

minutes

MEETING HELD ON **TUESDAY 16 JULY 2019**

www.joondalup.wa.gov.au

This document is available in alternate formats upon request

TABLE OF CONTENTS

ITEM NO.	TITLE	PAGE NO.
	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1
	DECLARATIONS OF INTEREST	2
	PUBLIC QUESTION TIME	3
C43-07/19	FIRST EXTENSION OF PUBLIC QUESTION TIME	12
	PUBLIC STATEMENT TIME	14
	APOLOGIES AND LEAVE OF ABSENCE	16
	CONFIRMATION OF MINUTES	16
C44-07/19	MINUTES OF COUNCIL MEETING HELD 25 JUNE 2019	16
C45-07/19	MINUTES OF SPECIAL COUNCIL MEETING HELD 11 JULY 2019	16
	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	17
	IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	17
	PETITIONS	18
C46-07/19	PETITION REQUESTING COUNCIL REFUSE THE PROPOSED DEVELOPMENT OF 16 APARTMENTS AT 8 AND 10 BRECHIN COURT, DUNCRAIG	18
	REPORTS	19
CJ084-07/19	DEVELOPMENT AND SUBDIVISION APPLICATIONS – MAY 2019	19
CJ085-07/19	PROPOSED AMENDMENT TO LOCAL PLANNING SCHEME NO. 3 – PORTION OF LOT 600 (76) TREETOP AVENUE, EDGEWATER (EDGEWATER PRIMARY SCHOOL) – CONSIDERATION FOLLOWING ADVERTISING	23
CJ086-07/19	CONSIDERATION OF RENAMING BLACKBOY PARK, MULLALOO	29
CJ087-07/19	EXECUTION OF DOCUMENTS	33
CJ088-07/19	MINUTES OF EXTERNAL COMMITTEES	36

ITEM NO.	TITLE	PAGE NO.
CJ089-07/19	LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2019	38
CJ090-07/19	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2019	41
CJ091-07/19	PROPOSED REDEVELOPMENT – SORRENTO SURF LIFESAVING CLUB	48
CJ092-07/19	INVESTIGATION INTO USE OF PADBURY SENIOR HIGH SCHOOL PLAYING FIELDS	56
CJ093-07/19	TENDER 012/19 - SUPPLY AND LAYING OF CONCRETE KERBING	66
CJ094-07/19	TENDER 013/19 - SUPPLY AND INSTALLATION OF PLAYSPACE AND ASSOCIATED LANDSCAPE WORKS AT WHITFORDS NODES PARK, HILLARYS	72
C47-07/19	COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION	80
	URGENT BUSINESS	81
	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	81
	ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING	81
	CLOSURE	81

CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP ON TUESDAY 16 JULY 2019.**

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

ANNOUNCEMENT OF VISITORS**Mayor:**

HON. ALBERT JACOB, JP

Councillors:

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

Officers:

MS DALE PAGE	Director Planning and Community Development <i>Absent from 8.09pm to 8.11pm</i>
MR MIKE TIDY	Director Corporate Services
MR JAMIE PARRY	Director Governance and Strategy
MR NICO CLAASSEN	Director Infrastructure Services
MR BRAD SILLENCE	Manager Governance
MR CHRIS LEIGH	Manager Planning Services
MR STUART McLEA	Media and Communications Officer
MRS LESLEY TAYLOR	Acting Governance Coordinator
MRS DEBORAH GOUGES	Governance Officer

There were 24 members of the public and two members of the press in attendance.

DECLARATIONS OF INTEREST

Disclosures of Financial / Proximity Interest

Nil.

Disclosures of interest affecting impartiality

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

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	CJ091-07/19 - Proposed Redevelopment – Sorrento Surf Lifesaving Club.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Fishwick is a Vice Patron of the Sorrento Surf Lifesaving Club and Senior State Assessor for Surf Lifesaving WA.

Name/Position	Cr Christine Hamilton-Prime.
Item No./Subject	CJ091-07/19 - Proposed Redevelopment – Sorrento Surf Lifesaving Club.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Hamilton-Prime is a Vice Patron of the Sorrento Surf Lifesaving Club.

Name/Position	Cr Mike Norman.
Item No./Subject	CJ091-07/19 - Proposed Redevelopment – Sorrento Surf Lifesaving Club.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Norman is a Vice Patron of the Sorrento Surf Lifesaving Club.

Name/Position	Cr Russell Poliwka.
Item No./Subject	CJ091-07/19 - Proposed Redevelopment – Sorrento Surf Lifesaving Club.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Poliwka is a patron of the Sorrento Surf Lifesaving Club.

PUBLIC QUESTION TIME

The following summarised question was taken on notice at the Ordinary Council Meeting held on 25 June 2019:

Mr M Moore, Edgewater:

- Q3 *How many Certified Permits for Grouped Dwellings and Multiple Dwellings respectively have there been in the housing opportunity areas since Scheme Amendment No. 73 was gazetted in February 2016?*
- A3 There have been 273 certified building permits issued for grouped dwellings and 23 certified building permits issued for multiple dwellings in the City's housing opportunity areas since gazettal of Scheme Amendment No. 73.

The following questions were submitted prior to the Council meeting on 16 July 2019:

Mr M Dickie, Duncraig:

Re: City's Climate Change Strategy 2014-2019.

- Q1 *As the Mayor has noted, the City's Climate Change Strategy 2014-2019 expires at the end of this year so when will Council involve the community in discussion on the scope of a renewed strategy?*
- A1 No timeframe can be given at this time, however the City intends to seek community input into the development of the renewed *Climate Change Strategy*, including the opportunity to provide feedback on the draft *Climate Change Strategy*.
- A key mechanism that the City utilises to engage with the community on matters such as the review of strategic documents is the Community Engagement Network. For more information or to find out how to join the City's Community Engagement Network visit <https://www.joondalup.wa.gov.au/kb/visitor/community-engagement-network>
- Q2 *Will Council undertake to include in the updated Climate Change Strategy detailed consideration of items included as within its scope in the current strategy such as urban planning?*
- A2 Where it is within the City's scope relevant strategies that facilitate climate change mitigation and adaptation will be included within the new *Climate Change Strategy*. In regard to urban planning it should be noted that the City has a limited direct regulatory role, however does encourage the uptake of urban planning principles to reduce greenhouse gas emissions wherever possible.
- Q3 *Noting that the City's Environmentally Sustainable Design Policy encourages the incorporation of passive solar design and low energy technologies, will Council make this clearer in the Climate Change Strategy to ensure that badly oriented houses are not approved?*

- A3 The City's *Environmentally Sustainable Design Policy* encourages the design and construction of buildings to include passive solar design principles. The City cannot mandate the inclusion of passive design principles that are outside of the requirements of the National Construction Code – Building Code of Australia (NCC BCA), and relevant Australian Standards.

For its own buildings the City continues to incorporate sustainable design principles as well as the installation of renewable energy. The City has installed photovoltaic systems on 15 buildings and solar hot water systems in 10 buildings, along with other sustainable functions pertaining to energy use.

- Q4 *What is Council doing to facilitate the National Energy Productivity Plan which is a COAG Energy Council agreed package of measures to improve Australia's energy productivity by 40% between 2015 and 2030?*

- A4 All levels of government, business and community have a responsibility towards energy efficiency and improving Australia's energy productivity including the City of Joondalup. Through the development of the City's new *Climate Change Strategy*, consideration will be given to relevant National Sustainability Strategies relating to the adaptation and mitigation of climate change, which are relevant and practical for implementation by the City. Between 2012-13 and 2017-18 the City has reduced its total corporate emissions by 23% and will continue to strive for a reduction in its emissions within its new *Climate Change Strategy*.

- Q5 *Given that the COAG Energy Council's December 2018 Report for Achieving Low Energy Homes states that "Existing (pre-energy efficiency standards) homes offer the greatest potential for energy efficiency improvements", what is Council doing to contribute to this aspect of the Trajectory for Low Energy Homes agreed by COAG in 2018?*

- A5 The implementation of energy efficiency in the home is the responsibility of the home owner. The City undertakes a number of community education initiatives through its *Think Green Environmental Education Program* to promote energy efficiency in the home. Recently the City delivered a Sustainable Home Renovation and Design Seminar to the community and has previously offered free eco audits for residents and schools. The City further encourages the reduction of energy use in the home through the dissemination of educational information on its website including a *Do It Yourself Home Energy Audit*.

Mr W and Mrs B Kaps, Duncraig:

Re: *Proposed Developments at 8 and 10 Brechin Court, Duncraig.*

- Q1 *If the proposed development of 16 apartments at 8 and 10 Brechin Court, Duncraig is approved and sets a precedent for the remaining lots within the cul-de-sac to be developed to the same scale/density, how would a small 110 metre cul-de-sac with a single entry/exit point cope with the potential dramatic increase of residents and vehicles?*

- A1 If the development was approved and constructed, there will be increased traffic within Brechin Court and the surrounding streets, however the existing road network has the capacity to accommodate the additional traffic volumes. A Traffic Impact report was submitted as part of the application for the 16 apartments that satisfactorily demonstrated additional traffic can be accommodated.

Each application is assessed on its individual merits against the relevant planning framework.

Q2 *Are three-storey, multi-dwelling, apartment blocks in keeping with the existing predominantly single-storey dwellings that currently make up the majority of dwellings in this particular cul-de-sac?*

A2 Eight and 10 Brechin Court and surrounds has a density code of R20/R60. With an R60 coding under the current framework, a height of three storeys is the intended scale of future development of the area.

In relation to this development, as outlined in the City's Responsible Authority Report to the Metro North-West Joint Development Assessment Panel, there are concerns with the impact on surrounding properties given its overall building mass attributed to the proposed setbacks, plot ratio, building separation and depth.

Q3 *If Brechin Court is within a so called "Neighbourhood Centre", how does a three-storey apartment block compliment the character, in scale and style, of the existing single-storey, single dwellings, on the majority of lots in the cul-de-sac?*

A3 Brechin Court is included in a Housing Opportunity Area (HOA) due to its proximity to Warwick train station and bus interchange. While Carine Glades is a neighbourhood centre within the vicinity, it was not the primary reason for these sites being included in the HOA. A building height of three storeys is consistent with the density code of R60.

Since early 2016, residents in HOAs have been able to redevelop their properties in line with the higher densities allocated to these areas. However, some residents are concerned about the development outcomes occurring in these areas.

Council responded to these concerns by requesting the preparation of a new planning framework for the City's HOAs that requires a higher quality of design and better manages the impact of development on existing residents and streetscapes.

A draft new planning framework for infill development has been prepared but is yet to have any formal status that would allow it to be considered in decision-making for planning applications.

Mr J Raftis, Duncraig:

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

Q1 *To clarify the amount of \$6,292,105 of Capital Works below budget, can the Administration please provide a full list of the 2018-19 Budgeted Capital Works identifying the budgeted v actual cost, and also identifying those budgeted works which had not been completed or commenced as at 31 May 2019.*

A1 The Major Projects and Finance Committee considered the status to June 2019 of all Capital Works at its meeting held on Monday 15 July 2019. The minutes of that meeting together with the detailed report will be available on the City's website.

Q2 *Given the CPI figure of 1.2% and the Wage Price Index of 1.50% in the Council Report, is the Administration able to please confirm the average Joondalup staff wage/salary increase incurred in the past 12 months and the forecast increase used in the 2019-20 Budget.*

- A2 The City is still working through a new enterprise agreement for its staff and as a result no wage agreement increases have yet been paid in 2018-19.
- Q3-4 *As at 31 May 2019 the City is reporting a Surplus from Operations and Capital of \$18.59 million. Can the Administration please confirm:*
- (a) *if the City will be delivering an actual surplus for the year ending 30 June 2019,*
 - (b) *if any incomplete capital works values will be recognised in 2018-19 with the funding transferred to reserves for the works to be completed in future periods, and if so, please list those works and their budgeted values and amount being taken to Reserves.*
- A3-4 The 2019-20 Budget adopted at the Council meeting held on 25 June 2019 (CJ073-06/19 refers) is available on the City's website and includes projections for the 30 June 2019. The City is expecting an operating deficit as per the Statement of Comprehensive Income but a rate setting surplus (combination of all operating and capital) as per the Rate Setting Statement, which has been factored into the 2019-20 Budget. The Capital Works Program attached to the Budget sets out all of the carry forwards from 2018-19, known at the time of budget preparation.
- Q5 *In the minutes of the June Council meeting, it is noted that, in response to questions I raised, the Acting Manager Financial Services first stated that "payments by the due date are essential to the City from a cash flow perspective", followed by a response to the second question which conflicted with the first answer and stated that the City holds sufficient reserves to fund operations on an ongoing basis and does not require the annual rates up front. Could there be a clarification on the answer given both responses appear to contradict each other and ratepayers are not given an opportunity to respond to inconsistent or incomplete responses.*
- A5 The generation of an early cash flow each year enables the City to invest and generate an interest return on the cash not immediately required. Interest on investments is a significant contributor to the City's revenue and this in turn helps to keep rates down. The intention with an early rates prize draw is to encourage the early payment of rates to maximise the investment interest generated.

Mrs T Raftis, Duncraig:

Re: CJ089-07/19 – List of Payments made during the month of May 2019.

- Q1 *Given the parking fees revenue to 31 May 2019 is \$99,847 below budget, can the Administration please explain the reasoning for budgeting increases in 2019-20 of between 12% to 40% for parking fee revenue?*
- A1 The projected growth in parking revenue attributable to the relocation of a State Government Department to the Joondalup City Centre during 2018-19 was less due to the relocation occurring later than expected. The 2019-20 Budget includes a full year of this growth as well as a fee increase.
- Q2 *Given the Rates Penalty Interest is \$14,949 over budget, does this indicate that more residents than expected are experiencing difficulty paying their rates?*
- A2 Rates collections to the end of May 2019 are in line with normal expectations for this time of the financial year.

Q3 *Can the City please explain why it levies interest on rates instalment plans and late payments of 5.5% and 11.0%, being the maximum rates permitted by the Local Government (Financial Management) Regulations 1996, and not at a lower rate to show compassion for ratepayers in financial difficulty?*

A3 The City manages its finances in the interests of all of its residents. The rates of interest are considered reasonable to assist to manage the provision of these payment arrangements.

Q4 *Council List of Payments advises that \$16,913.40 has been incurred for "Summonses Issued" and \$22,963.21 on legal fees with "N.F DOUGLAS & P GILLET & F.D GRGICH & D MCLEOD & D NICHOLSO". Can the Council please advise if any, and if so the amount, of legal fees being incurred to pursue the non-payment of Council rates and has Council had to take possession and sell any properties over the past five years to recover unpaid rates?*

A4 The City undertakes its own legal action for the recovery of rates and does not engage legal services. The \$16,913.40 were the court fees charged by the Magistrates Court of WA for issuing summons and warrants for the non-payment of rates.

The \$22,963.21 is for a variety of legal services including building prosecutions, parking prosecutions, unauthorised land use and for matters before the State Administrative Tribunal. The City has not taken possession of, or sold any properties over the last five years for unpaid rates.

Q5 *Can Council please provide greater information for the payments listing, particularly for the generic description of "Consultancy" in order to allow ratepayers to know what projects or purposes the consultancy is for example Greg Rowe \$22,173.80; Ecoscape Australia \$13,140.80; S M W and C Unit Trust \$2,035.00; The Trustee for the Dortch & Cuthbert Trading Trust \$11,374.00?*

A5 These items relate to:

Greg Rowe \$22,173.80

Planning services in regard to a State Administrative Tribunal Appeal.

Ecoscape Australia \$13,140.80

Advice in regard to visual impact of a telecom tower proposal for Camberwarra Park.

S M W and C Unit Trust \$2,035.00

Design and documentation of mechanical services for building works at Falklands Park.

The Trustee for the Dortch & Cuthbert Trading Trust \$11,374.00

Development of an *Aboriginal Heritage Management Plan*.

Mrs S Thompson, Duncraig:

Re: CJ091-07/19 – Proposed Redevelopment – Sorrento Surf Lifesaving Club.

Q1 Given that at least two designs already exist for the SSLSC that I have seen, including costing, why does the City need to go completely back to the drawing board again and undertake further concept designs and costings to the estimated cost of \$40-45,000?

A1 It is not proposed to go completely back to the drawing board. The City will provide the work previously done by the Club to the appointed contractor as a starting point. While the Club's proposals provided an option of a commercial element, it was not included as part of the overall footprint of the refurbished / redeveloped facility. The City's preference would be for the commercial element to be housed within the one facility.

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

Q2 Were the gifts listed as \$680 in addition to the "Aspects of Kings Park China Delegation gift" for which Mr Faulkner was reimbursed \$850 on the 15/02/2019 (EF075050) and if so, why was that gift not included in the gifts listed/costs for the trip?

A2 No. The reimbursement to Mr Faulkner of \$850 included costs of \$680 for the Jinan delegation gifts, as detailed in the report.

Q3 I note, according to February and March's Monthly Payments that the Directors (Ms Page and Mr Faulkner) and the Mayor received a Daily Allowance for the trip, via an advance cash payment between 23 to 31 March \$1,800, \$2,800 and \$1,890 respectively (that is \$225 per day/ \$270 per day). Where are these daily allowances captured in the above table and is the additional \$794.38 submitted by Mr Faulkner in May (EF077879 31/05/2019) also included?

*A3 Any cash advance for living or incidental expenses of Elected Members or City officers is to be provided in accordance with the City's *Elected Members' Entitlements Policy* and internal protocols and is to be acquitted on the return for the relevant person, with any unspent funds returned to the City. The cash advance is not reported however any costs that utilise the cash advance funds is accounted for. As detailed in the report, the travel expenses claimed for the China delegation was \$861.24 which included the amount of \$794.38 submitted by Mr Faulkner in May 2019.*

Q4 Business class airfares were noted in your answers to Ms Quan, totalling \$8,360 yet they are not listed in the breakdown of costs you also provided, just the three economy airfares at \$4,440 (see above). To clarify, does this mean our Councillors travelled business class while the Mayor only travelled economy, so the figure is captured in the individual training and conference allocation as \$15,560?

*A4 Yes. The standard and class of travel is detailed in the *Elected Members' Entitlements Policy* however elected members can choose a lower class if they wish.*

Q5 Where are the payments to Ausglobal Exchange Inc. captured on the cost breakdown provided and when was the payment made to Ausglobal Exchange Pty Ltd?

EF076534	15/03/2019	AUSGLOBAL EXCHANGE INC		26,928.00
			AGE1901902 - CHINA DELEGATION - MARCH 2019	1,342.00
			AGE19020 - CHINA DELEGATION	8,845.10
			AGE19021 - CHINA DELEGATION X 3 (COJ STAFF)	12,573.00
			AGE19022 - CHINA DELEGATION	2,462.90
			AGE19022 27/02/19 - TRANSLATION SERVICES	550.00
			AGE19023 - CULTURAL AWARENESS PRESENTATION	1,155.00

EF076071	19/02/2019	AUSGLOBAL EXCHANGE INC		23,898.60
			AG19012 - CULTURAL AWARENESS PRESENTATION 13/03/19	550.00
			AG19013 - INTERPRETATION SERVICES	5,445.00
			AGE18015 - DELEGATION - CHINA VISIT - MARCH 2019	11,976.80
			AGE18016 - CHINA DELEGATION - MARCH 2019	5,926.80

- A5 Any payments within the list of payments include GST and any other relevant taxes, whereas the costs detailed in the relevant report to Council are excluding GST. The *Local Government (Financial Management) Regulations 1996* also requires that the City shows, in its list of payments, the payee's name and the legal trustee/trust name or company name as the true payee, not the business name.

The total costs for translation services is \$8,409 and the costs of a second interpreter (\$150 per day) is included in the total cost.

The City paid \$4,950 (excluding GST) for interpretation services (shown as AG19013 in the list of payments for February 2019). The total cost also included flights and transport and accommodation for the interpreter which were included within the booking costs (shown as items AGE19022 and AGE1901902 in the payments report for March 2019). It should also be noted Ausglobal Exchange Inc is utilised for other services to the City and not just for the recent Jinan delegation.

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

Mr S Zafiris, Woodvale:

Re: Refuse Collection - Housing Opportunity Areas.

Q1 *How is enforced private waste collection service by the City administered and regulated in terms of cost and compliance?*

A1 The Manager Planning Services advised not all multiple dwelling proposals approved have private waste collection services, and most are performed by the City.

The Director Infrastructure Services advised the collection of waste services for residential development is managed by the City and therefore performed either by the City or contractors appointed by the City. Developers are required to provide a Waste Management Plan for mixed development and depending on the mix, there might be an opportunity where the developer can use a private collector.

Q2 *Would it be accurate to state that the use of private waste collection services for multiple dwellings exists primarily due to approved development plans which lack appropriate allocation of usable verge space as safe refuse collection points?*

A2 The Director Infrastructure Services responded the assumption was incorrect and advised the City of Joondalup provides the service for City managed residential developments.

Mrs S Thompson, Duncraig:

Re: *Local Planning Policy - Housing Opportunity Areas.*

Q1 *Please provide clarification on the status of the Local Planning Policy that is being prepared, specifically is an interim Local Planning Policy (LPP) being prepared for housing opportunity areas (HOAs) or is a LPP being prepared for the whole City, and what is the proposed timeline?*

A1 The Director Planning and Community Development stated as per Council's resolution, the City is currently compiling a *Local Planning Policy* for the HOAs which is scheduled to come to Council in the near future.

Q2 *Could you provide more information on the timeline?*

A2 The Director Planning and Community Development indicated at this stage it is anticipated the report will be presented to the Council meeting to be held on 20 August 2019.

Mr M Holloway, Kingsley:

Re: *Leafy City Program.*

Q1 *Would the City commit to asking residents who have trees on their verge outside their properties, whether or not they want or can handle having a tree, and if not, would the City consider removing or transplanting the tree to a different location within the City?*

A1 The Director Infrastructure Services advised the City investigated all properties identified for the Leafy City Program and if mature trees were already on the verge additional trees are not planted, however further clarity can be provided if specific locations are identified.

Q2 *In particular, the empty verges where residents are either utilising the verges or believe they have sightline issues and whether or not those matters can be taken into account rather than applying a strict set of guidelines throughout the City of Joondalup?*

A2 Mayor Jacob responded no, stating the Leafy City Program has been in place for a number of years and the City of Joondalup is committed to following the guidelines to achieve its vision of increasing green cover through verge tree plantings.

Mr M Dickie, Duncraig:

Re: Council of Australian Governments (COAG) Trajectory for Low Energy Buildings.

Q1 Is Council taking part in next Thursday's Stakeholder Reference Groups which are part of the COAG's agreed trajectory for low energy buildings?

A1 Mayor Jacob stated individual local governments do not generally participate in COAG and the building codes apply nationally. Mayor Jacob stated local government is represented by the Australian Local Government Association that forms part of COAG.

Q2 What does Council intend to do to contribute to improving the energy efficiency of existing buildings in COAG's work plan review which will take place in late 2019?

A2 Mayor Jacob commented the City would monitor opportunities and be as cooperative as possible to introduce higher green standards within the City of Joondalup.

Dr T Green, Padbury:

Re: Housing Opportunity Areas.

Q1 Is the City working on creating a single vision statement to guide what it wants to achieve with infill development?

A1 Mayor Jacob stated the City is not and the infill policy is largely driven by State directives and applies to every local government in the State. Mayor Jacob advised the City is engaged in a process to identify community concerns and ways to address those while also meeting State mandated targets.

Q2 How many FTEs does the City currently have working on the Local Planning Policy?

A2 Mayor Jacob advised this question would be taken on notice.

Mr J Raftis, Duncraig:

Re: Exemption from Payment of Rates and Sale of Land.

Q1 Is Council able to provide information of how many rateable properties are exempt within the City of Joondalup and what the value of the rates revenue would be that would otherwise be applicable to those properties?

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

Q2 Why is the City factoring a 5% loss on the sale of land in the Budget and is that a further indication to residents, with a higher than inflation rate increase, that their property values are falling even further?

A2 The Director Corporate Services advised the values the City has on its land holdings are determined and valued once every several years and therefore values shown are not necessarily immediately current to the prevailing market conditions as they are now.

Mr M Moore, Edgewater:

Re: Housing Opportunity Areas – Certified Building Permits and Dwelling Yields.

Q1 When a certified building permit is received that does not comply with all the deemed-to-comply requirements of the R-Codes, what is the procedure the City uses to ensure those discretions are dealt with?

A1 The Director Planning and Community Development advised building permits and planning approvals are dealt with under separate legislation. The building permit is dealt with using the Building Code of Australia and the certified permit needs to make sure it complies with those requirements, and if there is a need for planning approval, that the planning approval has been obtained.

Q2 Have Elected Members been informed of what the dwelling projections are under the Place Neighbourhood proposal?

A2 The Director Planning and Community Development advised the dwelling yields for the work that has been undertaken by the consultants will be dealt with when that particular body of work gets advertised to the local community. The Director Planning and Community Development stated the City was currently focussing on the interim Local Planning Policy.

Ms G Hiley, Mullaloo:

Re: CJ086-07/19 – Consideration of Renaming Blackboy Park, Mullaloo.

Q1 Has the local Aboriginal community been consulted in relation to the renaming of Blackboy Park and what their thoughts may be on the matter?

A1 Mayor Jacob stated there is an alternative recommendation on the Agenda this evening that a Councillor has put forward which addresses this question.

C43-07/19**EXTENSION OF PUBLIC QUESTION TIME - [01122, 02154]**

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

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

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

Ms J Quan, Edgewater:

Re: City of Joondalup Delegation to Jinan and Huzhou.

Q1 Why did the delegation go to Beijing on 24 March 2019, when it only met the Jinan government representative on 25 March 2019?

A1 Mayor Jacob stated the delegation flew to Beijing and then caught the train to Jinan.

Q2 Why did the delegation visit Beijing and Shanghai which incurred more flights, transportation and accommodation costs?

A2 Mayor Jacob disputed the statement that further costs were incurred due to more flights, transportation and accommodation. Mayor Jacob stated landing in Beijing allowed the delegation an opportunity to familiarise themselves with the area and proceeded to Jinan the next day.

Mrs S Apps, Woodvale:

Re: 80-82 Trailwood Drive, Woodvale and 54 Trailwood Drive, Woodvale.

Q1 The approval of 80-82 Trailwood Drive by the Joondalup Development Assessment Panel (JDAP) and 54 Trailwood Drive by the City of Joondalup were given a condition of having the refuse collected by private waste organisations. Can you explain the previous response that there are no private waste collections in operation or to be operated within the City of Joondalup?

A1 Mayor Jacob advised that Council could not answer for JDAP and encouraged Mrs Apps to email the Director Planning and Community Development with a copy to his office and the Ward Councillors with the information in anticipation for when Mrs Apps raises the query at the Council meeting to be held on 20 August 2019.

Q2 If a private waste collection was to be utilised, how is the refuse levy implemented?

A2 The Director Infrastructure Services advised that residential properties which are not provided with a City of Joondalup waste service will not be charged the waste service levy charge.

PUBLIC STATEMENT TIME

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

Cr Logan left the Chamber at 7.24pm.

Dr J Mullaney, Woodvale:

Re: Development and Subdivision Applications.

Dr Mullaney spoke in relation to housing opportunity areas within Woodvale and beyond stating residents have highlighted their concerns to development groups as to the process of how they have been informed or how they came to hear about new developments. Dr Mullaney suggested the City should inform residents of upcoming developments that may affect them rather than leave it up to the developers who would undertake a biased approach when communicating with nearby residents.

Mr M Holloway, Kingsley:

Re: Leafy City Program.

Mr Holloway expressed his disappointment with the Leafy City Program in relation to the lack of public consultation and that residents feel like they are being steam-rolled into having a street tree when they do not want one.

Mr D DaSilva, Padbury:

Re: CJ092-07/19 - Investigation into use of Padbury Senior High School Playing Fields.

Mr DaSilva expressed his concerns in relation to the proposed changes to the senior high school playing fields, stating the park is heavily utilised by local residents and that the proposed changes would have a negative impact as it will increase traffic, noise pollution, light and waste. Mr DaSilva urged Elected Members to keep these concerns in mind when making a decision on this proposal.

Cr Logan entered the Chamber at 7.28pm.

Mr M Dickie, Duncraig:

Re: Trajectory for Low Energy Homes.

Mr Dickie spoke in regard to the National Energy Productivity Plan agreed by the COAG Energy Council in 2015 which aims to improve Australia's energy productivity by 40% between 2015 and 2030. Mr Dickie advised that key decisions regarding design to suit the climate, size, orientation, construction materials and type and choice of fixed appliances can all promote energy efficiency or lock in poor performance for many decades to come, stating that proper layout and planning of buildings is essential and involves planning approvals as well as building construction.

Mr Dickie stated that the City of Joondalup's Building Department and Planning Department need to be involved in the process and staff must be appropriately trained to assess designs and respond appropriately in order to adhere to the National Energy Productivity Plan outcomes.

Mr A Murphy, Edgewater:

Re: City of Joondalup Code of Conduct.

Mr Murphy spoke in regard to the various provisions in City of Joondalup's Code of Conduct for Employees, Elected Members and Committee Members reflecting on those standards and thanked those employees, Elected Members and Committee Members that act in a way befitting their title and those who listen to the City's constituents not as a chore but as a matter of mission.

Dr T Green, Padbury:

Re: CJ092-07/19 - Investigation into use of Padbury Senior High School Playing Fields.

Dr Green spoke in relation to the Padbury Senior High School playing fields, noting that Padbury is well served for active reserves, but lacks passive reserves in that area. Dr Green suggested that if City is short on active reserves, they should look outside of Padbury in conjunction with the State Government.

Ms G Hiley, Mullaloo:

Re: CJ086-07/19 - Consideration of Renaming Blackboy Park, Mullaloo.

Ms Hiley spoke in favour of the consideration to rename Blackboy Park, Mullaloo advising of discussions with the Noongar Elder Associate Lecturer at Curtin University and worker for the Centre of Aboriginal Studies, Mr George Hyden, who suggested using the Noongar name for the grass tree of "Balga" which would assist with building partnerships and relationships between both groups.

Ms Hiley stated she looked forward to hearing what other Aboriginal individuals and communities say about the renaming of the park and hopes the communication is easily accessible to the public.

Mrs S Thompson, Duncraig:

Re: Local Planning Policy.

Mrs Thompson spoke in regard to the Local Planning Policy (LPP) stating the City were advised by residents in May 2019 to implement a three-step plan of which only one step had been actioned resulting in the halting of the amendment. Mrs Thompson thanked the City for working with residents and expressed the hope that dialogue continued, however raised concerns over delays such as having to wait for Council meetings or agenda items before being able to ask questions.

Mrs Thompson stated residents wanted an interim LPP which applies only to housing opportunity areas to speed up the process and avoid complexity.

Mr J Raftis, Duncraig:

Re: Local Businesses in the City of Joondalup.

Mr Raftis spoke with regard to the City of Joondalup's support of local businesses commenting that statistically the number of businesses employing people in the City has been stagnant between 2014 and 2018. Mr Raftis stated the higher levy for rates to businesses and the parking fees within the City did not contribute positively to driving business and creating employment. Mr Raftis advised of his attendance at the business breakfast with Premier Mark McGowan and suggested the City take action similar to the Cities of Perth and Fremantle who are working towards providing free parking.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Sophie Dwyer	26 June to 31 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.

CONFIRMATION OF MINUTES

C44-07/19 MINUTES OF COUNCIL MEETING HELD ON 25 JUNE 2019

MOVED Cr Poliwka, SECONDED Cr McLean that the Minutes of the Council Meeting held on 25 June 2019 be CONFIRMED as a true and correct record.

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

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

C45-07/19 MINUTES OF SPECIAL COUNCIL MEETING HELD ON 11 JULY 2019

MOVED Cr Hamilton-Prime, SECONDED Cr Jones that the Minutes of the Special Council Meeting held on 11 July 2019 be CONFIRMED as a true and correct record.

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

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

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**City names Brian Cooper OAM as its newest Freeman**

Mayor Jacob stated the City held a Special Meeting of Council on Thursday 11 July 2019 to bestow the Title of Honorary Freeman of the City of Joondalup upon Brian Anthony Cooper OAM for his services to the community.

Mayor Jacob advised the former three-time Mayor of the former City of Wanneroo joins Margaret Cockman, Bill Marwick and Nic Trandos in receiving the City's highest accolade for an individual.

Mayor Jacob commented Brian has served with distinction for many decades in a variety of roles, both as an Elected Member and as a volunteer, both prior to, and leading up to, Joondalup becoming a City in its own right in 1998.

Mayor Jacob indicated while navigating the enormous growth of the northern corridor over the decades, Brian's selflessness, strong work ethic and drive to serve his community continues to this day where he still holds several senior leadership positions within local community organisations.

Restoration works commence at Duffy House

Mayor Jacob advised the City has commenced restoration works on one of the oldest surviving buildings within its boundaries – Duffy House in Woodvale.

Mayor Jacob stated the single-storey limestone cottage is associated with the prominent Duffy family, who were early settlers of the area and long-time Wanneroo residents.

Mayor Jacob stated in 2018, the Joondalup Council agreed to accept future management of the building and was provided with grant funding from the WA Planning Commission to progress restoration works and identify potential future uses for the site.

Mayor Jacob indicated Stage one restoration works will include:

- installation of site fencing to secure the area
- repair works
- make the old dairy safe with the view of installing future historical interpretative signage
- trenching works to install power and water to the building.

Mayor Jacob commented future uses for the site are currently under consideration, with further information to be made publicly available in due course.

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

Nil.

PETITIONS

C46-07/19 PETITION REQUESTING COUNCIL REFUSE THE PROPOSED DEVELOPMENT OF 16 APARTMENTS AT 8 AND 10 BRECHIN COURT, DUNCRAIG – [03797, 05386, 15055]

A 250-signature petition has been received from Duncraig residents requesting that Council:

- 1 refuse the proposed development of 16 apartments at 8 and 10 Brechin Court, Duncraig due to its size, bulk, scale and design and the effect on adjoining neighbours and the impact on the amenity of the local community;
- 2 advise the Metropolitan North-West Joint Development Assessment Panel (JDAP) of its refusal and take all steps necessary to stop the proposed developments.

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

- 1 **Petition in relation to the proposed development of 16 apartments at 8 and 10 Brechin Court, Duncraig.**

The Motion was Put and

CARRIED (12/0)

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

REPORTS**CJ084-07/19 DEVELOPMENT AND SUBDIVISION APPLICATIONS
– MAY 2019**

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

PURPOSE

For Council to note the number and nature of applications considered under delegated authority during 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
TOTAL	25	35

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

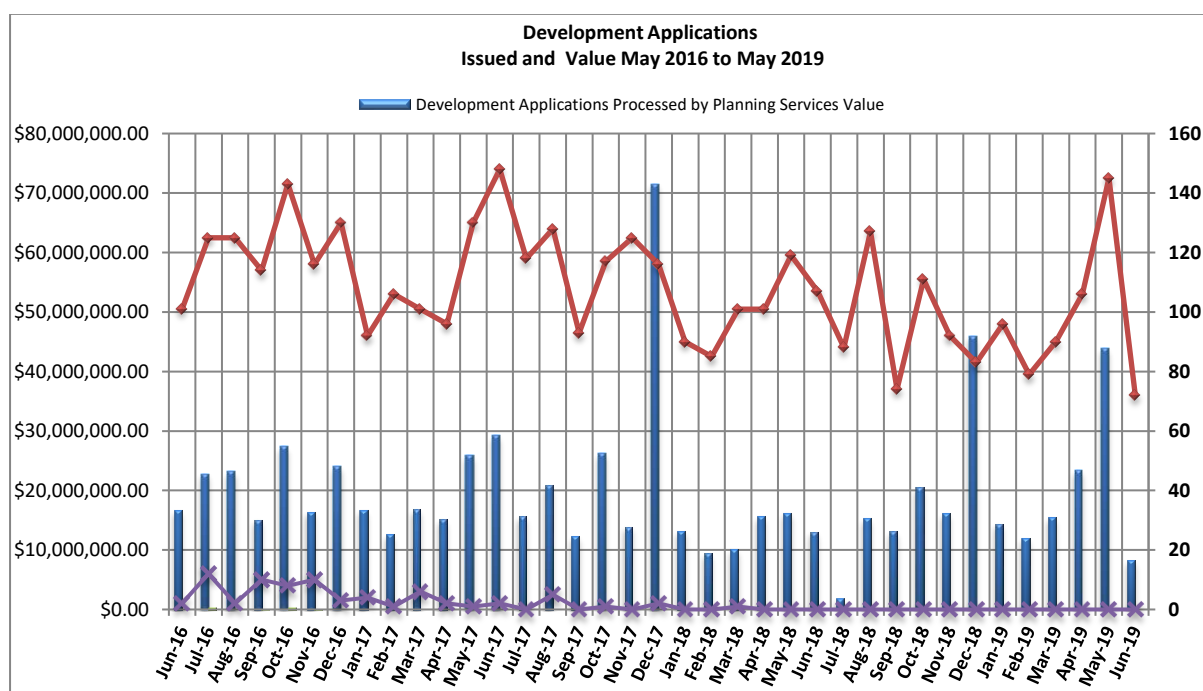
Development applications

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
TOTAL	145	\$43,896,682

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	<i>City of Joondalup Local Planning Scheme No. 3. Planning and Development (Local Planning Schemes) Regulations 2015.</i>
--------------------	---

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.

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

- 1 development applications described in Attachment 1 to Report CJ084-07/19 during May 2019;**
- 2 subdivision applications described in Attachment 2 to Report CJ084-07/19 during May 2019.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ094-07/19, page 80 refers.

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

Appendix 1 refers

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

**CJ085-07/19 PROPOSED AMENDMENT TO LOCAL PLANNING
SCHEME NO. 3 – PORTION OF LOT 600 (76)
TREETOP AVENUE, EDGEWATER (EDGEWATER
PRIMARY SCHOOL) – CONSIDERATION
FOLLOWING ADVERTISING**

WARD	North Central	
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development	
FILE NUMBER	107791, 101515	
ATTACHMENT	Attachment 1	Location Plan
	Attachment 2	Scheme amendment map
AUTHORITY / DISCRETION	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 4,478m². 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

Suburb/Location	Lot 600 (76) Treetop Avenue, Edgewater.
Applicant	Elton Consulting.
Owner	Department of Education School Resourcing & Budgeting Directorate.
Zoning	LPS Residential and Public Purposes.
	MRS Urban.
Site area	50,003m ² .
Structure plan	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 4,478m² 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.

MOVED Mayor Jacob, SECONDED Cr Jones 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 Report CJ085-07/19;**
- 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.**

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ094-07/19, page 80 refers.

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

Appendix 2 refers

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

CJ086-07/19 CONSIDERATION OF RENAMING BLACKBOY PARK, MULLALOO

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

PURPOSE

For Council to consider a 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.

OFFICER'S 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.

MOVED Cr Taylor, SECONDED Cr Fishwick that Council AGREES to seek advice on appropriate Aboriginal place names to replace the current name of Blackboy Park, for Council's consideration, ahead of community consultation on the proposed renaming of Blackboy Park, Mullaloo.

The Motion was Put and

CARRIED (12/0)

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

Appendix 3 refers

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

CJ087-07/19 EXECUTION OF DOCUMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	15876, 101515
ATTACHMENT	Attachment 1 Documents executed by affixing the Common Seal during the period 4 June to 25 June 2019
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 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 Report CJ087-07/19.

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 implicationsCurrent financial year impact

Not applicable.

Future financial year impact

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones 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 Report CJ087-07/19.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ094-07/19, page 80 refers.

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

Appendix 4 refers

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

CJ088-07/19 MINUTES OF EXTERNAL COMMITTEES

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	03149, 101515
ATTACHMENT	Attachment 1 Minutes of Mindarie Regional Council meeting held on 11 April 2019 <i>(Please note: These minutes are only available electronically).</i>
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

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

EXECUTIVE SUMMARY

The following minutes are provided:

- Minutes of Mindarie Regional Council meeting held on 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.

MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the minutes of the Mindarie Regional Council meeting held on 11 April 2019 forming Attachment 1 to Report CJ088-07/19.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ094-07/19, page 80 refers.

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

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

CJ089-07/19 LIST OF PAYMENTS MADE DURING THE MONTH OF MAY 2019

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

PURPOSE

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of 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 Report CJ089-07/19, 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.

FUNDS	DETAILS	AMOUNT
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
Total		\$13,547,156.28

Issues and options considered

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

Option 1

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

Option 2

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

Legislation / Strategic Community Plan / policy implications

Legislation

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

Strategic Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

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

Financial / budget implications

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

Regional significance

Not applicable.

Sustainability implications

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

Consultation

Not applicable.

COMMENT

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

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones 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 Report CJ089-07/19, totalling \$13,547,156.28.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ094-07/19, page 80 refers.

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

Appendix 5 refers

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

CJ090-07/19 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2019

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

PURPOSE

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

EXECUTIVE SUMMARY

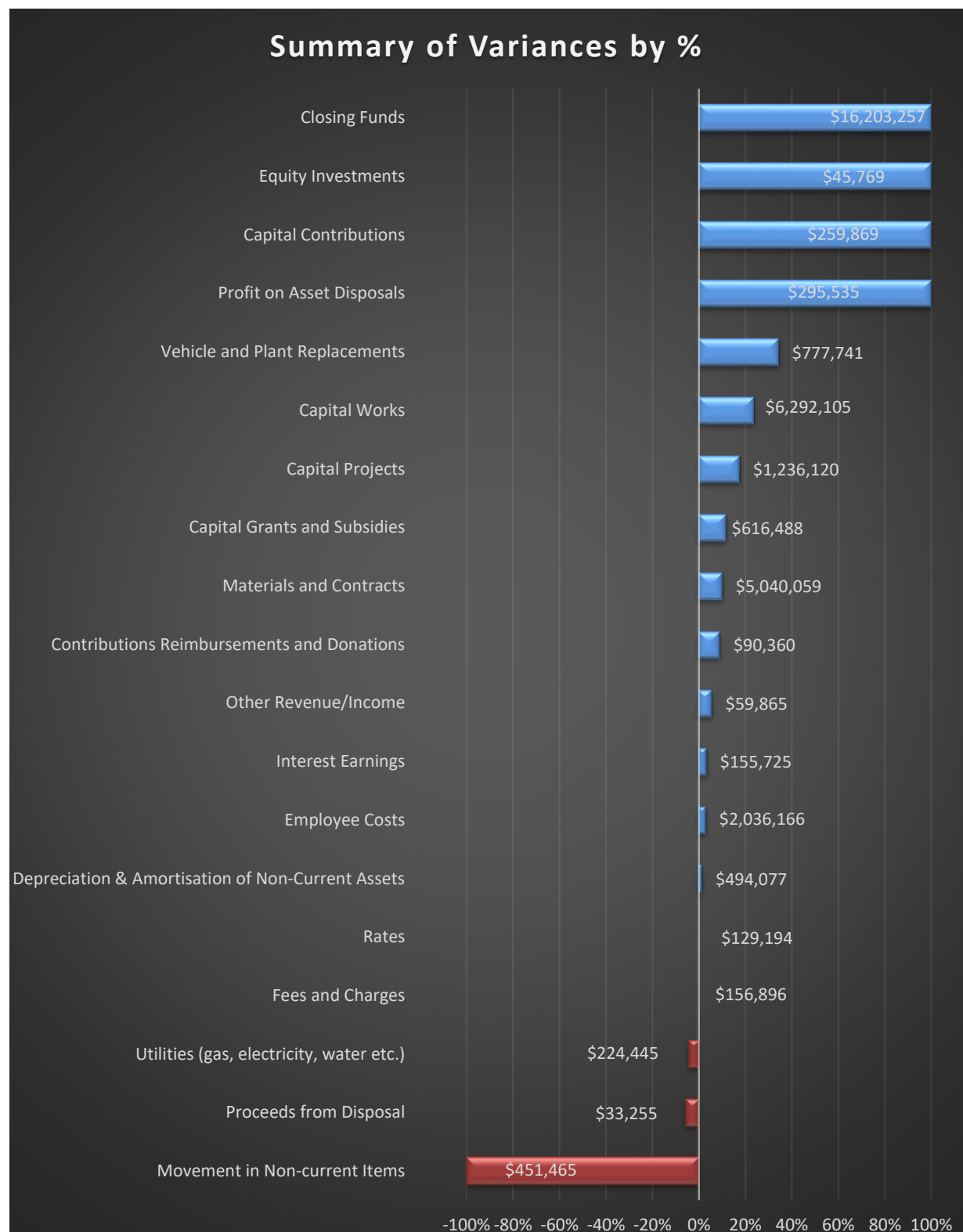
At its meeting held on 26 June 2018 (CJ114-06/18 refers), Council adopted the Annual Budget for the 2018-19 financial year. Council subsequently revised the budget at its meeting held on 19 February 2019 (CJ017-02/19 refers). The figures in this report are compared to the revised budget.

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.

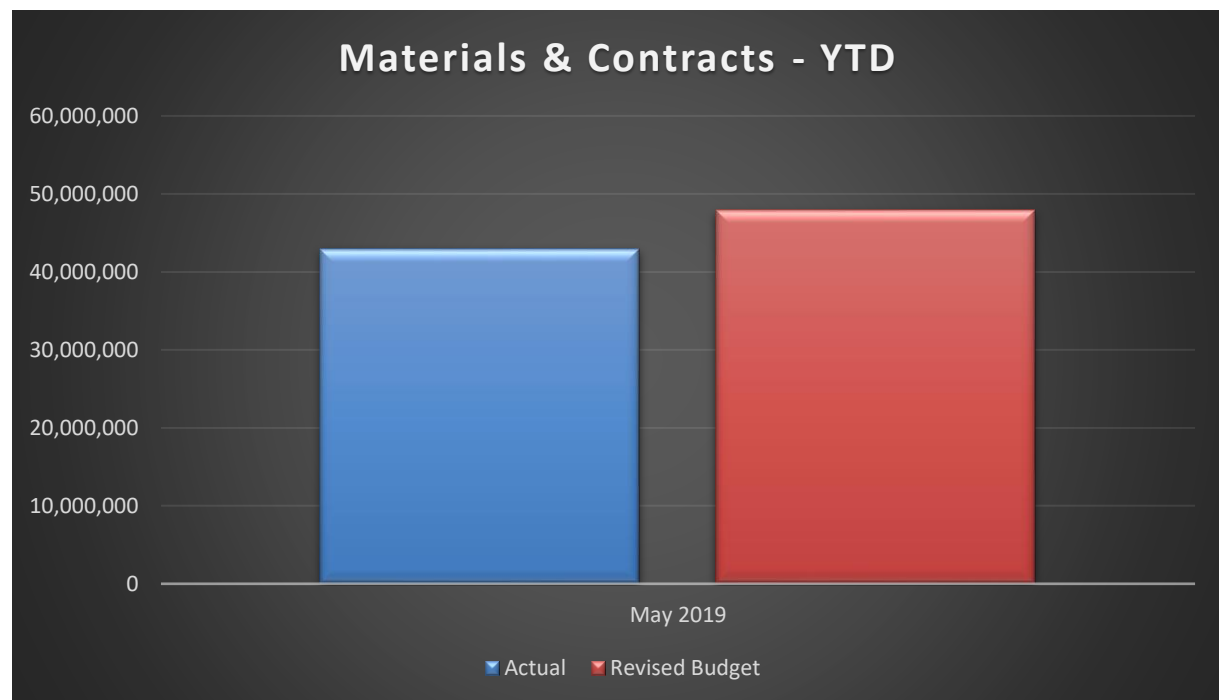
The key elements of the variance are summarised below:



The significant variances for May were:

Materials & Contracts

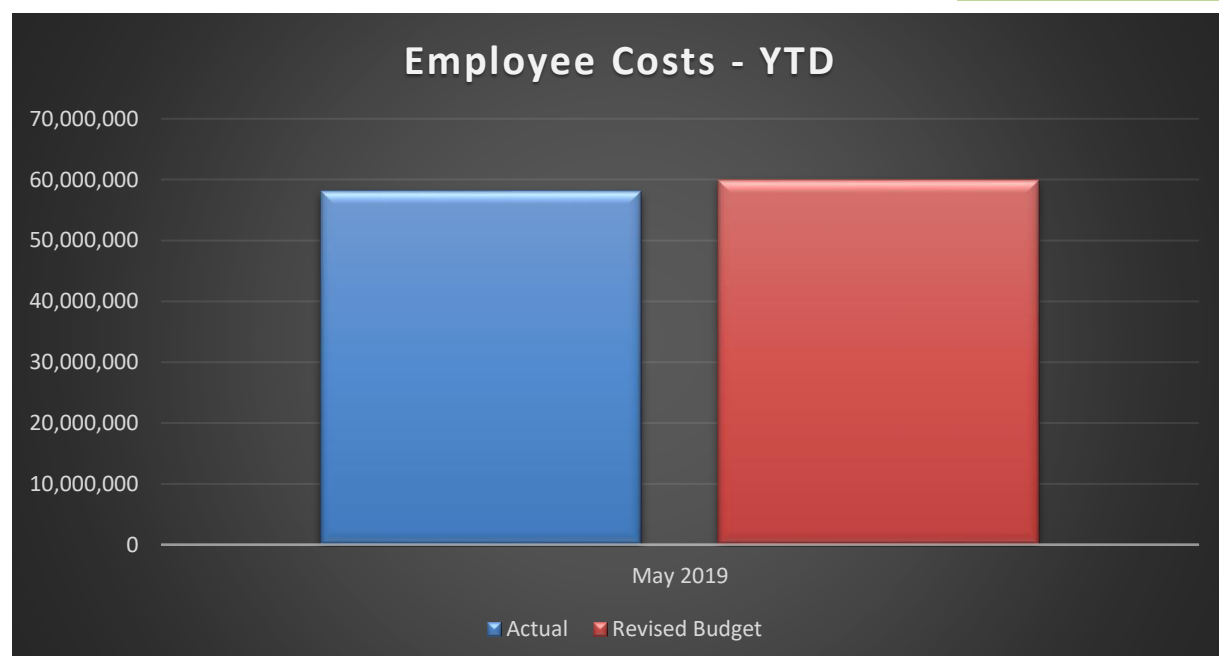
\$5,040,059



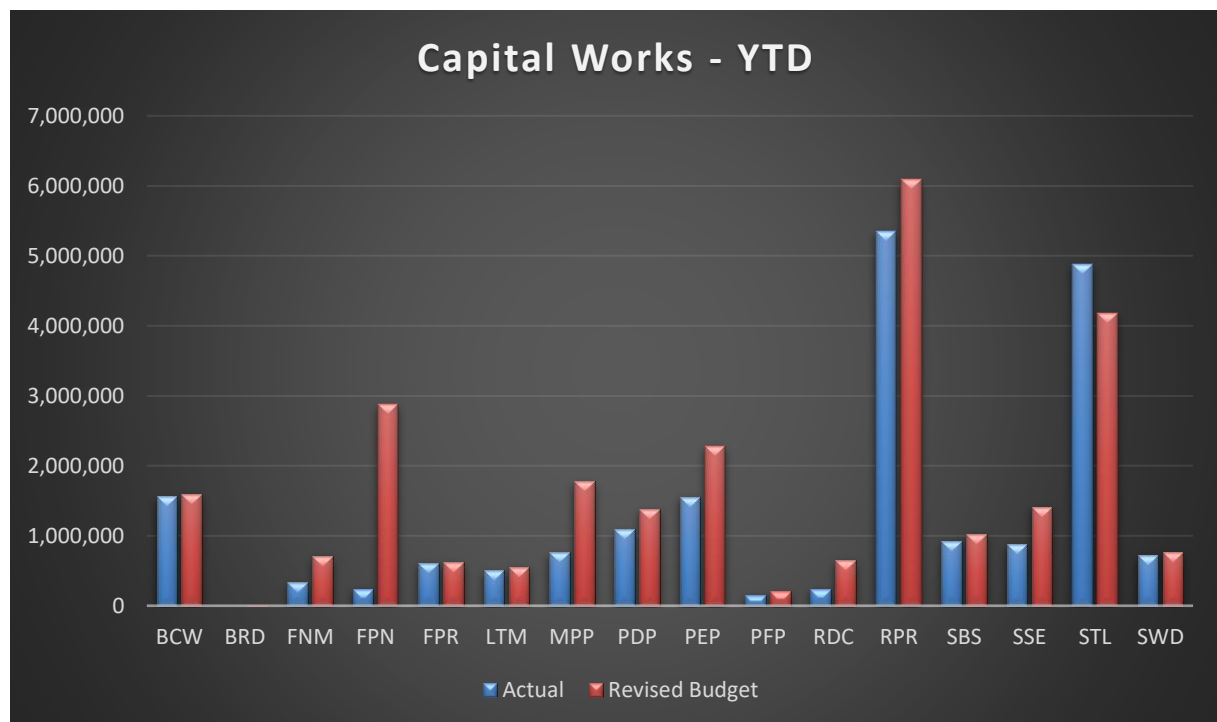
Materials and Contracts expenditure is \$5,040,059 below budget. This is spread across a number of different areas including favourable timing variances for External Service Expenses \$2,655,780, Administration \$549,433 and Professional Fees and Costs \$450,593.

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 Report CJ090-07/19.

BACKGROUND

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

DETAILS**Issues and options considered**

The Financial Activity Statement for the period ended 31 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

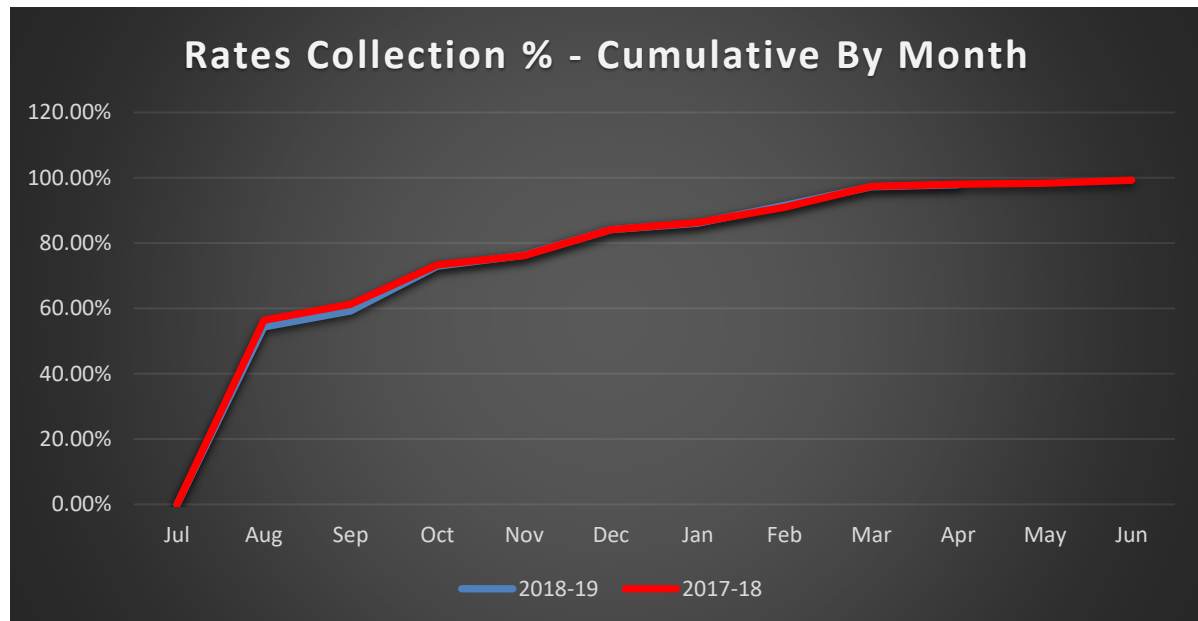
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

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*.

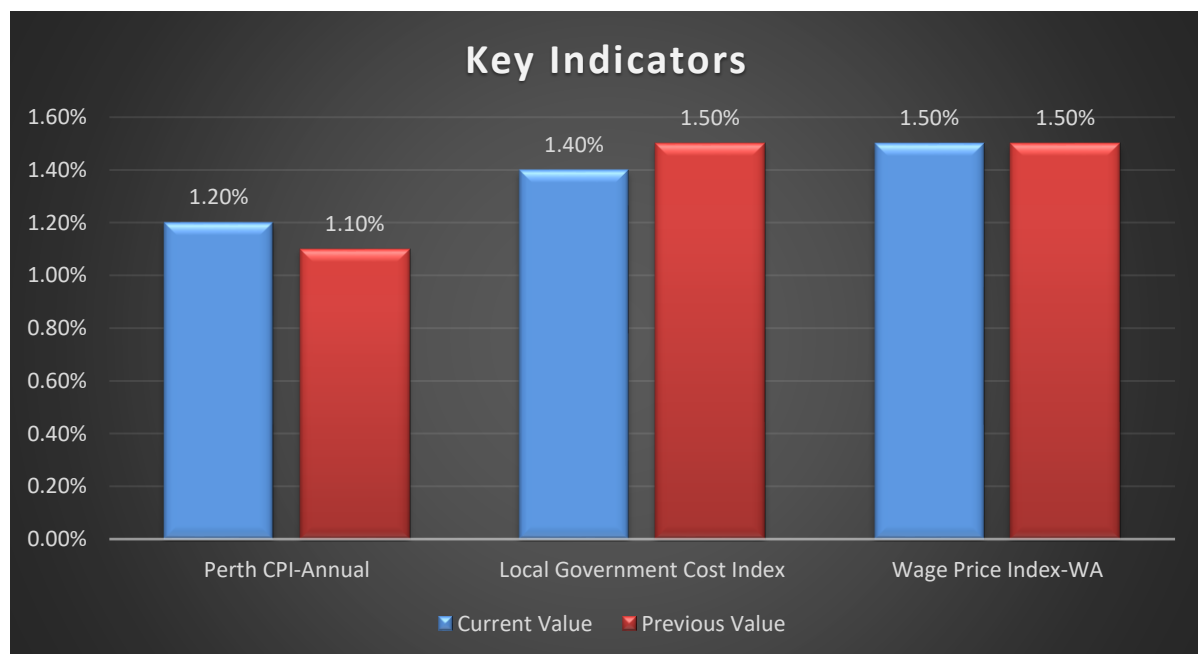
KEY INDICATORS

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.

MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the Financial Activity Statement for the period ended 31 May 2019 forming Attachment 1 to Report CJ090-07/19.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ094-07/19, page 80 refers.

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

Appendix 6 refers

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

Disclosures of interest affecting impartiality

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	CJ091-07/19 - Proposed Redevelopment – Sorrento Surf Lifesaving Club.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Fishwick is a Vice Patron of the Sorrento Surf Lifesaving Club and Senior State Assessor for Surf Lifesaving WA.

Name/Position	Cr Christine Hamilton-Prime.
Item No./Subject	CJ091-07/19 - Proposed Redevelopment – Sorrento Surf Lifesaving Club.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Hamilton-Prime is a Vice Patron of the Sorrento Surf Lifesaving Club.

Name/Position	Cr Mike Norman.
Item No./Subject	CJ091-07/19 - Proposed Redevelopment – Sorrento Surf Lifesaving Club.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Norman is a Vice Patron of the Sorrento Surf Lifesaving Club.

Name/Position	Cr Russell Poliwka.
Item No./Subject	CJ091-07/19 - Proposed Redevelopment – Sorrento Surf Lifesaving Club.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Poliwka is a patron of the Sorrento Surf Lifesaving Club.

CJ091-07/19 PROPOSED REDEVELOPMENT - SORRENTO SURF LIFESAVING CLUB

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	05071, 101515
ATTACHMENTS	Attachment 1 Sorrento Surf Lifesaving Club Aerial Map Attachment 2 Sorrento Surf Lifesaving Clubroom Existing Floor Plan
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider 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

Suburb/Location	189 West Coast Drive, Sorrento WA 6020.
Applicant	City of Joondalup/Sorrento Surf Lifesaving Club.
Owner	Crown Land - Management Order City of Joondalup.
Zoning	LPS Parks and Recreation.
	MRS Parks and Recreation.
Site area	9,222 m ² .
Structure plan	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 65m² 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 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 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.

The Director Planning and Community Development left the Chamber at 8.09pm and returned at 8.11pm.

MOVED Cr Norman, SECONDED Cr Hamilton-Prime 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*.**

The Motion was Put and

CARRIED (12/0)

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

Appendix 7 refers

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

CJ092-07/19 INVESTIGATION INTO USE OF PADBURY SENIOR HIGH SCHOOL PLAYING FIELDS

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	69612, 101515
ATTACHMENT	Attachment 1 Aerial map – Padbury Senior High School
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to consider 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

Suburb/Location	Lot 9573, 33 Giles Avenue, Padbury WA 6025.
Owner	Department of Education.
Zoning	LPS Public Purposes – MRS.
	MRS Public Purposes - High School.
Site area	118,578 m ² .
Structure plan	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 26,000m² 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 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 – 35m².
- Unisex accessible park toilet (on automated timer system) – 6m².
- Two unisex change rooms (including showers) – 90m².
- Externally accessible sports group storage (25m² per sporting group).
- Umpire room (minimum 10m²).

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
TOTAL	\$ 975,700	\$ 94,935

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

- \$1,800/m² for storage areas.
- \$3,200/m² 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.

MOVED Cr Logan, SECONDED Cr Hamilton-Prime 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.**

AMENDMENT MOVED Cr Fishwick, SECONDED Cr Poliwka that Part 1 of the motion be amended to read as follows:

- "1 GIVES APPROVAL for the Chief Executive Officer 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;"***

The Amendment was Put and

CARRIED (12/0)

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

The Original Motion as amended, being:

That Council:

- 1 GIVES APPROVAL for the Chief Executive Officer 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.**

was Put and

CARRIED (12/0)

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

Appendix 8 refers

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

CJ093-07/19 TENDER 012/19 - SUPPLY AND LAYING OF CONCRETE KERBING

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

PURPOSE

For Council to accept the tender submitted by 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, MRJA 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

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

MOVED Mayor Jacob, SECONDED Cr Jones 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).

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ094-07/19, page 80 refers.

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

Appendix 9 refers

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

CJ094-07/19 TENDER 013/19 – SUPPLY AND INSTALLATION OF PLAYSPACE AND ASSOCIATED LANDSCAPE WORKS AT WHITFORDS NODES PARK, HILLARYS

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

PURPOSE

For Council to accept the tender submitted by 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 Advanteering 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.

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

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 Advantearing 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.

Advanteering 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
Advanteering 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%
Advanteering 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

Project number

PEP2707.

Cost Code

CW003590, CW003848, CW003849, CW003850, CW003851, CW0040088, CW004009.

Budget Item

Whitfords Nodes health and wellbeing hub.

Budget amount	\$ 1,219,815
Committed	\$ 95,845
Amount spent to date	\$ 0
Proposed cost	\$ 929,350
Balance	\$ 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 development 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.

MOVED Cr Hamilton-Prime, SECONDED Cr Norman 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).

The Motion was Put and

CARRIED (12/0)

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

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10agn190716.pdf](#)

C47-07/19**COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION -
[02154, 08122]**

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

CJ084-07/19, CJ085-07/19, CJ087-07/19, CJ088-07/19, CJ089-07/19, CJ090-07/19 and CJ093-07/19.

The Motion was Put and

CARRIED (12/0)

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

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 8.25pm the following Elected Members being present at that time:

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