/19, 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 Report CJ080-06/19.

The vouchers for the month are appended as Attachment 3 to Report CJ080-06/19.

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
<b>Total</b>		<b>\$14,325,367.81</b>

## 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

### Strategic Community Plan

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

### **Risk management considerations**

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

### **Financial / budget implications**

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

### **Regional significance**

Not applicable.

### **Sustainability implications**

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

### **Consultation**

Not applicable.

### **COMMENT**

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

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Mayor Jacob, SECONDED Cr Norman 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 Report CJ080-06/19, totalling \$14,325,367.81.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ082-06/19, page 104 refers.**

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

*Appendix 6 refers*

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

## **CJ081-06/19 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 APRIL 2019**

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

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### **PURPOSE**

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

### **EXECUTIVE SUMMARY**

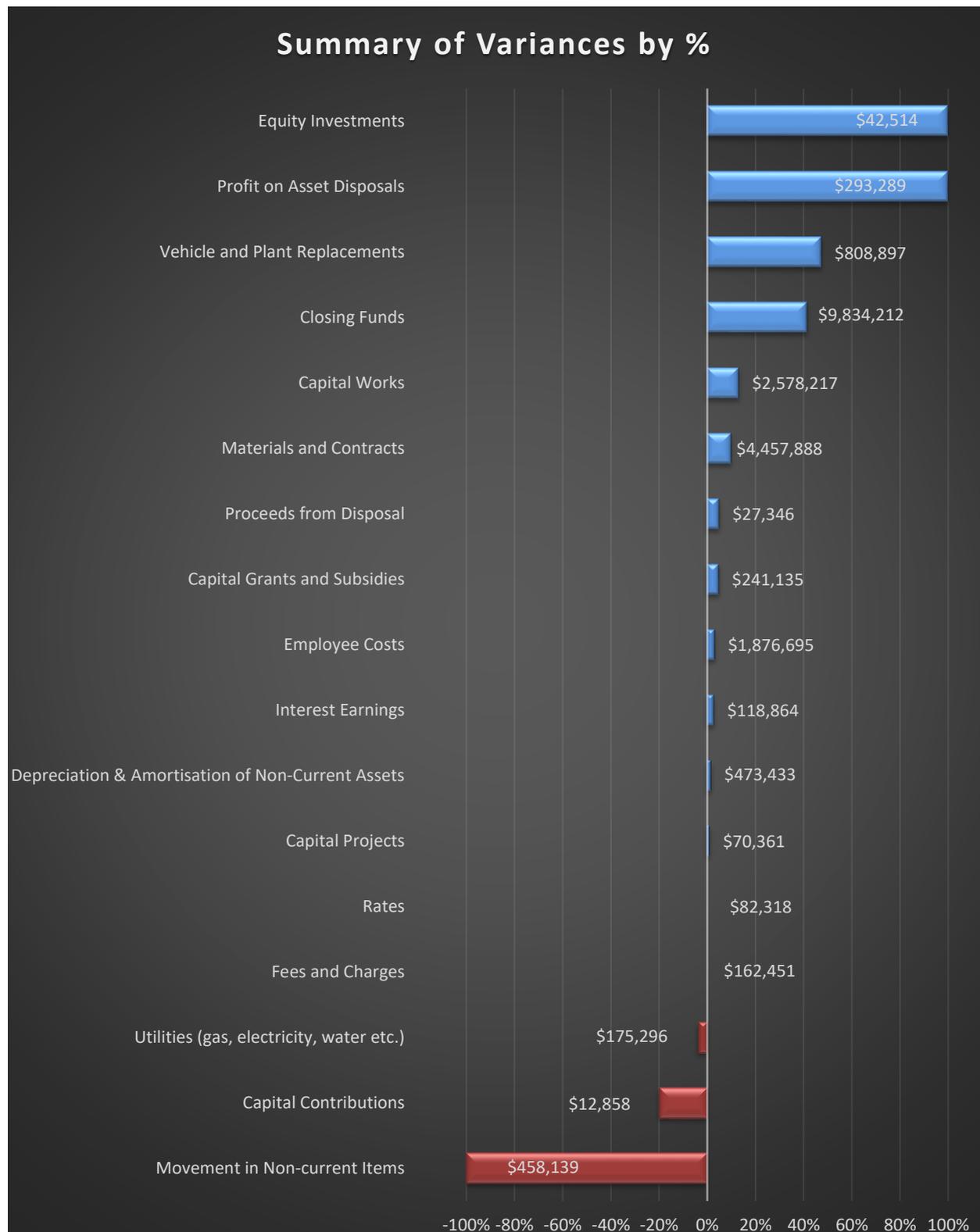
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. Council subsequently revised the budget at its meeting held on 19 February 2019 (CJ017-02/19 refers). The figures in this report are compared to the revised budget.

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**

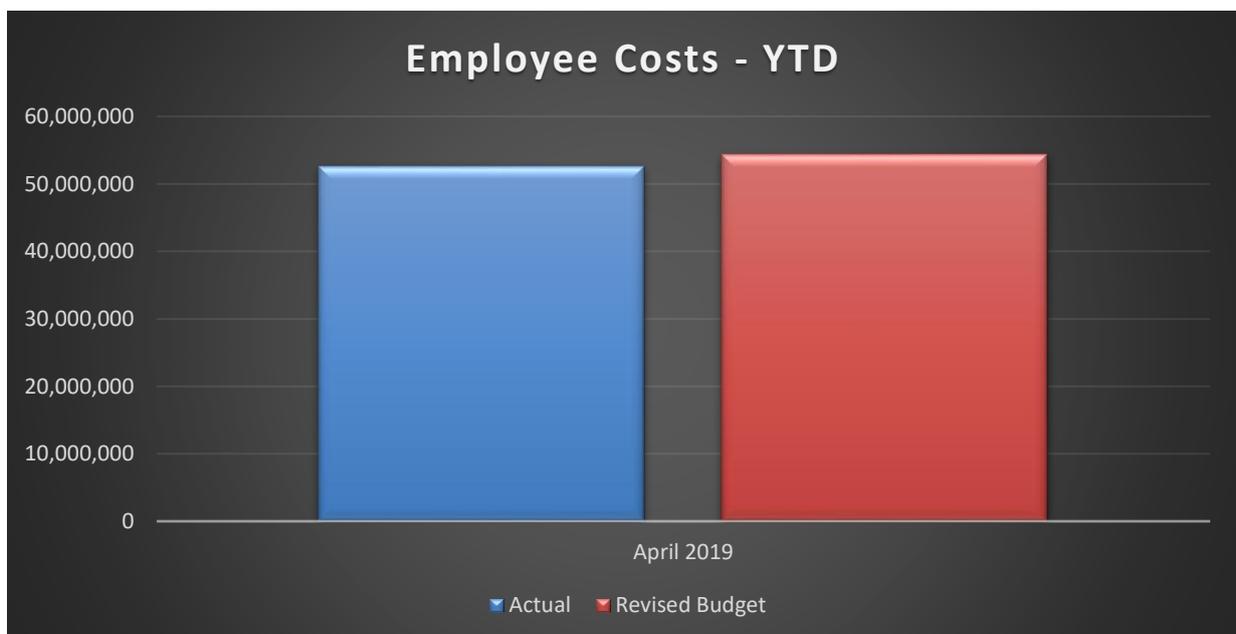
**\$4,457,888**



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**

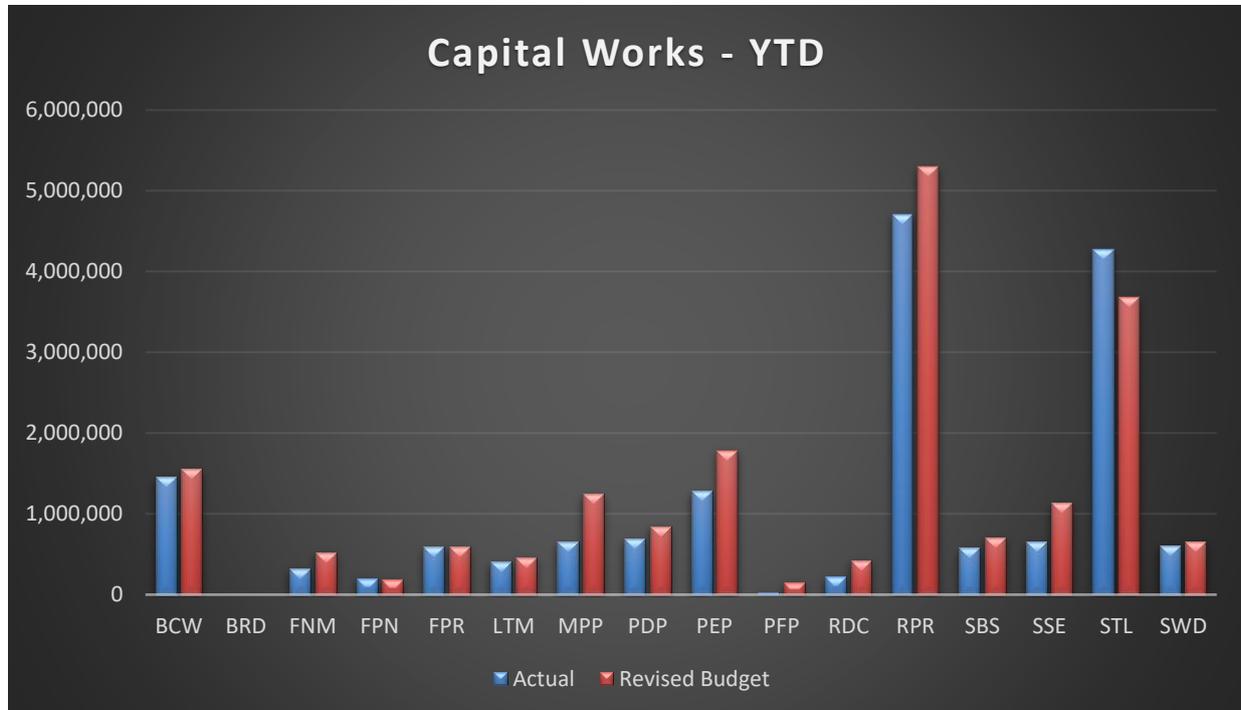
**\$1,876,695**



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 Report CJ081-06/19.*

### **BACKGROUND**

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

### **DETAILS**

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

The Financial Activity Statement for the period ended 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**

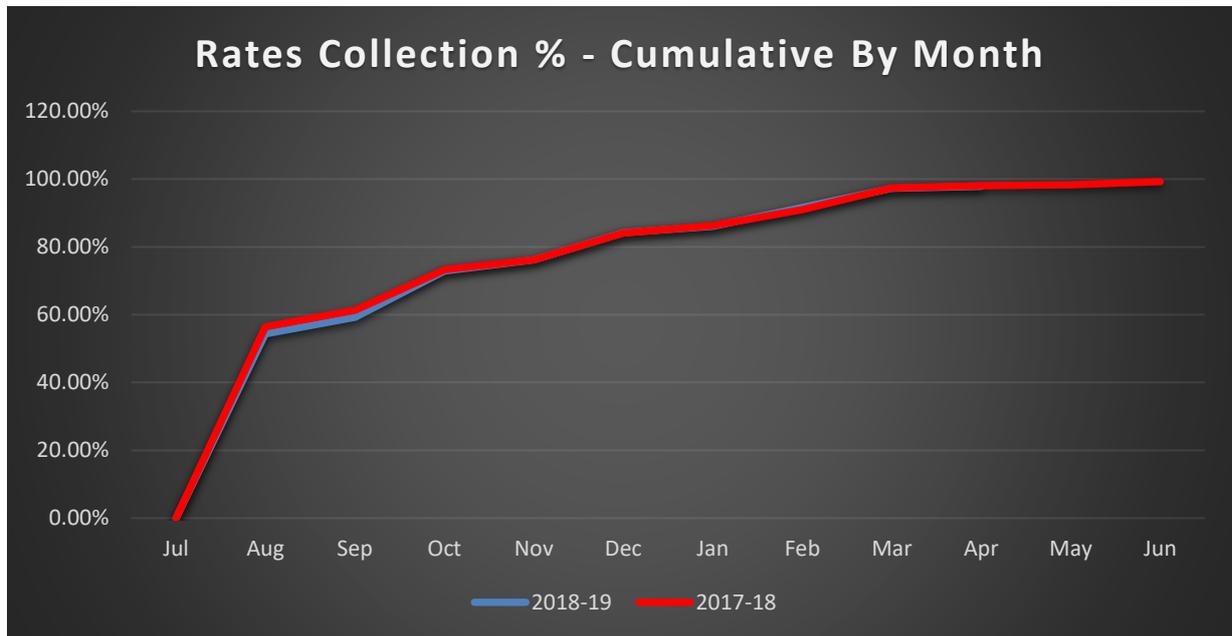
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

**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*.

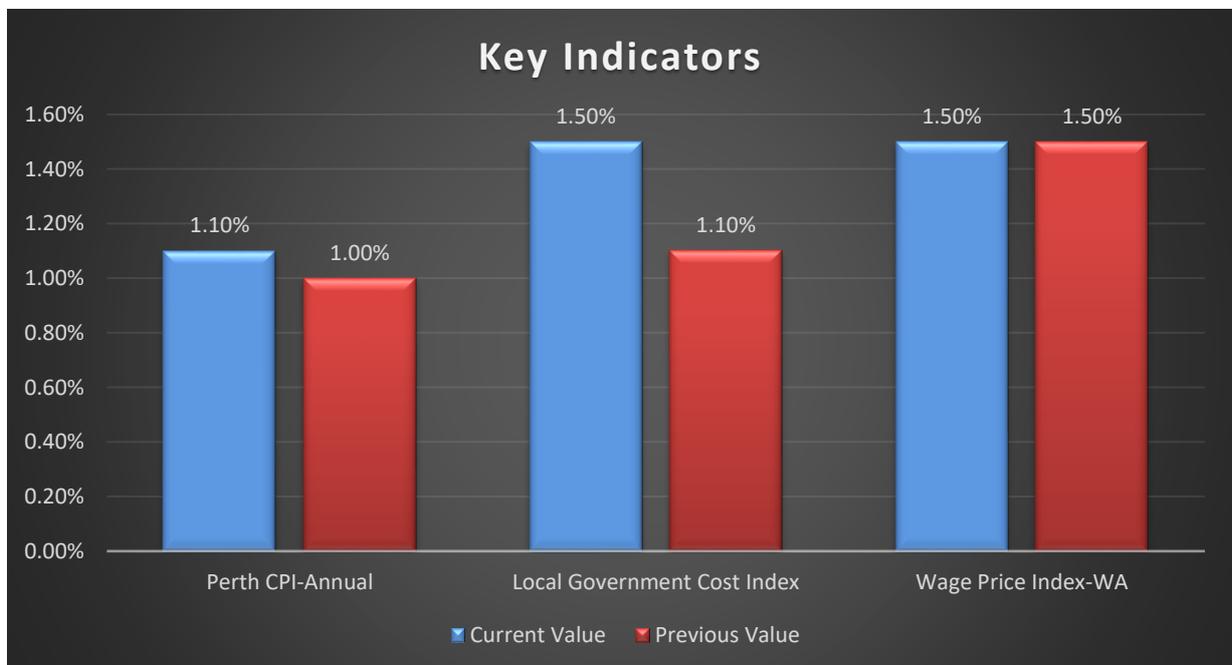
**KEY INDICATORS**

**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.

**MOVED Mayor Jacob, SECONDED Cr Norman that Council NOTES the Financial Activity Statement for the period ended 30 April 2019 forming Attachment 1 to Report CJ081-06/19.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ082-06/19, page 104 refers.**

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

*Appendix 7 refers*

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

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Christine Hamilton-Prime.</b>
<b>Item No./Subject</b>	CJ082-06/19 – Potential Launching and Landing Sites for Drones in the City of Joondalup.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime owns a drone.

## CJ082-06/19      POTENTIAL LAUNCHING AND LANDING SITES FOR DRONES IN THE CITY OF JOONDALUP

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	107598, 101515, 01122
<b>ATTACHMENT</b>	Attachment 1      City of Joondalup - Civil Aviation Safety Authority Fly Zones
<b>AUTHORITY / DISCRETION</b>	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 off 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"> <li>• Drones allowed at Yokine West and Hertha Reserve.</li> <li>• The drone flyer must belong to a club and the club must have a booking with City of Stirling.</li> <li>• They have amended their local law to define a drone and to determine that drone use is allowed with a permit.</li> <li>• Commercial use is allowed with CASA approval.</li> </ul>

<b>CITY OF MANDURAH</b>
<ul style="list-style-type: none"> <li>• No restrictions as long as they comply with CASA.</li> <li>• They have specified areas drones are not allowed such as foreshore and high usage areas.</li> <li>• Commercial operators would need to make a park booking and demonstrate that CASA licenses are in place.</li> <li>• Consider any injury or damage to property to be a private issue between both parties, City does not accept any liability.</li> <li>• Have worked with surf lifesaving club who have a block period of use and have provided the City with their flight plans.</li> </ul>
<b>SHIRE OF DARDANUP</b>
<ul style="list-style-type: none"> <li>• No restrictions as long as they comply with CASA.</li> </ul>
<b>CITY OF SOUTH PERTH</b>
<ul style="list-style-type: none"> <li>• No restrictions as long as they comply with CASA.</li> <li>• No complaints from residents.</li> </ul>
<b>CITY OF PERTH</b>
<ul style="list-style-type: none"> <li>• Do not allow recreational use of Drones under <i>Local Government Property Local Law 2005</i>.</li> <li>• Commercial use requires a permit and assessed on individual basis, restrictions are in line with CASA regulations.</li> <li>• 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).</li> </ul>
<b>TOWN OF VICTORIA PARK</b>
<ul style="list-style-type: none"> <li>• Do not allow any drones of 100 grams or heavier for any purpose within the Town boundaries.</li> </ul>
<b>WALGA</b>
<ul style="list-style-type: none"> <li>• Do not have an official position.</li> <li>• 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.</li> <li>• Local Government officers will become reporting officers for CASA.</li> <li>• Have concerns about enforcing CASA regulations, have a responsibility to report any breach to CASA.</li> </ul>

### 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**

<b>Legislation</b>	<i>Local Government and Public Property Local Law 2014.</i>
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Effective representation.
<b>Strategic initiative</b>	Ensure the elected body has a comprehensive understanding of its roles and responsibility.
<b>Policy</b>	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.

## OFFICER'S 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.

**MOVED Mayor Jacob, SECONDED Cr Chester 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, and times when, drones cannot be launched from.

With the approval of the Mover and Seconder, the words “....., and times when, ..... were deleted from Part 2 of the Motion.

**MOVED Mayor Jacob, SECONDED Cr Chester 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.

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

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

*Appendix 8 refers*

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

**Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Mr Garry Hunt, Chief Executive Officer.</b>
<b>Item No./Subject</b>	CJ083-06/19 - Confidential - Employment Contract - Director Planning and Community Development.
<b>Nature of interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	The Director Planning and Community Development reports to the Chief Executive Officer.

**CJ083-06/19      CONFIDENTIAL - EMPLOYMENT CONTRACT -  
DIRECTOR PLANNING AND COMMUNITY  
DEVELOPMENT**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Garry Hunt Office of the CEO
<b>FILE NUMBER</b>	98394, 101515
<b>ATTACHMENT</b>	Attachment 1      Curriculum Vitae – Dale Page including significant achievements  <i>(Please Note: The Report and Attachment is confidential and will appear in the official Minute Book only)</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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

*A matter affecting an employee or employees.*

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

**MOVED Mayor Jacob, SECONDED Cr Norman that Council:**

- 1 NOTES the action of the Chief Executive Officer to renew the employment contract of the Director Planning and Community Development for a further five year period from 13 January 2020;**
- 2 NOTES that the terms of the employment contract will be the same as the current contract which expires on 12 January 2020.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ082-06/19, page 104 refers.**

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

**C42-06/19      COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION - [02154, 08122]**

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

**CJ074-06/19, CJ075-06/19, CJ077-06/19, CJ079-06/19, CJ080-06/19, CJ081-06/19 and CJ083-06/19.**

**The Motion was Put and**

**CARRIED (12/0)**

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

*The Manager Asset Management left the Chamber at 9.01pm.*

**URGENT BUSINESS**

Nil.

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

**CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 9.06pm the following Elected Members being present at that time:

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