

# agenda

## Briefing Session

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

**ON TUESDAY 9 JULY 2019**

**COMMENCING AT 6.30pm**

**GARRY HUNT**  
Chief Executive Officer  
5 July 2019

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

*This document is available in alternate formats upon request*

**PUBLIC QUESTION TIME**

Members of the public are requested to lodge questions in writing by close of business on Monday 8 July 2019

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

**QUESTIONS TO**

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

PO Box 21 Joondalup WA 6919

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

## BRIEFING SESSIONS

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

### INTRODUCTION

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

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

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

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

### PURPOSE OF BRIEFING SESSIONS

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

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

### PROCEDURES FOR BRIEFING SESSIONS

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

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

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

## **PROCEDURES FOR PUBLIC QUESTION TIME**

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

### **Questions asked verbally**

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

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

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

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

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

Written questions should be sent via email to [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

### **DISCLAIMER**

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

### **PROCEDURES FOR PUBLIC STATEMENT TIME**

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

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

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

### **PROCEDURES FOR DEPUTATIONS**

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

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

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

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

## CIVIC CENTRE EMERGENCY PROCEDURES

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

### Alarms

The City of Joondalup emergency system has two alarm tones:

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

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

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

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

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



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**LATE ITEMS / ADDITIONAL INFORMATION**

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

[\*Additional Information190709.pdf\*](#)

## CITY OF JOONDALUP – BRIEFING SESSION

To be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 9 July 2019** commencing at **6.30pm**.

### ORDER OF BUSINESS

#### OPEN AND WELCOME

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

#### DEPUTATIONS

#### PUBLIC QUESTION TIME

The following summarised questions were submitted verbally to the Briefing Session held on 11 June 2019:

**Dr T Green, Padbury:**

*Re: Item 9 – Potential Launching and Landing Sites for Drones in the City of Joondalup.*

*Q1 Is there any reason why radio-controlled aircraft (some of which are electric) similar to drones have been included under the general description of drones, or is it intended to expand the definition to also cover electric powered radio-controlled aircraft?*

*A1 The Director Corporate Services advised the intention is to confine the definition to vertical take-off and landing aircraft, including electric powered and internal combustion engine piston model aircraft which would address noise concerns. The definition does not address winged aircraft which require a take-off and landing area.*

*Q2 Is the City aware there are fixed wing aircraft which are hand launched and weigh approximately 100 grams?*

*A2 The Director Corporate Services responded the City would take hand launched fixed wing aircraft into consideration when the proposal is considered.*

## **PUBLIC STATEMENT TIME**

## **APOLOGIES AND LEAVE OF ABSENCE**

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

Cr Sophie Dwyer	26 June to 31 July 2019 inclusive;
Cr John Logan	5 to 15 July 2019 inclusive;
Mayor Albert Jacob, JP	17 July to 12 August 2019 inclusive;
Cr Russ Fishwick, JP	23 to 25 July 2019 inclusive;
Cr Kerry Hollywood	23 July to 27 August 2019 inclusive;
Cr Nige Jones	27 July to 2 August 2019 inclusive;
Cr John Chester	25 to 31 August 2019 inclusive.

## REPORTS

### ITEM 1                    **DEVELOPMENT AND SUBDIVISION APPLICATIONS – MAY 2019**

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

#### PURPOSE

For Council to note the number and nature of applications considered under delegated authority during May 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 May 2019 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during May 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 25 June 2019 (CJ078-06/19 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 May 2019 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	7	6
Strata subdivision applications	18	29
<b>TOTAL</b>	<b>25</b>	<b>35</b>

*Of the 25 subdivision referrals, 16 were to subdivide in housing opportunity areas, with the potential for 27 additional lots.*

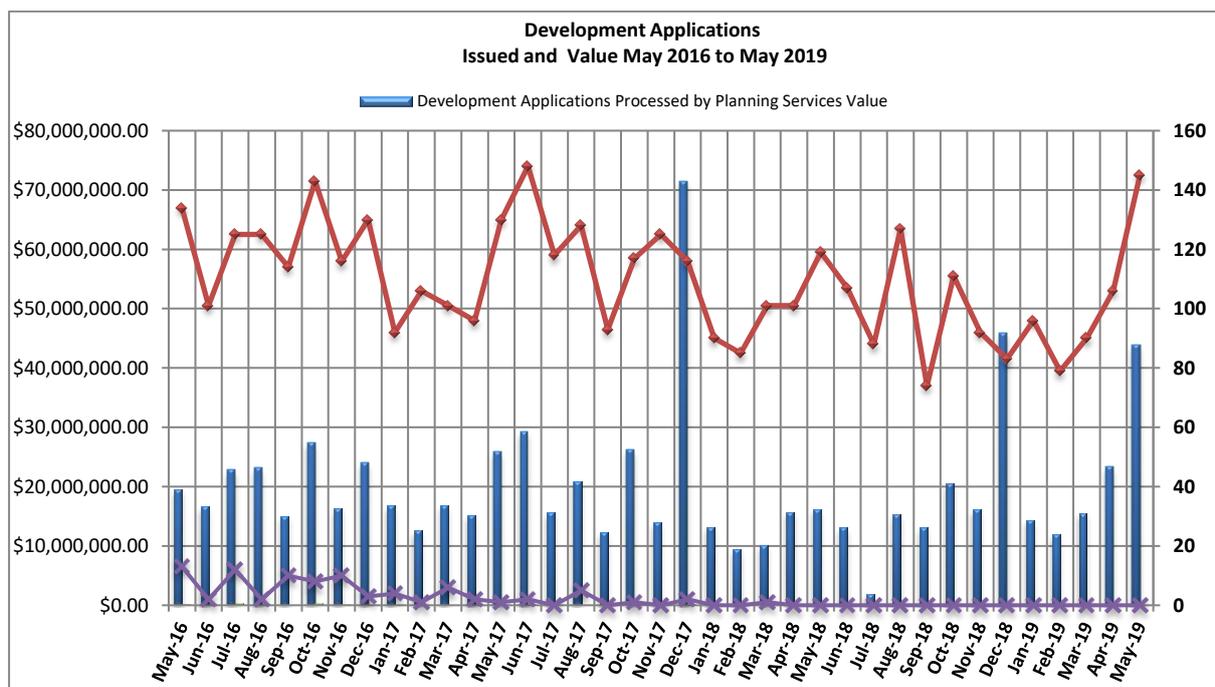
Development applications

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

	Number	Value (\$)
Development applications processed by Planning Services	145	\$43,896,682
<b>TOTAL</b>	<b>145</b>	<b>\$43,896,682</b>

*Of the 145 development applications, 27 were for new dwelling developments in housing opportunity areas, proposing a total of 42 additional dwellings.*

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



The number of development applications received during May 2019 was 128.

The number of development applications current at the end of May was 235. Of these, 37 were pending further information from applicants and 12 were being advertised for public comment.

In addition to the above, 263 building permits were issued during the month of May, with an estimated construction value of \$63,933,694.

### **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 145 development applications were determined for the month of May, with a total amount of \$89,743.60 received as application fees.

All figures quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

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

**COMMENT**

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

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

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

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

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf190709.pdf](#)

## **ITEM 2                    PROPOSED AMENDMENT TO LOCAL PLANNING SCHEME NO. 3 – PORTION OF LOT 600 (76) TREETOP AVENUE, EDGEWATER (EDGEWATER PRIMARY SCHOOL) – CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD</b>	North Central
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	107791, 101515
<b>ATTACHMENT</b>	Attachment 1    Location Plan Attachment 2    Scheme amendment map
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

### **PURPOSE**

For Council to consider Scheme Amendment No. 2 to *Local Planning Scheme No. 3* (LPS3), following public advertising.

### **EXECUTIVE SUMMARY**

Scheme Amendment No. 2 proposes to rezone the north-western portion of Edgewater Primary School from 'Residential' with a density coding of R20 to 'Public Purposes' local reserve. The subject land to be rezoned is vacant and comprises an area of 4,478m<sup>2</sup>. The remainder of the primary school is reserved 'Public Purposes'.

The land that is the subject of this amendment was rezoned from 'Local Reserve – Public Use (Primary School)' to 'Residential' on 7 December 2008 to enable future residential development, as the land was identified at the time as being surplus to the needs of the school. However, following the rezoning, detailed geotechnical investigations found the site was not viable to develop.

At its meeting held on 19 February 2019 (CJ005-02/19 refers), Council resolved to initiate the amendment for the purpose of public advertising. The amendment was advertised for a period of 42 days, ending on 30 May 2019. A total of five submissions were received comprising four submissions from service authorities and one submission indicating support.

The proposed amendment is considered appropriate as it will effectively revert the land back to the previous public reserve status. Reverting the designation from 'Residential' to 'Public Purposes' local reserve will allow the land to be managed for school purposes and also provide greater certainty for the community as to the future use of the land.

It is therefore recommended that Council supports the scheme amendment and forwards the amendment to the Western Australian Planning Commission (WAPC) for consideration, and determination by the Minister for Planning.

## BACKGROUND

<b>Suburb/Location</b>	Lot 600 (76) Treetop Avenue, Edgewater.
<b>Applicant</b>	Elton Consulting.
<b>Owner</b>	Department of Education School Resourcing & Budgeting Directorate.
<b>Zoning</b>	<b>LPS</b> Residential and Public Purposes.
	<b>MRS</b> Urban.
<b>Site area</b>	50,003m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

The portion of Lot 600 (76) Treetop Avenue that is the subject of this amendment is zoned 'Residential' under LPS3 and has a residential density code of R20. It is bounded by Regatta Drive to the west, a child day care centre and residential properties with a density code of R20 to the north and Edgewater Primary School to the south and east (Attachment 1 refers).

At its meeting held on 19 February 2008 (CJ018-02/08 refers), Council adopted Amendment 39 to *District Planning Scheme No. 2* (DPS2) which rezoned the subject area from 'Local Reserve – Public Use (Primary School)' to 'Residential'. The purpose of the rezoning was to enable a portion of the school site identified as surplus to school requirements to be used for residential development.

The scheme amendment was approved by the Minister for Planning and subsequently published in the *Government Gazette* on 7 December 2008. Subdivision approval was granted by the WAPC on 5 May 2009, with the site being subdivided into Lot 500, comprising the Edgewater Primary School and Lot 501, comprising the Residential zone.

The applicant has indicated that, following approval of the subdivision, detailed geotechnical investigations found the site was not unviable to develop.

The landowner subsequently made a request to the Department of Lands to re-amalgamate Lot 500 and Lot 501 into one. The request was approved and Lot 600 was created on 7 July 2017. The 'dual zoning' of the Edgewater Primary School site, however, remained.

While there is limited utilisation of this land by Edgewater Primary School currently, it is anticipated that should the amendment be approved, further investigations will be undertaken into the potential use of this land by the school.

At its meeting held on 19 February 2019 (CJ005-02/19 refers), Council resolved to proceed to advertise Scheme Amendment No. 2 for 42 days.

## DETAILS

The proposed scheme amendment, received as an application from Elton Consulting on behalf of the Department of Education, seeks to rezone the 4,478m<sup>2</sup> north-west portion of Lot 600 (76) Treetop Avenue, Edgewater, from 'Residential' to 'Public Purposes' local reserve (Attachment 2 refers). The remainder of the site comprising Edgewater Primary School is reserved 'Public Purposes' under LPS3.

The land is predominantly surrounded by low density residential housing and the rezoning is consistent with the original intent of the lot prior to Amendment 39 to DPS2.

The applicant has provided the following justification in support of the proposed scheme amendment:

- *The “dual zoning” of Edgewater Primary School should be rationalised to the ‘Public Use – Primary School’ local reservation, as the intended residential development of the surplus land (at density R20) is no longer being pursued.*
- *The current ‘Residential (R20)’ density is redundant.*
- *Currently Edgewater Primary School is unable to utilise the portion of Reserve 38223 zoned ‘Residential’ as the land use ‘Educational Establishment’ is an “X” prohibited use in the ‘Residential’ zone.*
- *The ‘Residential’ zoned land was formerly ‘Public Use – Primary School’ until Amendment 39 reclassified the land to ‘Residential’ zone in 2008. The proposed Amendment will revert the land back to its original public use reservation.*
- *The rationalisation of the ‘Residential’ zone to public use (local reservation) will provide greater certainty for the local community as to its future land use and will allow Edgewater Primary School to lawfully use the land for primary school educational purposes.*

### **Issues and options considered**

The options available to Council in considering the scheme amendment are to either:

- support the amendment to the local planning scheme without modification
- support the amendment to the local planning scheme with modifications  
or
- not support the amendment to the local planning scheme.

The submissions received during the consultation period have not resulted in a need to consider modifications to the scheme amendment.

However, upon review of the scheme amendment documentation, it is noted that the documentation wording does not specifically remove the R20 residential density code from the subject land. No change is required to the scheme amendment map as the map already reflects the removal of the density code. However, to avoid any confusion, it is recommended that the wording “...and remove the density code” is added to the amendment documentation.

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

**Legislation** *Planning and Development Act 2005.  
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.

*Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015*

Part 5 of the *Planning and Development Act 2005* along with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) enables a local government to prepare or amend a local planning scheme and sets out the process to be followed.

At its meeting held on 19 February 2019 (CJ005-02/19 refers), Council resolved to initiate the scheme amendment for the purposes of public advertising. The proposed amendment was then referred to the Environmental Protection Authority (EPA) to decide whether or not a formal review was necessary. The EPA did not consider that Scheme Amendment No. 2 should be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* and as such the amendment was advertised for public comment.

Upon closure of the advertising period, Council is required to consider all submissions received and to either support the amendment, with or without modifications, or not support the amendment. The decision is then forwarded to the WAPC, which makes a recommendation to the Minister for Planning. The Minister can either grant final approval to the amendment, with or without modifications, or refuse the amendment.

*Local Planning Scheme No. 3*

It is proposed to amend the designation of the subject site to ‘Public Purposes’ local reserve. Table 1 of LPS3 sets out the objective of the ‘Public Purposes’ reserve as being “to provide for a range of essential physical and community infrastructure.”

**Risk management considerations**

Not applicable.

**Financial / budget implications**

The applicant has paid fees of \$6,800.34 (including GST) to cover all costs associated with the assessment of the scheme amendment and placing a notice in the local newspaper and the *Government Gazette* in the event that the scheme amendment is approved.

The applicant is also responsible for the costs of advertising the scheme amendment, including letters to adjoining and nearby owners, a notice in the local newspaper and a sign on site.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The proposed scheme amendment was advertised for public comment for a period of 42 days concluding 30 May 2019, by way of:

- letters to adjoining and nearby landowners
- a notice placed in the Joondalup Community newspaper
- a notice and documents placed on the City’s website
- documents available to view at the City’s Administration building
- letters to relevant service authorities
- a sign on the site.

At the close of the advertising period, five submissions were received comprising four submissions from service authorities, all indicating no objection, and one submission indicating support. The submission of support suggests the area could be weeded and replanted with endemic flora species in an endeavour to provide some habitat and for school education purposes and, if there is sufficient space, a community garden could be established. As the site is owned by the Department of Education, it will be up to them how they choose to utilise this part of their site.

## COMMENT

The proposed scheme amendment will effectively revert the land back to the previous public reserve status. Reverting the designation under LPS3 from the 'Residential' zone to a 'Public Purposes' local reserve is considered appropriate as it will allow the land to be managed for school purposes, consistent with the 'Public Purposes' local reserve objective under LPS3. The remainder of the school is currently zoned 'Public Purposes' local reserve. Furthermore, the 'Public Purposes' local reserve designation will provide greater certainty for the community as to the future use of the land.

The lots that were created following the rezoning to 'Residential' have already been amalgamated to form the current Lot 600.

It is therefore recommended that Council supports Scheme Amendment No. 2 with a modification to the documentation wording to reflect the removal of the residential density code from the site, and it be submitted to the WAPC for determination by the Minister for Planning.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

That Council:

- 1 Pursuant to section 75 of the *Planning and Development Act 2005* and Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **SUPPORTS** Scheme Amendment No. 2 (as modified) to the *City of Joondalup Local Planning Scheme No. 3* to amend the designation of a portion of Lot 600 (76) Treetop Avenue, Edgewater from the 'Residential' zone to the 'Public Purposes' local reserve and remove the density code as depicted in Attachment 2 to this Report;
- 2 **AUTHORISES** the affixation of the Common Seal and signing of the documents associated with Scheme Amendment No. 2 (as modified) to the *City of Joondalup Local Planning Scheme No. 3*;
- 3 Pursuant to Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* **FORWARDS** Scheme Amendment No. 2 (as modified) and Council's decision to the Western Australian Planning Commission for consideration.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf190709.pdf](#)

## ITEM 3                      CONSIDERATION OF RENAMING BLACKBOY PARK, MULLALOO

<b>WARD</b>	North Central
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	19052, 101515
<b>ATTACHMENT</b>	Attachment 1      Location plan
<b>AUTHORITY / DISCRETION</b>	Advocacy - Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.

### PURPOSE

For Council to consider a proposal to rename Blackboy Park, Mullaloo.

### EXECUTIVE SUMMARY

At its meeting held on 19 March 2019 (C15-03/19 refers), Council considered a Notice of Motion and resolved to request the Chief Executive Officer prepare a report on the renaming of Blackboy Park, Mullaloo, on the basis that the use of the term blackboy may no longer be considered appropriate.

Landgate are the determining authority for the naming of roads, parks and similar in Western Australia. Both Landgate's *Policies and Standards for Geographical Naming in Western Australia* and the City's *Naming of Public Facilities Policy* require that when parks are named, it be after an adjoining road. Karalundie Way is the road with the longest frontage to Blackboy Park and is considered an appropriate alternative name.

Landgate's policy also requires evidence of substantial community support for any change of name. It is therefore recommended that the proposal to change the name of Blackboy Park to Karalundie Park be advertised for community consultation, prior to Council's further consideration of a request to Landgate that Blackboy Park be renamed.

### BACKGROUND

Blackboy Park is located in Mullaloo and is bounded by Karalundie Way, Balga Way, Laurel Street and Koolyanga Road (Attachment 1 refers). The park contains two tennis courts, a playground and passive recreation areas. Three grass trees are located in the northeast corner of the park together with the park name sign as an 'entry statement', and two further grass trees on the corner of Balga Way and Laurel Street, however no other grass trees are located in the park.

At its meeting held on 19 March 2019 (C15-03/19 refers), Council considered a Notice of Motion seeking consideration of changing the name of Blackboy Park on the basis that, inter alia, the term blackboy is now considered politically incorrect and potentially offensive, or at least belonging to the past, and resolved to *"REQUEST the Chief Executive Officer prepare a report on the renaming of Blackboy Park, Mullaloo."*

## DETAILS

Landgate's *Policies and Standards for Geographical Naming in Western Australia* states that it is expected that all new local parks will be named after an adjoining road. The City's *Naming of Public Facilities Policy* reinforces this expectation. In this instance the current park name does not conform to this requirement. The adjoining roads are Karalundie Way, Balga Way, Laurel Street and Koolyanga Road.

If the park name is to be changed, it is appropriate that it be renamed after one of the adjoining streets in accordance with Landgate and the City's respective policies. Although Balga is the name of an adjoining road, advice from Landgate indicates that it is considered best to avoid this name as an alternative given the duplication with the suburb of Balga. Karalundie Way is the road with the longest frontage to Blackboy Park and is considered a suitable alternative name.

### Issues and options considered

The options available to Council in considering the proposal are:

- support the renaming of Blackboy Park to Karalundie Park and advertise the proposal for community feedback
- support the renaming of Blackboy Park to another name (in compliance with Council's *Naming of Public Facilities Policy* and Landgate's *Policies and Standards for Geographical Naming in Western Australia*) and advertise the proposal for community feedback  
or
- not support the proposal to rename Blackboy Park.

In the event that Council agrees to advertise the proposal to rename Blackboy Park, a further report will be presented to Council following the consultation period.

Landgate are the determining authority for the naming of roads, parks and similar in Western Australia.

### Legislation / Strategic Community Plan / Policy implications

**Legislation**                      *Land Administration Act 1997.*

#### Strategic Community Plan

**Key theme**                        Quality Urban Development.

**Objective**                        Quality open spaces.

**Strategic initiative**            Adopt consistent principles in the management and provision of urban community infrastructure.

**Policy**                                *Naming of Public Facilities Policy.*  
*Policies and Standards for Geographical Naming in Western Australia*  
(Landgate policy).

### **Risk management considerations**

Landgate's *Policies and Standards for Geographical Naming in Western Australia* states that official local park or recreational reserve names are expected to be enduring. Landgate discourages any changes to official names without good reason, however such proposals will be considered on an individual basis, and the merits of each case will be carefully evaluated.

Landgate has indicated that given the name has been part of the public domain for some time, significant justification and evidence of overwhelming community support is required if a change is to be considered.

### **Financial / budget implications**

If the proposed renaming of Blackboy Park is advertised for public comment, the City will be responsible for those costs which are estimated to be \$2,000. In the event the park name is changed, replacing park signage will also be required.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Not applicable.

### **Consultation**

In the event Council proceeds to advertise the proposed renaming of Blackboy Park, community consultation will be undertaken in compliance with *Policies and Standards for Geographical Naming in Western Australia* and as per the City's community engagement process. Consultation will be undertaken as follows:

- Written notification to landowners and residents within 200 metres of the park and the South West Aboriginal Land and Sea Council (approximately 475 letters).
- Two signs on the site.
- A notice on the City's website, including an online comment form.
- A notice within the *Joondalup Voice* in the local newspaper.
- Posts on social media.

### **COMMENT**

Although Landgate's *Policies and Standards for Geographical Naming in Western Australia* states it is expected that park names be enduring, the proposal to rename Blackboy Park can be progressed to consultation to gauge support from the community. Karalundie Way adjoins the park and it is considered that Karalundie Park is an appropriate alternate name that meets the requirements of the City's *Naming of Public Facilities Policy* and Landgate's *Policies and Standards for Geographical Naming in Western Australia*.

### **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

### **That Council:**

- 1 SUPPORTS the request for the renaming of Blackboy Park, Mulaloo, to Karalundie Park for the purposes of community consultation;**
- 2 ADVERTISES the proposal to rename Blackboy Park, Mulaloo, to Karalundie Park for 30 days.**

*Appendix 3 refers*

*To access this attachment on electronic document, click here: [Attach3brf190709.pdf](#)*

## ITEM 4 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 4 June to 25 June 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 4 June to 25 June 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 4 June to 25 June 2019, as detailed in Attachment 1 to this Report.*

### BACKGROUND

For the period 4 June to 25 June 2019, seven documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Amendment	1
Section 70A Notification	6

### 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.

**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.

## **RECOMMENDATION**

**That Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 4 June to 25 June 2019, as detailed in Attachment 1 to this Report.**

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf190709.pdf](#)*

## ITEM 5 MINUTES OF EXTERNAL COMMITTEES

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	03149, 101515
<b>ATTACHMENT</b>	Attachment 1 Minutes of Mindarie Regional Council meeting held on 11 April 2019  <i>(Please note: These minutes are only available electronically).</i>
<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 minutes of various bodies on which the City has current representation.

### EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of Mindarie Regional Council meeting held on 11 April 2019.

### DETAILS

#### Mindarie Regional Council Meeting – 11 April 2019

A meeting of the Mindarie Regional Council was held on 11 April 2019.

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

The attached minutes detail those matters that were discussed at this external meeting that may be of interest to the City of Joondalup.

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

**Legislation** Not applicable.

#### Strategic Community Plan

**Key theme** Governance and Leadership.

**Objective** Strong leadership.

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

**Policy**    Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the minutes of the Mindarie Regional Council meeting held on 11 April 2019 forming Attachment 1 to this Report.**

*To access this attachment on electronic document, click here: [ExternalMinutes190709.pdf](#)*

## ITEM 6 LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2019

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENT</b>	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of May 2019 Attachment 2 Chief Executive Officer's Delegated Trust Payment List for the month of May 2019 Attachment 3 Municipal and Trust Fund Vouchers for the month of 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 list of accounts paid under the Chief Executive Officer's delegated authority during the month of May 2019.

### EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of May 2019, totalling \$13,547,156.28.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for May 2019 paid under delegated authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 forming Attachments 1, 2 and 3 to this Report, totalling \$13,547,156.28.*

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

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

<b>FUNDS</b>	<b>DETAILS</b>	<b>AMOUNT</b>
Municipal Account	Municipal Cheques & EFT Payments 108260 - 108416 & EF077718 – EF078352 Net of cancelled payments.	\$ 8,833,686.14
	Vouchers 2536A -2553A	\$ 4,700,880.30
Trust Account	Trust Cheques & EFT Payments 207354 - 207360 & TEF001690 -TEF001693 Net of cancelled payments.	\$ 12,589.84
	<b>Total</b>	<b>\$13,547,156.28</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

#### Legislation

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

#### Strategic Community Plan

**Key theme** Financial Sustainability.

**Objective** Effective management.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

#### Risk management considerations

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

**Financial / budget implications**

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

**Regional significance**

Not applicable.

**Sustainability implications**

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

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Chief Executive Officer's list of accounts for May 2019 paid under Delegated Authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* forming Attachments 1, 2 and 3 to this Report, totalling \$13,547,156.28.**

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf190709.pdf](#)

## **ITEM 7                      FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 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 31 May 2019.

### **EXECUTIVE SUMMARY**

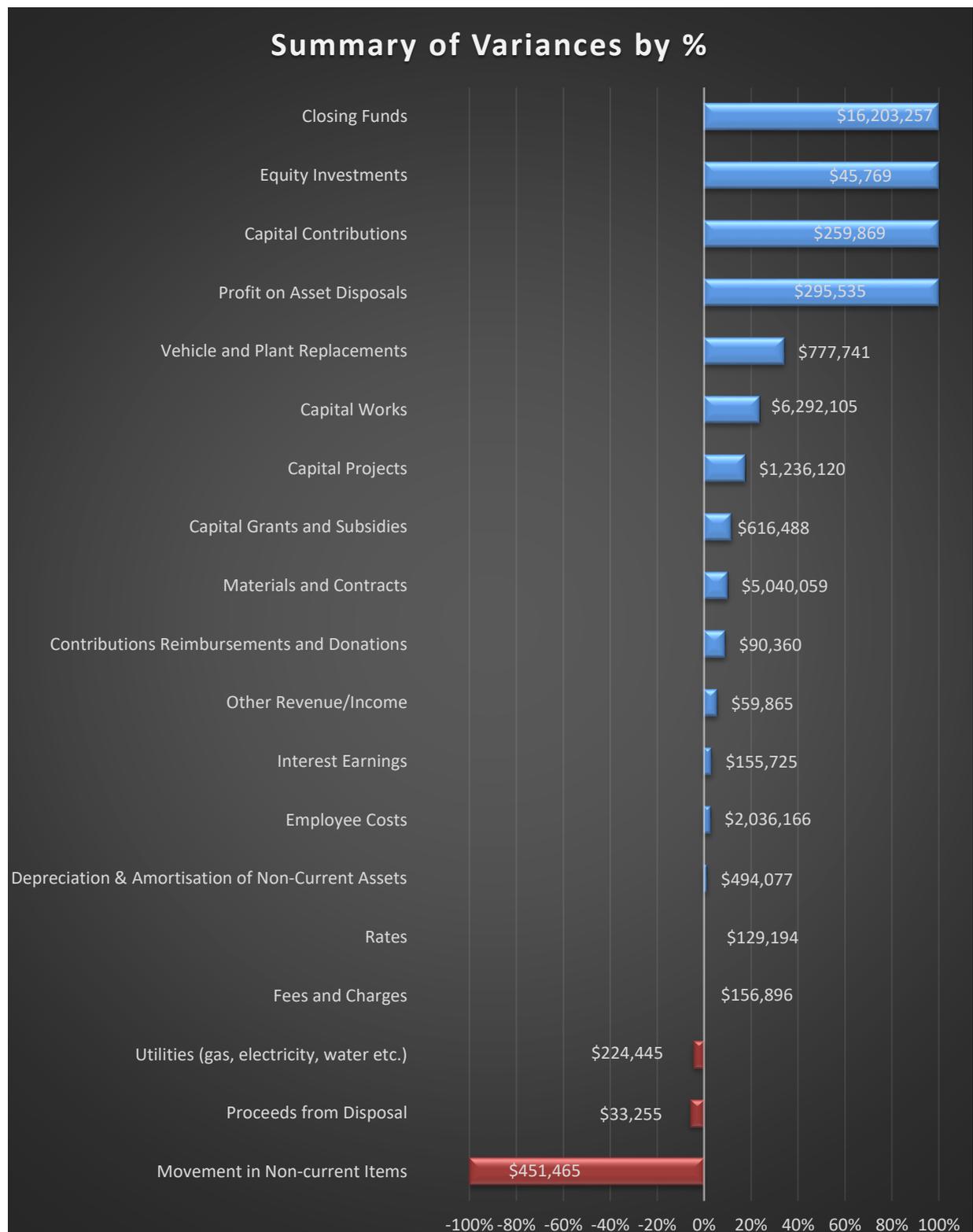
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. Council subsequently revised the budget at its meeting held on 19 February 2019 (CJ017-02/19 refers). The figures in this report are compared to the revised budget.

The May 2019 Financial Activity Statement Report shows an overall favourable variance from operations and capital, after adjusting for non-cash items, of \$16,203,257 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 31 May 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 to this Report identify and provide commentary on the individual key material revenue and expenditure variances to date.

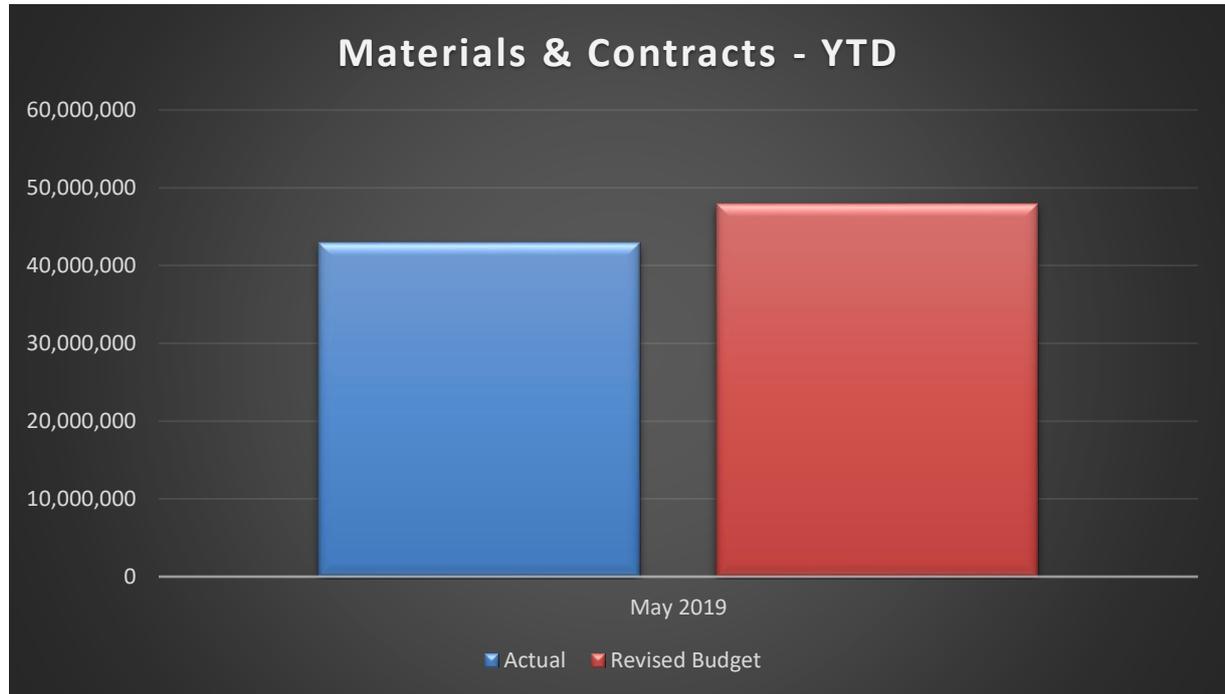
The key elements of the variance are summarised below:



The significant variances for May were:

**Materials & Contracts**

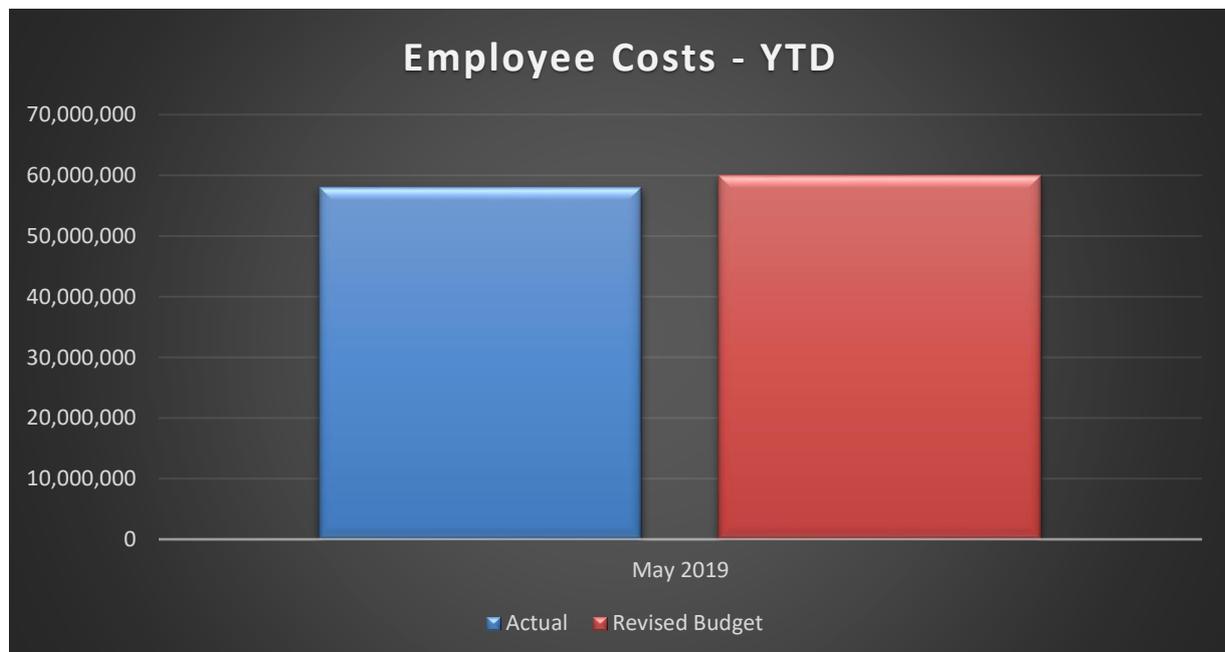
**\$5,040,059**



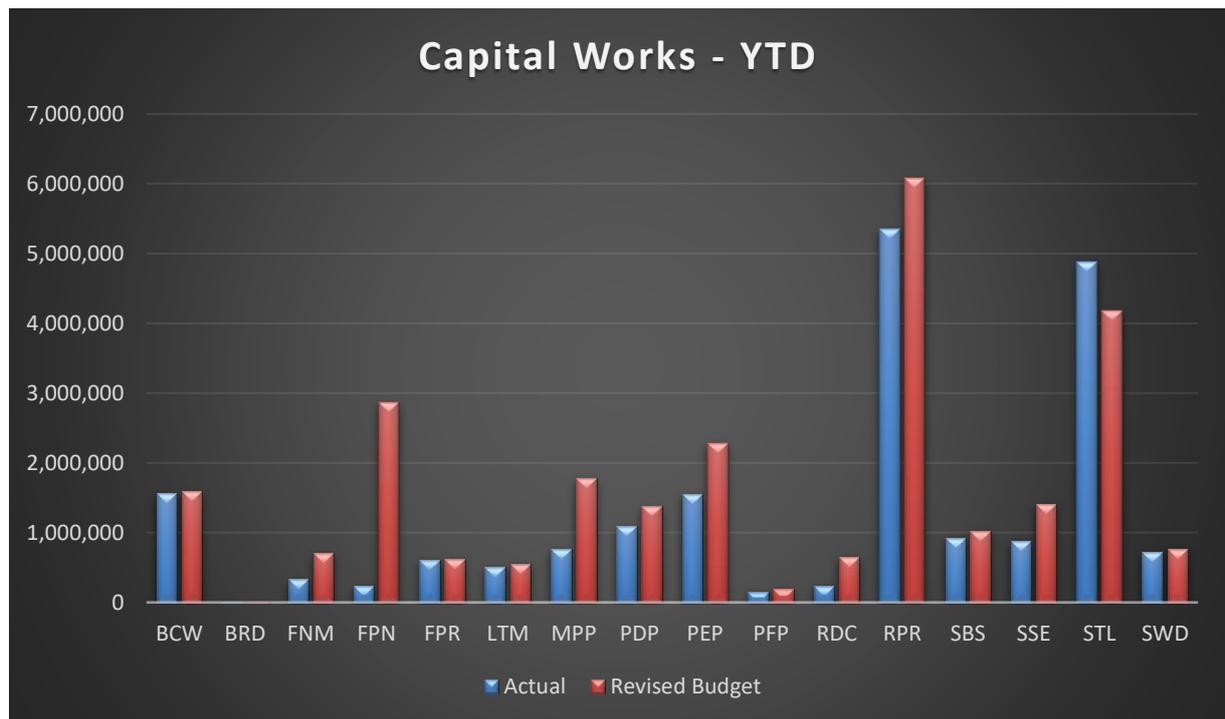
Materials and Contracts expenditure is \$5,040,059 below budget. This is spread across a number of different areas including favourable timing variances for External Service Expenses \$2,655,780, Administration \$549,433 and Professional Fees and Costs \$450,593.

**Employee Costs**

**\$2,036,166**



Employee Costs expenditure is \$2,036,166 below budget. Favourable variances arose for Salaries and Wages across a number of areas including Parks \$256,795, Engineering Maintenance \$148,560, Planning Approvals \$135,593 and Organisational Development Administration \$133,590 mainly due to vacant positions.

**Capital Works****\$6,292,105**

Capital Works is \$6,292,105 below budget. This is spread across a number of different areas including favourable timing variances for Paths Program \$2,638,885, Major Projects Program \$1,016,381, Road Preservation Program \$732,372 and Parks Equipment Program \$725,460.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 May 2019 forming Attachment 1 to this Report.*

**BACKGROUND**

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

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

The Financial Activity Statement for the period ended 31 May 2019 is appended as Attachment 1 to this Report.

**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**

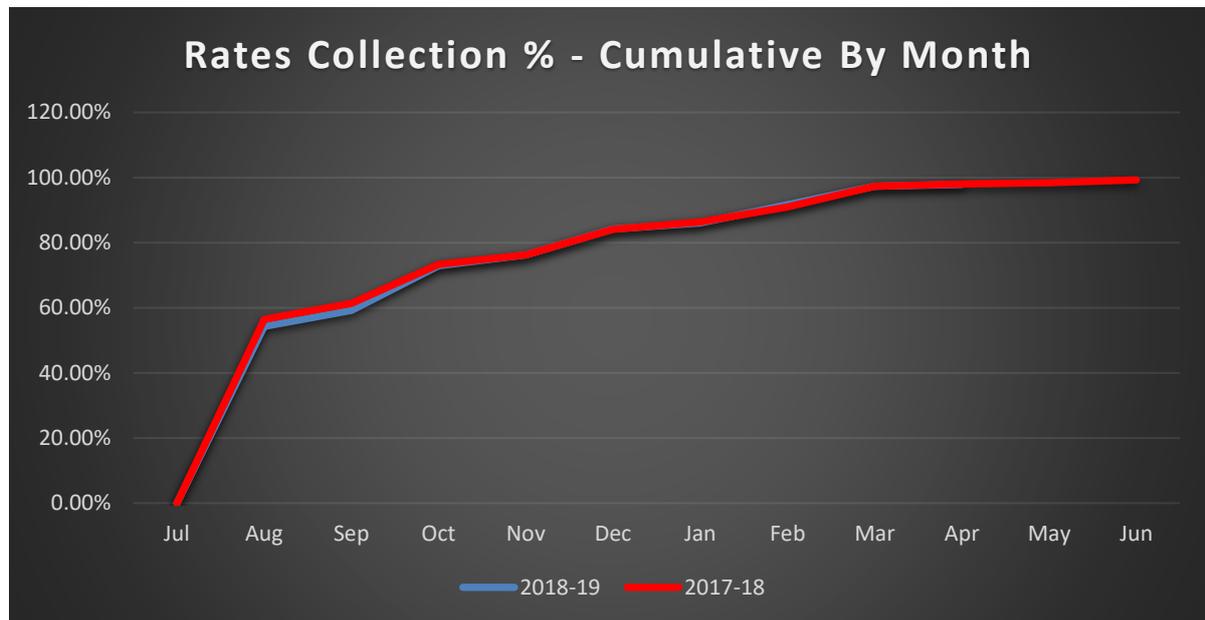
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

### **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*.

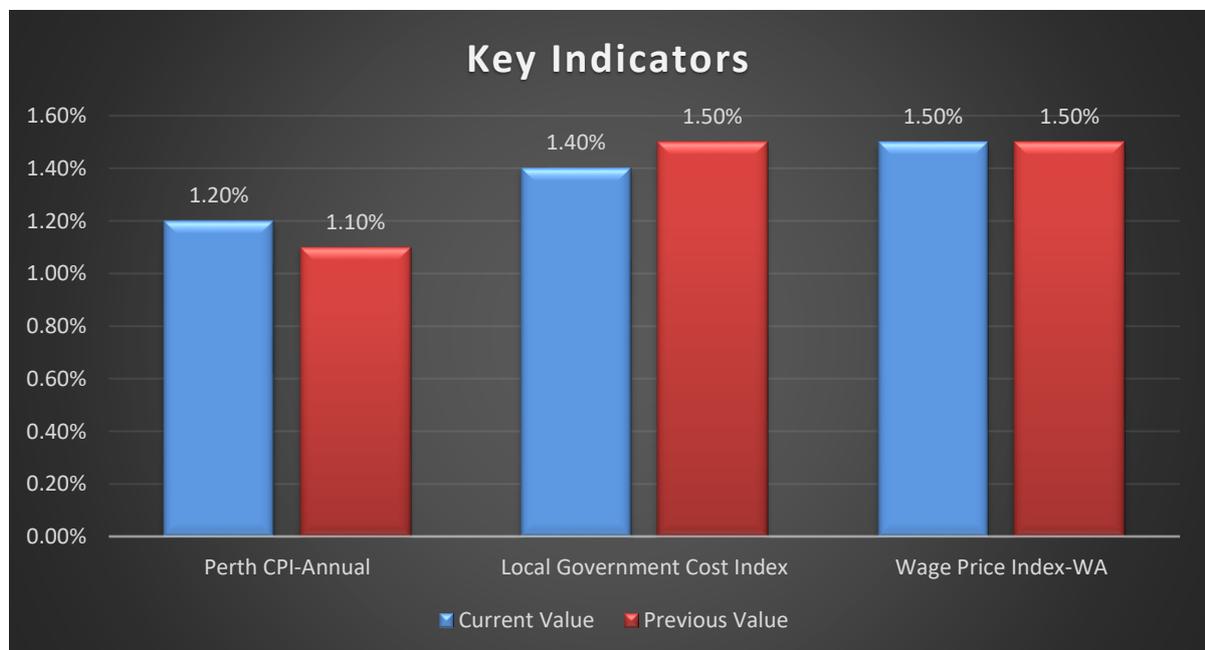
**KEY INDICATORS**

**Rates Collection**



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

**Economic Indicators**



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

## **COMMENT**

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

## **VOTING REQUIREMENTS**

Simple Majority.

## **RECOMMENDATION**

**That Council NOTES the Financial Activity Statement for the period ended 31 May 2019 forming Attachment 1 to this Report.**

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6brf190709.pdf](#)

## **ITEM 8                      PROPOSED REDEVELOPMENT - SORRENTO SURF LIFESAVING CLUB**

<b>WARD</b>	South-East
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	05071, 101515
<b>ATTACHMENTS</b>	Attachment 1    Sorrento Surf Lifesaving Club Aerial Map Attachment 2    Sorrento Surf Lifesaving Clubroom Existing Floor Plan
<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 consider undertaking preliminary costings and design options for a possible redevelopment of Sorrento Surf Lifesaving Club.

### **EXECUTIVE SUMMARY**

The Sorrento Surf Lifesaving Club (SSLSC) currently has over 1,700 members and is a dedicated volunteer organisation providing services to the community including beach patrols (at Sorrento Beach and Hillarys Boat Harbour), lifesaving services, surf skills training and competition, beach safety education and first aid. The clubrooms which are leased to the SSLSC are located on West Coast Drive, Sorrento (south of Hillarys Boat Harbour).

The SSLSC was formed in 1958, with the first clubroom being constructed in 1960 south of the present clubrooms. With the northern suburbs expanding, the club's membership increased and in 1978 an extension to the clubroom was built to stand alongside the original clubroom. In 1993, the clubroom was expanded further and renovated, and the courtyard was added to the northern end of the building in 1995.

In 2016, the City and the State Government installed a beach enclosure at Sorrento Beach to provide a safer swimming environment for the public and surf lifesaving club events. Also, in 2016, there was an additional 75 car parking bays added to the north-west and south-west car parking areas.

There are a number of ongoing issues with the existing site and facility including the following:

- access to the bin storage area
- sand drifts
- flooding
- stormwater drainage
- drain blockages
- sewer
- grease trap
- insufficient ventilation.

The club also has challenges with the existing facility size, layout and location.

The SSLSC has been in discussion with the City of Joondalup over the last few years regarding a proposal to refurbish / redevelop the existing facility. Recently, the club submitted a business case to the City for consideration which presented a number of designs to the City which offer various solutions to addressing the issues currently faced with the existing facility. These options range between \$4 million and \$12 million, from a refurbishment of the existing facility to a demolition and redevelopment of the existing facility.

The SSLSC has advised that it is not able to continue to expend funds on the preliminary works for the project. Therefore, it is suggested that noting the current state and age of the facility and the levels of ongoing maintenance required, that the City undertake preliminary design and costings for a redeveloped facility that will in turn inform Council of approximate project costs. At that time the Council can consider the project further and decide if it allocates a timeframe within its *20 Year Strategic Financial Plan*.

*It is therefore recommended that Council:*

- 1 *AGREES to undertake preliminary concept designs and indicative costings on a proposed redevelopment of the Sorrento Surf Lifesaving Club subject to funds being allocated within the 2019-20 mid-year budget review;*
- 2 *REQUESTS the Chief Executive Officer to report back the outcomes of the designs and costings as detailed in Part 1 above to assist it to consider including the project into the City's 20 Year Strategic Financial Plan.*

## **BACKGROUND**

<b>Suburb/Location</b>	189 West Coast Drive, Sorrento WA 6020.
<b>Applicant</b>	City of Joondalup/Sorrento Surf Lifesaving Club.
<b>Owner</b>	Crown Land - Management Order City of Joondalup.
<b>Zoning</b>	<b>LPS</b> Parks and Recreation.
	<b>MRS</b> Parks and Recreation.
<b>Site area</b>	9,222 m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

The SSLSC was formed in 1958 and is a dedicated volunteer organisation that provides patrol services from October to March on the weekends (from Beach Road to Pinnaroo Point including Hillarys Boat Harbour). Such services include aquatic rescues, administering first aid, emergency care and providing surf safety information to the public and are estimated at approximately \$122,000 per year.

In 2018-19 the club undertook four rescues, 116 first aid treatments and 684 preventative actions in addition to 8416 patrol hours. The club also provides aquatic training courses such as bronze medallion, first aid, surf rescue certificate, surf skills training and competitions for ages five and up. The City makes an annual contribution to the SSLSC of \$54,545 to support its delivery of lifesaving services across City of Joondalup beaches.

During the months of December, January and February, the beaches are patrolled by professional life guards on weekdays (not including weekends and public holidays). Currently, the City pays approximately \$119,000 per year to Surf Life Saving WA for these lifeguard services at Sorrento Beach and Hillary's Boat Harbour.

The first clubroom was constructed in 1960 south of the present clubrooms with funds provided by the then Wanneroo Roads Board, Lotteries Commission grant, club donations and club members providing free labour and supervision during construction. Since then there have been several extensions and refurbishments with the most recent occurring in 2007, where the club extended the boat shed by 65m<sup>2</sup> which was jointly funded by Lotterywest, a State Government grant and the City of Joondalup at a cost of approximately \$230,000.

The clubrooms are located on West Coast Drive, Sorrento (south of Hillarys Boat Harbour) (Attachment 1 to this Report refers) with a current replacement cost of the facility is \$5.8 million, with written down value of \$1.8 million, and incurs approximately \$41,000 in depreciation each year and consists of:

- hall
- courtyard
- boat sheds
- kiosk
- first aid room
- patrol workshop
- gymnasium
- office
- board room
- training room
- internal toilets and change rooms
- storage areas
- kitchen
- bar
- public toilets and change rooms (Attachment 2 to this Report refers).

In 2016, the City and the State Government installed a beach enclosure at Sorrento Beach to provide a safer swimming environment for the public and surf lifesaving club events. In 2016, there was an additional 75 car parking bays added to the north-west and south-west car parking areas.

SSLSC currently has over 1,700 members with membership for the club consistently exceeding 1,500 people per year since 2013. The club has a comfortable capacity of approximately 800 active members. With the current membership number, it is only accepting new members via organic growth (for example new age groups for nippers) and when vacancies become available from exiting members.

The club currently employs a full time Administration Manager, part time bookkeeper (12 hours per week) and part time bar / function manager (15-20 hours per week). The balance of the duties to operate the club are undertaken on a volunteer basis.

The club has reported to the City that the existing facility cannot accommodate any future growth and with the recent installation of the safe beach enclosure, utilisation is expected to increase putting more demand on the club to provide its core function including rescue, patrol, training, competition, education, first aid and lifesaving into the future.

The existing facility is nearing 50 years old. While an independent report has been undertaken on the structure of the facility that indicates the facility is structurally sound, the City has been experiencing ongoing site and building issues including the following:

- Sand drifts into the clubroom due to its location and this predominantly affects the hall and public toilet ceiling space making them vulnerable to collapse. The City currently undertakes periodic vacuuming of the ceiling space to prevent the ceilings from collapsing.
- There is periodic flooding of the main hall due to the eastern side of the clubroom being significantly lower than the natural land levels for the site. The City has processed two insurance claims in the last five years due to flooding to replace the flooring. Increased drainage catchments are required (for example channel grates) which must be maintained and cleaned weekly to remove sand. If this is not undertaken this will increase the risk of flooding.
- Stormwater drainage runs directly under the facility with the roof plumbing connecting into it which over time could potentially undermine the foundations.
- The facility has three connections to the sewer: the southern public toilets, hall, kitchen, internal showers and toilets. The internal showers and toilets were joined in one line and connected to the sand traps which was non-compliant with *Australian Standards* and the *Plumbing Code*. This has now been diverted to the sewer pump which is not ideal as the sand from the shower is being deposited into the pump station.
- The invert levels for the southern showers are so deep there is a minimal fall on the drains to the pump station which is creating blockages in the line from the toilets to the pump station.
- There is no grease trap for the kiosk on the western side which is causing grease build-up in the drains and blockages.
- The shower facilities have poor ventilation causing mould issues in winter. The ceilings are also low, and the roof is flat which creates leaks in heavy rain.
- Waste removal trucks have difficulty accessing the bin storage area which is located on the north-eastern side of the clubroom. In 2015-16, a waste truck penetrated the wall of the alfresco area trying to retrieve a bin resulting in significant structural damage.

In addition, the club has identified the following issues with the site and facility:

- Interface with the facility and public beach access. There is the risk to the safety of club members and the public when heavy surf lifesaving equipment is mobilised across the dual use path which is heavily utilised by cyclists, runners or walkers.
- Due to the changes to the facility over time, functional relationships between spaces and room sizes are poor. This results in several functional issues for members as well as community users of the facility. Specifically, there is the need for improved and increased training and function space.
- Parking continues to be an issue at the site, particularly during the summer months. This not only causes issues for the public use of the beach and path networks but also the opportunity to stage community-based events.

For it to continue to provide its services to the community into the future, in 2013 the club identified the need to consider possible refurbishment or redevelopment of the clubroom facility due to the growth in membership and the lack of functionality, age and condition of the existing building.

## DETAILS

The SSLSC has commenced a review of the clubrooms and presented several options to the City with varying costs ranging from a refurbishment of the existing facility at approximately \$4 million to a complete redevelopment of the facility and external commercial operation at approximately \$12 million.

Each of the options had merit, however there still needs to be more work around the design, and in the future several other studies would be required to be undertaken (retail needs assessment, coastal hazard assessment and so forth). Such works are beyond the financial capacity of the club.

### Issues and options considered

The following options are available to Council:

- do not undertake any further design works  
or
- agree to undertake some preliminary designs and costings.

### Legislation / Strategic Community Plan / Policy implications

**Legislation**                      The *Local Government Act 1995* details provisions for when the City leases property. The club holds a valid lease, however, any approval to sub-lease needs to be provided by the City and the Minister for Lands.

### Strategic Community Plan

**Key theme**                      Community Wellbeing.

**Objective**                      Quality facilities.

**Strategic initiative**

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

**Policy**                              *Requests for New or Capital Upgrades to Existing Community Buildings Policy.*

### Risk management considerations

The facility is nearing 50 years old and is experiencing ongoing site and building issues including sand drifts, flooding, drainage, sewer and inadequate ventilation. According to the club, the facility cannot accommodate any future growth and with the recent installation of the safe beach enclosure in 2016, utilisation is expected to increase putting more demand on the club to provide its core function including rescue, patrol, training, competition and education into the future.

The club has reported they require additional space to meet current operational requirements and to grow into the future. The club has a comfortable capacity of approximately 800 active members. It is currently servicing approximately 1,700 members and is only accepting new members via organic growth (for example new age groups for nippers) and when vacancies become available from exiting members.

### **Financial / budget implications**

There are no funds currently listed within the 2019-20 budget to undertake preliminary concept designs and indicative costings on a proposed redevelopment of the SSLSC. An estimated cost of such designs, including a detailed costing would be about \$40,000 to \$45,000. Therefore, if it is agreed for the City to undertake these works, then funding would need to be considered as part of the 2019-20 mid-year budget review.

As the project develops, there will be the need to undertake more detailed business case / financial analysis of the proposed scope of works.

The SSLSC has indicated it can contribute \$500,000 towards the project, that is based on the works commencing soon. However, if the project is delayed and the club is provided with a project year, it has advised it could work on setting strategies in place to increase its contribution.

### **Regional significance**

The SSLSC has over 1,700 members including both juniors and seniors. The membership is predominantly local, however, attracts members from the region. The club anticipates membership increasing by 5% next year and has been running at capacity since 2009.

Sorrento Beach is a very popular swimming beach and attracts people from all around the Perth metropolitan area. In late 2016, a beach enclosure was installed at the northern end of Sorrento Beach. In its first season, the installation has proved to increase patronage and demand on the club's services.

### **Sustainability implications**

The City engaged the services of Pracsys to undertake a study on the social return on investment based on the redevelopment of the SSLSC.

The project has the potential to bring significant economic and social benefits to the community (based on concepts proposed by the SSLSC).

Benefits to additional members include the following:

- Continuous health benefits - \$779,000.
- One-off health benefits for new members that are currently inactive - \$252,000.
- Productivity benefits for new members that are currently inactive - \$8,006,000.
- Skills development (education) benefits to junior and under 19 members - \$1,391,000.
- Reduction in the risk of drowning for new members - \$104,000.
- Personal satisfaction from being a part of a sporting organisation - \$3,458,000.

Benefits realised through additional patrolling members include the following:

- Lifesaving benefits - \$16,804,000.
- Volunteering benefits (productivity, civic and individual) - \$688,000.

Commercial benefits to the club and to the City include the following:

- Additional operating revenue - \$1,402,000.
- Lease revenue - \$2,213,000.

Community benefits include the following:

- Sense of community – qualitative.
- Avoided accidents – qualitative.

The project is expected to generate five direct full-time employment (FTE) positions and 17 indirect FTE positions over the construction period.

### **Consultation**

Not applicable at this stage, but if the project progresses to detailed design the City will undertake relevant levels of community consultation and engagement.

### **COMMENT**

The business case, concept plans, and preliminary financials developed by the SSLSC provide enough information for the City to determine if the project should be considered. Given that the SSLSC are not able to progress the project, it is suggested that the City undertake further concept designs and costings. An estimated cost of such designs, including a detailed costing would be about \$40,000 to \$45,000.

These designs will allow the City to incorporate elements that meet the needs of the City (commercial operations) to assist it with a return on its investment while also meeting the accommodation requirements of the SSLSC.

Once this further design work has been completed it will allow more accurate costings of the project to inform Council through its *20 Year Strategic Financial Plan* as to when is most suitable to commence the project.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That Council:**

- 1** **AGREES** to undertake preliminary concept designs and indicative costings on a proposed redevelopment of the Sorrento Surf Lifesaving Club subject to funds being allocated within the 2019-20 mid-year budget review;
- 2** **REQUESTS** the Chief Executive Officer to report back the outcomes of the designs and costings as detailed in Part 1 above to assist it to consider including the project into the City's *20 Year Strategic Financial Plan*.

*Appendix 7 refers*

To access this attachment on electronic document, click here: [Attach7brf190709.pdf](#)

## **ITEM 9                      INVESTIGATION INTO USE OF PADBURY SENIOR HIGH SCHOOL PLAYING FIELDS**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	69612, 101515
<b>ATTACHMENT</b>	Attachment 1     Aerial map – Padbury Senior High School
<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 what is required to transfer the playing fields adjacent to the Padbury Senior High School from the Department of Education to the City.

### **EXECUTIVE SUMMARY**

At its meeting held on 16 April 2019 (CJ042-04/19 refers), Council requested a report on the possibility of transferring the playing fields located at the former Padbury Senior High School (PSHS) site into the ownership or management of the City, including options for how this could be pursued.

PSHS closed in 2011 and was repurposed for use to accommodate the Department of Education (DoE) Statewide Services Centre (SSC). The site is vested to the DoE under management order from the Department of Planning, Lands and Heritage (DoPLH) for the purposes of the *School Education Act 1999*.

The DoE has indicated that due to urban infill targets set by the State Government, the Department have indicated that the site may be required to function again as a school in the future, and that currently the SSC require use of the site in an ongoing capacity.

The City may seek to acquire management of the land by way of purchase, management order or usage agreement. All options require approval from the DoE and the DoPLH.

The site presents a number of challenges for use as an active sporting reserve that would need to be addressed, including the provision of adequate sporting infrastructure such as:

- sports floodlighting
- change rooms
- storage
- toilets
- goal posts
- cricket nets
- cricket wickets
- turf rehabilitation.

This would likely require the City to fund the capital and maintenance costs for infrastructure.

Alternatively, Council may consider infrastructure upgrades to existing active parks within the immediate area of the PSHS that could have their utilisation increased with the improvement of associated infrastructure, primarily floodlighting. This includes the following parks:

- James Cook Reserve, Hillarys.
- Hillarys Park, Hillarys.
- Forrest Park, Padbury.
- MacDonald Park (south), Padbury.

While acquiring the playing fields adjacent to the PSHS will provide sporting groups with additional options to play active sport, these options are limited as the necessary supporting infrastructure is not in place.

*It is therefore recommended that Council:*

- 1 *GIVES CONSIDERATION to commence discussions with the Department of Education for the City of Joondalup to gain access to the playing fields and adjacent car park located at the Padbury Senior High School;*
- 2 *NOTES that gaining access in the land detailed in Part 1 above will not necessarily increase the usage of the playing fields without significant upgrades to infrastructure;*
- 3 *NOTES that any future capital upgrades to the playing fields or car park located at the Padbury Senior High School are subject to consideration as part of the City's established budget process.*

## **BACKGROUND**

<b>Suburb/Location</b>	Lot 9573, 33 Giles Avenue, Padbury WA 6025.
<b>Owner</b>	Department of Education.
<b>Zoning</b>	<b>LPS</b> Public Purposes – MRS.
	<b>MRS</b> Public Purposes - High School.
<b>Site area</b>	118,578 m <sup>2</sup> .
<b>Structure plan</b>	Not applicable.

The PSHS opened in 1987 with students drawn from various primary schools in the surrounding area. PSHS is vested under a management order issued by the DoPLH for the purposes of the *School Education Act 1999*.

The school was upgraded in 2006 following the closure of the nearby Craigie Senior High School at the end of 2003. In 2010, it was decided the PSHS would close at the end of 2011 due to declining enrolments, and an expected student population of under 200. Students enrolled at PSHS moved to either of the nearby schools, being Duncraig Senior High School or Belridge Senior High School.

Following the closure of PSHS, it was repurposed to house the SSC.

The PSHS contains approximately 26,000m<sup>2</sup> of open space that was previously used for the recreation purposes of the students. It is currently configured for a junior soccer pitch and junior cricket field (Attachment 1 to this Report refers).

At its meeting held on 12 December 2017 (CJ205-12/17 refers), Council considered a review on the City's active reserves and community facilities. The review included a public open space supplementary report provided by the Curtin University Centre for Sport and Recreation. This report demonstrated that the suburb of Padbury met the identified requirements for provision of active open space. PSHS playing fields were not included as part of the total active open space.

At its meeting held on 16 April 2019 (CJ042-04/19 refers), Council considered a report on the investigation and potential opportunities in the City utilising school playing fields to assist with high demand for active park space.

This report identified that due to the inability to develop additional active parks, the City experiences a high demand for those parks with adequate sporting infrastructure, however there is capacity to accommodate additional bookings at parks with a lower standard of infrastructure. The report also identified a number of risks and costs associated with utilising school playing fields for community sport and recreation.

It was recommended that the City continue to prioritise investment in sporting infrastructure on City managed parks. Council agreed not to progress further investigations into City utilisation of playing fields at schools identified in the report.

At its meeting held on 16 April 2019 (CJ042-04/19 refers), Council resolved (in part) as follows:

*"That Council:*

- 2 *REQUESTS the Chief Executive Officer prepare a report on the possibility of transferring the ovals located at the former Padbury Senior High School site into the ownership or management of the City, including options for how this could be pursued;"*

## **DETAILS**

### Existing site infrastructure

PSHS's current sporting amenities include the following:

- One junior sized AFL or cricket field (135 metres x 90 metres) with four synthetic cricket practice nets, a synthetic centre cricket wicket and AFL goal posts. The field size meets the dimension requirements for under 10 cricket and AFL.
- One junior sized football (soccer) or rugby field (85 metres x 90 metres) with soccer goal posts. The field size meets the dimension requirements for under 12 soccer and rugby
- Car park directly adjacent to the playing fields with a 198-bay capacity (including four disabled bays).

There are no publicly accessible toilets, change rooms, storage or club room facilities located at the site. The current sporting infrastructure including cricket nets and concrete wicket do not meet the City's standard specifications.

### Current site usage

Following the closure of PSHS, the school was repurposed with approximately \$2 million invested in the site to accommodate the SSC. SSC operates as a teacher's resource hub for programs that cater for children with a disability, with approximately 300 administrative staff working at the site. SSC does not operate as a school, and children are not taught at the centre.

The SSC is open from 8.00am to 4.30pm on weekdays, including during school holidays. The playing fields located at the site are used for staff and visitor overflow parking between 7.30am and 6.00pm weekdays. Padbury Primary School occasionally use the high school playing fields for physical education classes. There are informal sporting activities occurring on weekends, however this usage is not formally monitored.

### Future site plans

The DoE have indicated that the SSC are currently at capacity at the site. Due to urban infill targets set by the State Government, the Department have indicated that the site may be required to function again as a school in future, and that currently the SSC require use of the site in an ongoing capacity. DoE have been contacted for comment on the long-term plans for the site, however no information has been received to date.

### **Issues and options considered**

There are a number of options that the City may consider in relation to use of the PSHS playing fields.

#### Option 1 – Purchase land

State owned land is disposed where it is surplus to government requirements and has the potential to be utilised in private ownership at highest and best use in the interest of the State. Where land is sold, the State Government seeks optimal benefit on disposal in terms of both financial return and development outcome. Public competition is the preferred method of selling Crown land.

The different methods available for the sale of Crown land are as follows:

- Expression of interest. An advisory panel may be appointed by the Minister for Lands (the Minister) to assist in making the recommendation for the successful expression of interest if required.
- Offer for sale. Interested parties may approach the DoPLH through an advertised real estate agent.
- Public auction. Auctions are generally conducted in the same fashion and under similar requirements as an auction of privately owned land.
- Public tender. The Minister can invite or call for tenders to purchase the fee simple in Crown land under section 74(1)(f) of the *Land Administration Act 1997* (LAA).
- Private treaty. Sales by private treaty are generally instances where interest in land is considered very low.

There are controls in place in relation to the exercise of pricing powers under various sections of the LAA. If the Minister transfers Crown land in fee simple then:

- advice should be sought from the Valuer General in setting the price
- the land should be sold by competitive process
- if sold by private treaty, the price should not be less than 90% of the price determined on the basis of the Valuer General's advice
- the land may be sold by advisory panel recommendation.

Crown land may be sold into the fee simple subject to conditions in accordance with section 75 of the LAA. The land is known as “conditional tenure land”. Conditional tenure land is fee simple land subject to conditions of use of the land registered against the certificate of title. The conditions are such conditions determined by the Minister for the use of the land, usually requiring that the land be used only for a designated purpose.

Conditional tenure land may be transferred either for nominal value, or for a discounted price; and is generally granted reflecting the restrictions placed on the land's use or the value to the community of the service provided on the land.

The circumstances justifying the use of this tenure are now extremely limited. Treasury policy encourages full costing and transparent accounting for service delivery and conditional tenures are considered a form of hidden subsidy.

### Option 2 – Management Order

A management order is the order by which the care, control and management of Crown land is placed under a person or organisation for a designated purpose under the LAA.

Where the name of a management body is to be amended, or where a reserve is affected by a change of purpose the DoPLH will need to lodge a Revocation of management order.

Management orders usually state the purpose of the reserve within the document so where a reserve purpose is changed, any management order over the reserve is usually revoked before the Change of Reserve Purpose document is registered. A new management order stating the new purpose of the reserve follows the Change of Reserve Purpose document. Revocation of management orders require agreement from the existing management body.

Additionally, a management order must be over the whole of a reserve and cannot be limited to part of the land in a reserve. However, reserves may be amended by Ministerial Order under section 51 of the LAA by the lodgement and registration of an Amendment of Reserve document. The reserve amendment may entail a lot being included or excluded or may require a subdivision of lots already within the reserve.

The process required to excise land begins with a preliminary concept plan / proposal to be referred to the Development Working Group for discussion. Following this, a plan is prepared by a surveyor showing existing buildings / land and square metres and proposed square metres required for excision.

The DoPLH requires any excision of Crown land be referred to the Western Australian Planning Commission (WAPC) for comment / approval. The proposal is also referred to service authorities to determine whether there is any service infrastructure that may be affected by the proposal.

Once approval is obtained from the WAPC and service authorities have provided comment, the proposal is advertised for public comment. While there is no required consultation timeframe, previous practice in respect to these proposals is to consult for a period of 30 days. Upon closure of the advertising period, Council is required to consider submissions received and determine whether to proceed with the application for excision. Council's decision is then forwarded to the DoPLH for further action.

The DoPLH require advertising requirements be met and written support from the WAPC. To meet this requirement, the City must advertise its proposal for 30 days – this may include all or some of the following requirements:

- Signage on site.
- Letters forwarded to affected landowners adjoining the Reserve.
- Notices published in *The West Australian* and *Joondalup Times*.
- Notice published on the City's website.

Council will again be required to determine whether to proceed with the application, and should it be in favour, the Council report and minutes, together with all correspondence are forwarded to the DoPLH for consideration. The request may require formal approval of the Minister.

If approved, the DoPLH will advise the City and may request a survey of the land at the City's cost. Upon receipt, the DoPLH make changes to the Deposited Plan, after which Landgate advise the City of the new Deposited Plan and changes to the management order.

Costs vary substantially from case to case. Costs may be incurred in relation to the following:

- Document preparation.
- Registration of document.
- Survey.

Depending on the complexities involved, the time taken to finalise each management order varies considerably with factors including:

- consultation with a range of planning and management
- bodies including Government departments and relevant local government and community groups
- survey and / or plan production
- negotiations over conditions
- changes to existing tenures and interests
- legal complexities
- statutory requirements of the *Commonwealth Native Title Act 1993* (Cwlth).

### Option 3 – Usage agreement

The current management order for the PSHS site allows the DoE power to lease (or sub lease or licence) for the designated purpose and is granted for the whole or any portion thereof for any term not exceeding 21 years from the date of the lease, subject to the approval in writing of the Minister for Lands being first obtained to each and every lease or assignment of lease, pursuant also to the provisions of section 19 of the *Land Administration Act 1997*.

The DoE have a standard Community Use Agreement for groups wishing to utilise the school playing fields at PSHS. These agreements are for a maximum two year term, and do not include access to the school buildings, including toilets or change rooms. Sporting clubs are currently able to apply directly to the DoE for access to the PSHS playing fields through this process.

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

**Legislation**                      *City of Joondalup Local Planning Scheme No. 3.*  
    *Planning and Development (Local Planning Schemes)*  
    *Regulations 2015.*  
    *Metropolitan Region Scheme.*  
    *Land Administration Act 1997.*

### **Strategic Community Plan**

**Key theme**                         Community Wellbeing.

**Objective**                         Quality facilities.

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

**Policy** *Asset Management Policy.*

Public secondary schools are usually located on land that is reserved as 'Public Use – High School' under the Metropolitan Region Scheme. It is likely that for the City to utilise a playing field of a public secondary school, a development application would need to be considered by the WAPC. The WAPC's position on the use of playing fields when not related to school-based activities is unknown.

### **Risk management considerations**

The report provided to Council at its meeting held on 16 April 2019 (CJ042-04/19 refers) identified that entering into an agreement with schools for the City to access their playing fields would bring several risks including:

- the likely requirement for the City to fund infrastructure on land that it does not own or manage
- the school's expectation of access fees may not be in line with the City's
- the ability for sporting clubs to be approved a liquor licence to supply / sell alcohol on a school site is unknown
- it is unknown if the schools have adequate utility supplies to allow for the installation of sports floodlighting or toilets / change rooms. This may result in the school site not being suitable or additional capital expenditure being required
- if a school site was to close or change use in the future, this would lead to issues relating to capital investment costs, disposing of City assets and displacement of City usage allocated to that school playing fields.

Any agreement with a school to access their playing fields would need to minimise the identified risks.

### **Financial / budget implications**

As the demands of the playing fields for DoE activities differ to those of the City's intended use, the DoE have no requirement to provide sports floodlighting or to maintain the playing surface to the City's standards for sporting use. For the playing fields to be used by sporting clubs, the City would likely need to pay the capital, maintenance and utility costs associated to maintain the surface at a safe and suitable condition.

The City's standard provision for a facility similar to the PSHS playing fields would be limited to the following:

- Toilets – 35m<sup>2</sup>.
- Unisex accessible park toilet (on automated timer system) – 6m<sup>2</sup>.
- Two unisex change rooms (including showers) – 90m<sup>2</sup>.
- Externally accessible sports group storage (25m<sup>2</sup> per sporting group).
- Umpire room (minimum 10m<sup>2</sup>).

Capital and annual maintenance costs to provide standard sporting infrastructure is shown below:

Item	Estimated Capital Cost	Estimated annual operating expenses including depreciation
Construction of sporting facility, including toilets, change rooms and storage	\$ 541,200	\$ 34,100
Centre synthetic cricket wicket and cricket nets x four bays	\$ 84,500	\$ 3,000
Floodlighting x four poles	\$ 320,000	\$ 24,500
Turf rehabilitation / management	\$ 30,000	\$ 33,335
<b>TOTAL</b>	<b>\$ 975,700</b>	<b>\$ 94,935</b>

The above costs are based on the following base construction rates (2017 values):

- \$1,800/m<sup>2</sup> for storage areas.
- \$3,200/m<sup>2</sup> for toilet/change rooms/kiosks.

No allocation has been made for escalation, nor have contingencies been included.

Turf rehabilitation may also be required, subject to an inspection of the playing fields. For reference, the City spent approximately \$30,000 on turf rehabilitation works at Bramston Park, Burns Beach when assuming management from the developer to ensure the standard of turf allowed active sport to occur on the site. This does not include irrigation works that may also be required.

There are no funds allocated within the current budget, nor the City's current *Five Year Capital Works Program*.

All amounts quoted in this report are exclusive of GST.

### Regional significance

Not applicable.

### Sustainability implications

Not applicable.

### Consultation

No formal consultation process has been undertaken on this matter, however the City has had ongoing correspondence during June with the DoE and the DoPLH regarding the current use and potential use of the site by community groups.

The City has also discussed access to the site with Whitford Junior Cricket Club (WJCC). In February 2019, the WJCC approached the City to request access to the PSHS oval and cricket nets for training purposes. The City informed the club that they would need to contact the DoE directly to discuss access as the City does not manage the site.

## COMMENT

As requested by Council at its meeting held on 16 April 2019 (CJ042-04/19 refers), an investigation was undertaken to determine the possibility of transferring the playing fields located at PSHS into the ownership or management of the City.

If the City wishes to acquire the playing fields, it is suggested that the adjacent car park be included. The preferred option for acquisition would be to pursue the transfer of the management order.

Due to the DoE's intention to operate at the PSHS site for the foreseeable future, the ability of the City to acquire management of the playing fields is unlikely. However, this does not prevent the City from further pursuing either process.

If the City was to be successful in acquiring the land, either through purchase or management order, for sporting clubs to gain increased use of the PSHS adequate sporting infrastructure is required such as:

- sports floodlighting
- change rooms
- storage
- toilets.

Any upgrade to sporting infrastructure or on the site would be subject to the City's budget process, in addition to the need to undertake significant turf rehabilitation and irrigation upgrades. This would require the City to expend significant funds. Merely acquiring the land will not increase the usage of the playing fields.

The City has several playing fields within the immediate area of the PSHS that could have their utilisation increased with the improvement of associated infrastructure, primarily floodlighting. Such sites include:

- James Cook Reserve, Hillarys
- Hillarys Park, Hillarys
- Forrest Park, Padbury
- MacDonald Park (south), Padbury.

MacDonald Park (south) is currently scheduled for a floodlight upgrade in 2021-22 as part of the City's *Five Year Capital Works Program*.

While acquiring the playing fields at PSHS will provide sporting groups with additional options to play active sport, these options are limited as the necessary supporting infrastructure is not in place.

If the City is successful in acquiring the playing fields, upgrades to the supporting infrastructure would be required.

## VOTING REQUIREMENTS

Simple Majority.

**RECOMMENDATION****That Council:**

- 1 GIVES CONSIDERATION to commence discussions with the Department of Education for the City of Joondalup to gain access to the playing fields and adjacent car park located at the Padbury Senior High School;**
- 2 NOTES that gaining access in the land detailed in Part 1 above will not necessarily increase the usage of the playing fields without significant upgrades to infrastructure;**
- 3 NOTES that any future capital upgrades to the playing fields or car park located at the Padbury Senior High School are subject to consideration as part of the City's established budget process.**

*Appendix 8 refers*

To access this attachment on electronic document, click here: [Attach8brf190709.pdf](#)

## ITEM 10 TENDER 012/19 - SUPPLY AND LAYING OF CONCRETE KERBING

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	108008, 101515
<b>ATTACHMENT</b>	Attachment 1 Schedule of Items Attachment 2 Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### PURPOSE

For Council to accept the tender submitted by Weskerb Pty Ltd for the supply and laying of concrete kerbing.

### EXECUTIVE SUMMARY

Tenders were advertised on 4 May 2019 through statewide public notice for the supply and laying of concrete kerbing. Tenders closed on 21 May 2019. A submission was received from each of the following:

- Weskerb Pty Ltd.
- The Trustee for Kerb Direct Kerbing Trust (Kerb Direct).
- Cocktail Holdings Pty Ltd (Kerbing West Extruded Concrete Kerbing).
- The Trustee for AllState Kerbing and Concrete Trust (AllState Kerbing & Concrete).

The submission from Weskerb Pty Ltd represents best value to the City. The company demonstrated a thorough understanding and appreciation of the City's requirements. It has been providing similar services to the Town of Bassendean and the Cities of Bayswater and Joondalup. Weskerb Pty Ltd is a well-established company with considerable industry experience and proven capacity to provide the services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by Weskerb Pty Ltd for the supply and laying of concrete kerbing as specified in Tender 012/19 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).*

### BACKGROUND

The City has a requirement for the supply and laying of concrete kerbing, constructing concrete pram ramps and carrying out minor concrete reinstatements associated with kerbing works as and when such works are required by the City.

The City currently has a contract with Weskerb Pty Ltd which expires on 19 August 2019. Weskerb Pty Ltd has provided a good level of service throughout the term of its contract.

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

## DETAILS

The tender for the supply and laying of concrete kerbing was advertised through statewide public notice on 4 May 2019. The tender period was for two weeks and tenders closed on 21 May 2019.

### Tender Submissions

A submission was received from each of the following:

- Weskerb Pty Ltd.
- The Trustee for Kerb Direct Kerbing Trust (Kerb Direct).
- Cocktail Holdings Pty Ltd (Kerbing West Extruded Concrete Kerbing).
- The Trustee for AllState Kerbing and Concrete Trust (AllState Kerbing & Concrete).

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

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

### Evaluation Panel

The evaluation panel comprised four members:

- One with tender and contract preparation skills.
- Three with the appropriate operational expertise and involvement in supervising the contract.

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

### Evaluation Method and Weighting

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. The predetermined minimum acceptable qualitative score was set at 50%.

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

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

### Compliance Assessment

All submissions were assessed as compliant.

### Qualitative Assessment

Kerbing West Extruded Concrete Kerbing scored 63.3% and was ranked fourth in the qualitative assessment. The company demonstrated considerable experience in supplying and laying of kerbing for local governments and private organisations. Examples of works included the City of Belmont, RJ Vincent, Georgiou, John Holland, Wormall Civil, MRIA Alliance and CPB Contracting. It did not adequately address its understanding of the requirements, stating only that the company runs four experienced mobile teams and fully understands the requirements of the contract. The company has the capacity to provide the services but did not provide the afterhours contacts for emergency requirements.

AllState Kerbing and Concrete scored 67.5% and was ranked third in the qualitative assessment. It demonstrated a thorough understanding of the required tasks and has the capacity to provide the services. The company demonstrated substantial experience in providing similar services to various local governments including the Cities of Rockingham, Stirling and Nedlands and has also provided kerbing services to WCP Civil and Densford Civil.

Weskerb Pty Ltd scored 69.1% and was ranked second in the qualitative assessment. The company demonstrated a thorough understanding and appreciation of the City's requirements. It has been providing similar services to the Town of Bassendean and the Cities of Bayswater and Joondalup for many years. Weskerb Pty Ltd is a well-established company with proven capacity to provide the services to the City.

Kerb Direct scored 69.5% and was ranked first in the qualitative assessment. It has considerable experience in providing similar services to local governments including the Shire of Kalamunda and the Cities of Rockingham, Wanneroo and Kwinana. Other examples of works were provided and these included kerbing works for the City of Fremantle, Perth Stadium and assisting primary kerbing contractors for the City of South Perth. It demonstrated a thorough understanding of the required tasks and has the capacity to provide the services.

Based on the minimum acceptable score of 50%, all tenderers qualified to progress to stage two (price) assessment.

### Price Assessment

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

The estimated expenditure over a 12 month period will vary based on demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the tenders, the tendered rates offered by each tenderer have been applied to actual historical usage data of 34 scheduled items. This provides a value of each tender for comparative evaluation purposes based on the assumption that the historical pattern of usage is maintained.

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

Tenderer	Year 1	Year 2	Year 3	Total
Weskerb Pty Ltd	\$1,227,228	\$1,251,773	\$1,276,808	\$3,755,809
Kerb Direct	\$1,361,397	\$1,388,625	\$1,416,398	\$4,166,421
AllState Kerbing and Concrete	\$1,472,838	\$1,502,295	\$1,532,341	\$4,507,473
Kerbing West Extruded Concrete Kerbing	\$1,502,693	\$1,532,747	\$1,563,401	\$4,598,841

During 2018-19 (up to 10 June 2019), the City incurred \$1,020,153 for concrete kerbing.

### Evaluation Summary

Tenderer	Price Ranking	Total Estimated Contract Price	Qualitative Ranking	Weighted Percentage Score
Kerb Direct	2	\$4,166,421	1	69.5%
Weskerb Pty Ltd	1	\$3,755,809	2	69.1%
AllState Kerbing and Concrete	3	\$4,507,473	3	67.5%
Kerbing West Extruded Concrete Kerbing	4	\$4,598,841	4	63.3%

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

### Issues and options considered

The City has a requirement for the supply and laying of concrete kerbing as and when such works are required by the City. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

### Legislation / Strategic Community Plan / policy implications

#### Legislation

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

#### Strategic Community Plan

##### Key theme

Quality Urban Environment.

##### Objective

Quality built outcomes.

##### Strategic initiative

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

##### Policy

Not applicable.

### Risk management considerations

Should the contract not proceed, the risk to the City will be high as the City will not be able to complete the kerb maintenance and capital works resurfacing program on time.

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

**Financial / budget implications**

<b>Account no.</b>	Various maintenance and capital works accounts.
<b>Budget Item</b>	Supply and laying of concrete kerbing.
<b>Budget amount (2019-20)</b>	\$1,266,000
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$1,227,228
<b>Balance</b>	\$ 38,772

All amounts quoted in this report are exclusive of GST.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council ACCEPTS the tender submitted by Weskerb Pty Ltd for the supply and laying of concrete kerbing as specified in Tender 012/19 for a period of three years at the submitted schedule of rates, with any price variations subject to the percentage change in the Perth CPI (All Groups).**

*Appendix 9 refers*

To access this attachment on electronic document, click here: [Attach9brf190709.pdf](#)

## **ITEM 11                    TENDER 013/19 – SUPPLY AND INSTALLATION OF PLAYSPACE AND ASSOCIATED LANDSCAPE WORKS AT WHITFORDS NODES PARK, HILLARYS**

<b>WARD</b>	South-West
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	108017, 101515
<b>ATTACHMENT</b>	Attachment 1      Summary of Tender Submissions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the tender submitted by Total Eden Pty Ltd for the supply and installation of playspace and associated landscape works at Whitfords Nodes Park, Hillarys.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 6 April 2019 through statewide public notice for the supply and installation of playspace and associated landscape works at Whitfords Nodes Park, Hillarys. Tenders closed on 7 May 2019. A submission was received from each of the following:

- D.B. Cunningham Pty Ltd t/as Advanteeing Civil Engineers.
- Environmental Industries Pty Ltd.
- The trustee for Horizon West Trust t/as Horizon West Landscape Constructions.
- Menchetti Consolidated Pty Ltd t/as MG Group WA.
- Tim Davies Landscaping Pty Ltd.
- Total Eden Pty Ltd.

The submission from Total Eden Pty Ltd represents best value to the City. Total Eden Pty Ltd demonstrated extensive experience completing similar projects for Lendlease, PEET, Stockland and the Cities of Karratha and Fremantle. It demonstrated a thorough understanding of the project requirements and has the capacity in terms of personnel and equipment to carry out this project in the required timeframe.

*It is therefore recommended that Council ACCEPTS the tender submitted by Total Eden Pty Ltd for the supply and installation of playspace and associated landscape works at Whitfords Nodes Park, Hillarys (both separable portions A and B) as specified in Tender 013/19 for the total fixed lump sum of \$929,350 (GST exclusive).*

### **BACKGROUND**

The City has a requirement for the supply and installation of playspace and associated landscape works at Whitfords Nodes Park, Hillarys in accordance with the specification.

The project is funded by the City and a \$719,266 grant from Lotterywest.

The project is required to be constructed as two Separable Portions to accommodate the MSWA Bike Ride Event at Whitfords Nodes Park on Sunday 24 November 2019. The contract will be awarded to a single contractor for both portions of the work.

<b>Separable Portion</b>	<b>Weeks</b>	<b>Possession of Site by Contractor</b>	<b>Practical Completion</b>
A	16	5 August 2019	22 November 2019
B	8	7 January 2020	1 March 2020

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

## **DETAILS**

The tender for the for the supply and installation of playspace and associated landscape works at Whitfords Nodes Park, Hillarys was advertised on 6 April 2019 through statewide public notice. The tender period was for four weeks and tenders closed on 7 May 2019.

### **Tender Submissions**

A submission was received from each of the following:

- D.B. Cunningham Pty Ltd t/as Advanteeing Civil Engineers.
- Environmental Industries Pty Ltd.
- The trustee for Horizon West Trust t/as Horizon West Landscape Constructions.
- Menchetti Consolidated Pty Ltd t/as MG Group WA.
- Tim Davies Landscaping Pty Ltd.
- Total Eden Pty Ltd.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 1 to this Report.

### **Evaluation Panel**

The evaluation panel comprised three members:

- One with tender and contract preparation skills.
- Three with the appropriate technical expertise and involvement in supervising the contract.

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

### **Compliance Assessment**

All offers were assessed as fully compliant.

## Qualitative Assessment

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. The minimum acceptable score was set at 60% due to high technical complexity of the project and critical delivery timing. This will ensure that only contractors with the resources to implement their systems and with relevant experience will be considered to construct this project.

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

Qualitative Criteria		Weighting
1	Demonstrated experience in completing similar projects	35%
2	Demonstrated understanding of the required tasks	30%
3	Capacity	30%
4	Social and economic effects on the local Joondalup and/or Wanneroo community	5%

Horizon West Landscape Constructions scored 53.2% and was ranked sixth in the qualitative assessment. It demonstrated experience completing similar projects for Mirvac, Cedar Woods/UDLA, and Cedar Woods. Periods and dates of contracts were not provided for any contracts. The company did not demonstrate sufficient understanding of the project requirements. No construction methodology was supplied. Horizon West Landscape Constructions has the capacity in terms of personnel and equipment to carry out this project in the required timeframe.

Tim Davies Landscaping Pty Ltd scored 61.5% and was ranked fifth in the qualitative assessment. It demonstrated a thorough understanding of the tasks required. The company demonstrated experience completing similar projects for Broad, Badge Perkins and the Swan River Pedestrian Bridge Alliance. Tim Davies Landscaping Pty Ltd has the required capacity to complete the project, but its response to capacity did not address its ability to provide additional resources and personnel and after-hours contacts for emergency requirements.

Environmental Industries Pty Ltd scored 62.3% and was ranked fourth in the qualitative assessment. It demonstrated a good understanding of the project requirements and has the capacity in terms of personnel and equipment to carry out this project in the required timeframe. The company demonstrated considerable experience completing similar projects for Lendlease, Department of Planning, Broad-Leighton and the Cities of Rockingham and Wanneroo. Periods and dates of the contracts were not provided; however, five reference letters were supplied indicating some of the projects' year of completion.

Total Eden Pty Ltd scored 71% and was ranked third in the qualitative assessment. The company demonstrated extensive experience completing similar projects for Lendlease, PEET, Stockland and the Cities of Karratha and Fremantle. It demonstrated a thorough understanding of the project requirements and has the capacity in terms of personnel and equipment to carry out this project in the required timeframe.

MG Group WA scored 71.2% and was ranked second in the qualitative assessment. It demonstrated a thorough understanding of the project tasks. The company demonstrated extensive experience completing similar projects for Botanic Gardens & Parks Authority, Metropolitan Redevelopment Authority and the Cities of Cockburn and Fremantle. MG Group WA has the capacity in terms of personnel and equipment to carry out this project in the required timeframe.

Advantearing Civil Engineers scored 75% and was ranked first in the qualitative assessment. The company has the capacity to provide the required personnel, equipment and quality standards for successful delivery of the project. It demonstrated extensive experience completing similar projects for the Shire of Northam and the Cities of Melville, Rockingham, Vincent, Armadale and Perth. It demonstrated a comprehensive understanding of the project by providing a detailed construction methodology specific to the project and a well-documented preliminary construction program.

Based on the minimum acceptable score (60%), all tenderers except Horizon West qualified for stage 2 (price) assessment.

### Price Assessment

Following the qualitative assessment, the panel carried out a comparison of the submitted lump sum price to assess value for money to the City.

Tenderer	Contract Price
Total Eden Pty Ltd	\$ 929,350
Environmental Industries Pty Ltd	\$1,021,118
Tim Davies Landscaping Pty Ltd	\$1,060,132
MG Group WA	\$1,117,093
Advantearing Civil Engineers	\$1,156,372

### Evaluation Summary

Tenderer	Price Ranking	Total Contract Price	Qualitative Ranking	Weighted Percentage Score
Total Eden Pty Ltd	1	\$ 929,350	3	71%
Environmental Industries Pty Ltd	2	\$ 1,021,118	4	62.3%
Tim Davies Landscaping Pty Ltd	3	\$ 1,060,132	5	61.5%
MG Group WA	4	\$ 1,117,093	2	71.2%
Advantearing Civil Engineers	5	\$ 1,156,372	1	75%

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

### Issues and options considered

The project is required to be constructed as two Separable Portions to accommodate the MSWA Bike Ride Event at Whitfords Nodes Park on Sunday 24 November 2019:

Separable Portion	Weeks	Possession of Site by Contractor	Practical Completion
A	16	5 August 2019	22 November 2019
B	8	7 January 2020	1 March 2020

The City does not have the internal resources to undertake the works and as such requires an appropriate external contractor.

### Legislation / Strategic Community Plan / policy implications

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

### Strategic Community Plan

**Key theme** Quality Urban Environment.

**Objective** Quality open spaces.

**Strategic initiative** Apply a strategic approach to the planning and development of public open spaces.

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

**Policy** Not applicable.

### Risk management considerations

Should the contract not proceed, the risk to the City will be high. This landscaping project was highly publicised in the media and there is a community expectation for this project.

The City has been allocated a \$719,266 grant from Lotterywest for this project and this grant must have initial drawdown by 9 December 2019 with final drawdown by 9 June 2020 or else the grant may be retracted.

It is considered that the contract will represent a low risk to the City as the recommended tenderer is a well-established company with considerable industry experience and has the capacity to complete the project for the City within the required timeframe.

### Financial/budget implications

<b>Project number</b>	PEP2707.
<b>Cost Code</b>	CW003590, CW003848, CW003849, CW003850, CW003851, CW0040088, CW004009.
<b>Budget Item</b>	Whitfords Nodes health and wellbeing hub.
<b>Budget amount</b>	\$ 1,219,815
<b>Committed</b>	\$ 95,845
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$ 929,350
<b>Balance</b>	\$ 194,620

The balance does not represent a saving at this time. There is potential for variations and other project works (CCTV, plumbing and the like) not covered under the lump sum price of this tender.

All amounts quoted in this report are exclusive of GST.

### **Regional Significance**

Whitfords Nodes is a Regional Beach Park with a strong fitness and recreational function. Whitfords Nodes Park is located directly to the north of Hillarys Boat Harbour and is classified as 'Bush Forever'. Sections of the park have been historically developed as a recreational area with large turf areas and recreational facilities. Apart from hosting large triathlon events, it is regularly used by fitness groups as well as the general public exercising on a daily basis. As a beach access park, it provides for a large catchment of suburbs within the City of Joondalup as well as other local government areas. The park is located within the South-West Ward on the coast between Sorrento Quay and Hillarys Animal Beach.

### **Sustainability implications**

The following project objectives for Whitfords Nodes Health and Wellbeing Hub are in line with those highlighted in the City's *Strategic Community Plan 2012-2022*:

- Quality Urban Environment – Quality Open Spaces.
- Apply a strategic approach to the planning and development of public open spaces.
- Employ quality and enduring infrastructure designs that encourage high utilisation and increased outdoor activity.
- Adopt consistent principles in the management and provision of urban community infrastructure.
- Establish landscapes that are unique to the City and provide statements with prominent network areas.
- The Natural Environment – Accessible Environments.
- Promote significant local natural areas.
- Build an effective interface between humans and the natural environment.

### Environmental

Whitfords Nodes Park is highly utilised for recreational purposes with the pathway through the dunes being used for large triathlon events, fitness groups as well as the general public exercising on a daily basis. These uses have the unintended consequence of causing erosion and loss of vegetation to the surrounding dune system. The formalisation of recreational areas at the location will assist in protecting the dunes and its vegetation from disturbance from park users.

During the construction of the project it is possible that erosion of the dunes and disturbance of vegetation may occur. In order to minimise disturbance erosion control measures will be put in place. Revegetation of the dunes will also be conducted to ensure the condition of the environment is maintained.

### Social

The Health and Wellbeing Hub proposal has been designed to enhance the amenity and usability of the park and to meet the diverse needs of the residents of the City of Joondalup as well as visitors from across the metropolitan areas. The space is already popular (although somewhat underutilised) for family activities, fitness usage and large-scale events. Enhancing recreational opportunities for users by rationalising the placement of park infrastructure to create a large turf area will enable park visitors to use the space for a variety of activities concurrently.

The proposed development will draw users to the park which will activate the space, increasing surveillance and decreasing anti-social behaviour. The new infrastructure will be designed to limit anti-social behaviour by keeping clear sightlines and passive surveillance opportunities.

### Economic

Perth has a limited number of beach access parks which have the potential to accommodate large events. The proposed developed of Whitfords Nodes Park will improve the amenity of the public space and is anticipated to attract increased visitors and user groups to the area. The large consolidated turf area will provide a viable space to continue to host current annual events such as triathlons and the potential to attract new events which will contribute to the economic growth of the City. In accordance with the *Tamala Conservation Park Establishment Plan* (March 2012), the City has set out to provide sustainable recreational access that is conducive with the protection and management of the high environmental values of the area.

### **Consultation**

City-wide community engagement was undertaken in 2018 for the Whitfords Nodes Health and Wellbeing Hub with a consultation outcome report presented to Council at its meeting held on 20 February 2018 (CJ024-02/18 refers). Council supported the development of the Health and Wellbeing Hub at Whitfords Nodes based on the positive outcome of the engagement.

### **COMMENT**

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

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That Council ACCEPTS the tender submitted by Total Eden Pty Ltd for the supply and installation of playspace and associated landscape works at Whitfords Nodes Park, Hillarys (both separable portions A and B) as specified in Tender 013/19 for the total fixed lump sum of \$929,350 (GST exclusive).**

*Appendix 10 refers*

To access this attachment on electronic document, click here: [Attach10brf190709.pdf](#)

**REPORT OF THE CHIEF EXECUTIVE OFFICER**

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

**REPORTS REQUESTED BY ELECTED MEMBERS**

**CLOSURE**



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

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

<b>Name / Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Proximity Interest* Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

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

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

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



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

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

<b>Name / Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Proximity Interest* Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
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- (b) at the meeting immediately before the matter is discussed.”*



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

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

**QUESTIONS**

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Please submit this form at the meeting or:

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

**Please note that:**

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



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

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

**STATEMENT**

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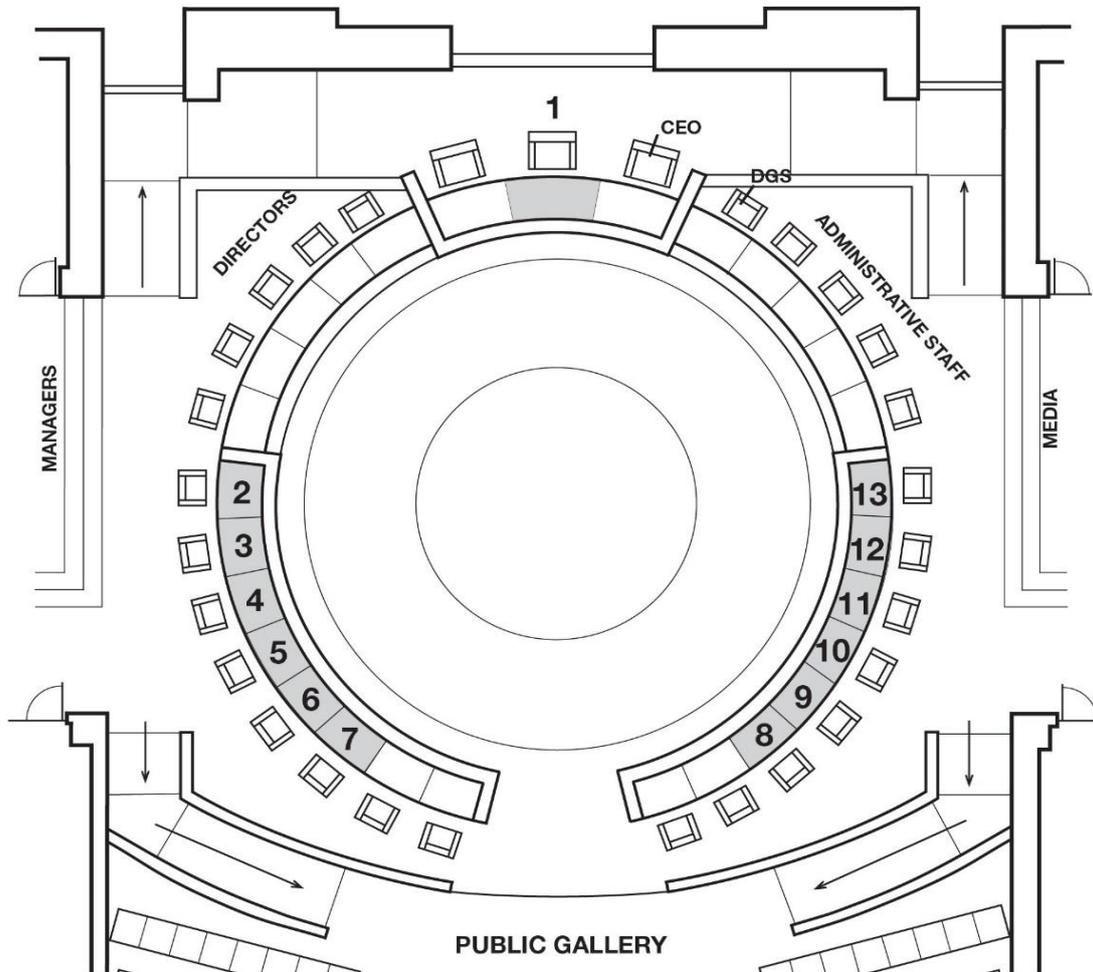
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Please submit this form at the meeting.

**Please note that:**

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

## Council Chamber – Seating Diagram



### Mayor

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

### North Ward

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

### North-Central Ward

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

### Central Ward

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

### South-West Ward

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

### South-East Ward

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

### South Ward

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

