

# agenda

## Ordinary Meeting of Council

NOTICE IS HEREBY GIVEN THAT THE NEXT ORDINARY MEETING OF THE COUNCIL OF THE CITY OF JOONDALUP WILL BE HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP

**ON** **TUESDAY 12 OCTOBER 2021**

**COMMENCING AT** **7.00pm**

**JAMES PEARSON**  
Chief Executive Officer  
8 October 2021

### **Acknowledgement of Traditional Custodians**

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

*This document is available in alternate formats upon request*

### **PUBLIC QUESTION TIME**

Residents and / or ratepayers of the City of Joondalup are requested to lodge questions in writing by 9.00am on **Monday 11 October 2021.**

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

### **QUESTIONS TO**

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

PO Box 21 Joondalup WA 6919

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

## IMPORTANT INFORMATION

### ATTENDANCE AT MEETINGS DURING STATE OF EMERGENCY

As the State is now in Phase 5 of the COVID-19 roadmap, public attendance numbers at City of Joondalup meetings has been changed accordingly, where public attendance at Briefing Sessions and Council Meetings are no longer restricted, and Council Chamber can be at full capacity.

There is no longer a requirement to pre-register to attend meetings or pre-register for public question time and / or public statement time. The registers for public question time and public statement time will be available in the lobby for interested residents to complete upon arrival.

There is still the requirement for the City to maintain a mandatory contact register. Residents are requested to scan the City of Joondalup SafeWA QR Code on entry to the Council Chamber or complete the manual contact register located in the lobby before entering Chamber.

For your health and safety, members of the public are reminded to:

- follow the direction of the Presiding Members and City employees when attending meetings
- maintain physical distancing where possible
- use the hand sanitiser that is provided by the City at the venue
- not attend a meeting should they feel unwell or if they have been in contact with a known COVID-19 case, or been overseas in the preceding two weeks
- download the SafeWA app from the [Apple App Store](#) or the [Google Play Store](#).

Members of the public are able to access audio of the proceedings at <https://joondalup.wa.gov.au/kb/resident/live-council-meeting-audio-feed>.

*Further information can be provided by contacting the Governance Coordinator on 9400 4369.*

## CIVIC CENTRE EMERGENCY PROCEDURES

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

### Alarms

The City of Joondalup emergency system has two alarm tones:

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

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

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

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

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



## CODE OF CONDUCT

Council Members and Committee Members are to observe the City's adopted *Code of Conduct for Council Members, Committee Members and Candidates*. The following general principles guide the behaviours of Council Members (being the Mayor and Councillors) and other committee members while performing their role at the City:

### Personal Integrity

- (1) A council member or committee member should –
  - (a) act with reasonable care and diligence; and
  - (b) act with honesty and integrity; and
  - (c) act lawfully; and
  - (d) identify and appropriately manage any conflict of interest; and
  - (e) avoid damage to the reputation of the City.
- (2) A council member or committee member should –
  - (a) act in accordance with the trust placed in council members and committee members; and
  - (b) participate in decision-making in an honest, fair, impartial and timely manner; and
  - (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
  - (d) attend and participate in briefings, workshops and training sessions provided or arranged by the City in relation to the performance of their role.

### Relationship with others

- (1) A council member or committee member should –
  - (a) treat others with respect, courtesy and fairness; and
  - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

### Accountability

A council member or committee member should –

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to Council or Committee meetings, Briefing Sessions or Strategy Sessions; and
- (d) be open and accountable to, and represent, the community in the district.

Employees are bound by the City's *Code of Conduct for Employees* which details similar provisions to be observed.

## COUNCIL MEETINGS

The following procedures for the conduct of Council Meetings were adopted at the Council Meeting held on 21 April 2020:

### INTRODUCTION

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

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

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

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

### PURPOSE OF COUNCIL MEETINGS

Council Meetings will involve Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate) and will be open to the public. Council Meetings are formal meetings where Elected Members consider and make decisions on matters.

### PROCEDURES FOR COUNCIL MEETINGS

The following procedures will apply to Council Meetings that are conducted by the City.

- 1 Council Meetings will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.
- 2 Dates and times for Council Meetings will be set well in advance where practicable, and appropriate notice given to the public.
- 3 The Chief Executive Officer will ensure timely written notice and an agenda for each Council Meeting will be provided to all Elected Members, members of the public and external advisors (where appropriate).

- 4 The Mayor is to be the Presiding Member at Council Meetings. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Council Meetings. If the Deputy Mayor is unable or unwilling, those Elected Members present may select one from amongst themselves to preside at the Council Meeting.
- 5 There is to be no debate among Elected Members on any matters raised during the Council Meeting.
- 6 Relevant employees of the City will be available to respond to questions on matters listed on the agenda for the Council Meeting.
- 7 All Elected Members will be given a fair and equal opportunity to participate in the Council Meeting.
- 8 The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
- 9 Good governance principles recommend that Elected Members, employees and relevant consultants shall disclose their interests on any matter listed for the Council Meetings. When disclosing an interest, the following provisions apply:
  - (a) Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Model Code of Conduct) Regulations 2021* and the City's *Code of Conduct*.
  - (b) Elected Members disclosing a financial interest, or a proximity interest will not participate in that part of the session relating to the matter to which their interest applies and shall depart the room.
  - (c) The remaining Elected Members may agree that an Elected Member disclosing a financial or proximity interest may participate in discussion on the matter if the remaining Elected Members agree:
    - (i) is so trivial or insignificant as to be unlikely to influence the disclosing Elected Member's conduct in relation to the matter  
or
    - (ii) is common to a significant number of electors and ratepayers of the City,and a record of that agreement is to be made in the minutes kept for the Council Meeting.
  - (d) Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- 10 A record shall be kept of all Council Meetings.

## PROCEDURES FOR PUBLIC QUESTION TIME

Where a meeting of a committee is open to the public the procedures for public question time and public statement time apply. In this regard these procedures are amended by substituting "Council" with "Committee" to provide proper context.

### Questions asked Verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Questions asked at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per person.
- 5 Statements are not to precede a question during public question time and questions must be succinct and to the point. Statements can only be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be allocated a minimum of 15 minutes and may be extended in intervals of up to 10 minutes by resolution of Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed 35 minutes in total. Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 8 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
  - accept or reject any question and their decision is final
  - nominate a City employee to respond to the question
  - or
  - take a question on notice. In this case a written response will be provided as soon as possible and included in the agenda of the next Council meeting.



- 9 Where an Elected Member is of the opinion that a member of the public is:
- asking a question at a Council meeting, that does not relate to a matter affecting the City
  - or
  - making a statement during public question time,
- they may bring it to the attention of the Presiding Member who will make a ruling.
- 10 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

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

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Questions asked at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 The City will accept a maximum of five (5) written questions per City of Joondalup resident / ratepayer. To ensure equity and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by 9.00am on the day immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and their decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at a Council meeting will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Council meeting.
- 8 A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.

- 9 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act 1992). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

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

## **DISCLAIMER**

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

## **PROCEDURES FOR PUBLIC STATEMENT TIME**

- 1 Members of the public are invited to make public statements verbally at Council meetings.
- 2 Statements made at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Statements made at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to make a statement to enter their name. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 4 Public statement time will be limited to two minutes per person.
- 5 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 6 Public statement time will be allocated a maximum time of 15 minutes. Public statement time is declared closed following the 15 minute allocated time period, or earlier than such time where there are no further statements.
- 7 Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- 8 Where an Elected Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not relate to a matter affecting the City, they may bring it to the attention of the Presiding Member who will make a ruling.
- 9 Statements will be summarised and included in the minutes of the Council meeting.

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### **LATE ITEMS / ADDITIONAL INFORMATION**

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

[\*AdditionalInformation\\_211012.pdf\*](#)

# CITY OF JOONDALUP

Notice is hereby given that a Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 12 October 2021** commencing at **7.00pm**.

JAMES PEARSON  
Chief Executive Officer  
8 October 2021

Joondalup  
Western Australia

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## VISION

“A global City: bold, creative and prosperous.”

## PRIMARY VALUES

- Transparent.
- Accountable.
- Honest.
- Ethical.
- Respectful.
- Sustainable.
- Professional.

## DISTINGUISHING VALUES

### **Bold**

We will make courageous decisions for the benefit of our community and future generations.

### **Ambitious**

We will lead with strength and conviction to achieve our vision for the City.

### **Innovative**

We will learn and adapt for changing circumstances to ensure we are always one step ahead.

### **Enterprising**

We will undertake ventures that forge new directions for business and the local community.

### **Prosperous**

We will ensure our City benefits from a thriving economy built on local commercial success.

### **Compassionate**

We will act with empathy and understanding of our community's needs and ambitions.

# AGENDA

## ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

Note: Members of the public are advised that prior to the opening of the Council Meeting, Mayor the Hon. Albert Jacob, JP will acknowledge the traditional custodians of the land and say a prayer.

## DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

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

### Disclosures of Financial Interest / Proximity Interest

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

<b>Name / Position</b>	<b>Mr James Pearson, Chief Executive Officer.</b>
<b>Item No. / Subject</b>	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of Interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Pearson holds the position of Chief Executive Officer.

<b>Name / Position</b>	<b>Mr James Pearson, Chief Executive Officer.</b>
<b>Item No. / Subject</b>	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
<b>Nature of Interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Pearson holds the position of Chief Executive Officer.

### Disclosures of Interest Affecting Impartiality

Elected Members (in accordance with clause 22 of Schedule 1 of the *Local Government [Model Code of Conduct] Regulations 2021*) 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 their interest.

<b>Name / Position</b>	<b>Mayor Hon. Albert Jacob, JP.</b>
<b>Item No. / Subject</b>	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Jacob is vice-patron of the tenderer, Surf Lifesaving WA.

<b>Name / Position</b>	<b>Cr Russ Fishwick, JP.</b>
<b>Item No. / Subject</b>	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Fishwick is Senior Assessor for Surf Life Saving WA. Board Members and staff at Surf Life Saving WA are known to Cr Fishwick. Cr Fishwick is a member of Trigg Surf Life Saving Club and is Vice Patron of Sorrento Surf Life Saving Club.

<b>Name / Position</b>	<b>Cr Christine Hamilton-Prime, JP.</b>
<b>Item No. / Subject</b>	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime is a member of the Sorrento Surf Life Saving Club; Vice Patron of Sorrento Surf Life Saving Club (President); and endorsed by Ron Morris at the upcoming election.

<b>Name / Position</b>	<b>Cr Philippa Taylor.</b>
<b>Item No. / Subject</b>	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	An employee of the Surf Life Saving Club is known to Cr Taylor.

<b>Name / Position</b>	<b>Cr John Logan.</b>
<b>Item No. / Subject</b>	CJ147-10/21 - 2021-22 Budget Amendment - Grant Funding for Capital Works.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Logan is a member of the Kingsley Amateur Football Club and is known to members of other sports and community groups who support installing an awning at Kingsley Memorial Clubrooms and new cricket nets at Barridale Park.

<b>Name / Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No. / Subject</b>	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

<b>Name / Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No. / Subject</b>	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

## PUBLIC QUESTION TIME

## PUBLIC STATEMENT TIME

## **APOLOGIES AND LEAVE OF ABSENCE**

### **Leave of Absence Previously Approved**

Cr Nige Jones

2 November 2021 inclusive.

## **CONFIRMATION OF MINUTES**

### **MINUTES OF COUNCIL MEETING HELD ON 21 SEPTEMBER 2021**

#### **RECOMMENDATION**

That the Minutes of the Council Meeting held on 21 September 2021 be confirmed as a true and correct record.

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

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

- CJ148-10/21 – Confidential - Chief Executive Officer Concluded Annual Performance Review.
- CJ149-10/21 – Confidential - Salary Review - Chief Executive Officer.

## **PETITIONS**



## REPORTS

### CJ142-10/21 DEVELOPMENT AND SUBDIVISION APPLICATIONS - AUGUST 2021

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBERS</b>	07032, 101515
<b>ATTACHMENTS</b>	Attachment 1 Monthly Development Applications Determined – August 2021 Attachment 2 Monthly Subdivision Applications Processed – August 2021
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’)

#### PURPOSE

For Council to note the number and nature of applications considered under delegated authority during August 2021.

#### 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 annually, or as required.

This Report identifies the development applications determined by the administration under delegated authority powers during August 2021 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during August 2021 (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 15 June 2021 (CJ079-06/21 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 August 2021 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	3	4
Strata subdivision applications	10	15
<b>TOTAL</b>	<b>13</b>	<b>19</b>

Of the subdivision referrals, 10 were to subdivide in housing opportunity areas, with the potential for 14 additional lots.

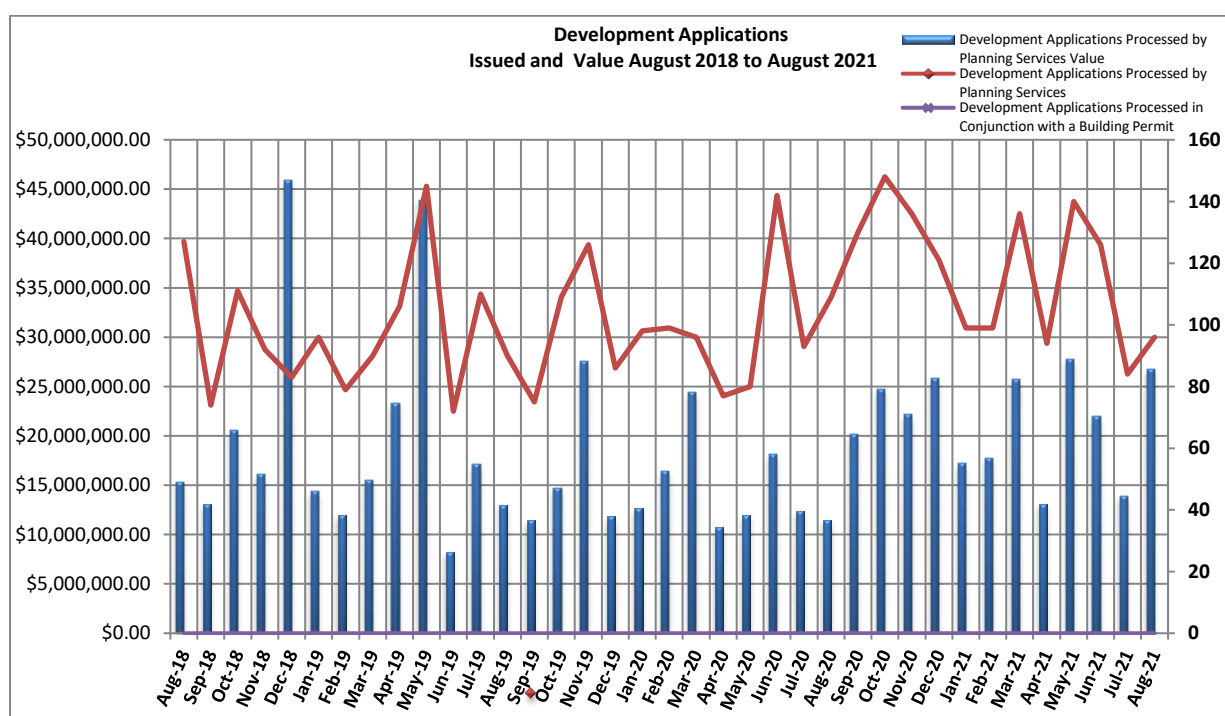
### Development applications

The number of development applications determined under delegated authority during August 2021 is shown in the table below:

	Number	Value (\$)
Development applications processed by Planning Services	96	\$26,684,593

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

The total number and value of development applications determined between August 2018 and August 2021 is illustrated in the graph below:



The number of development applications received during August 2021 was 103.

The number of development applications current at the end of August was 249. Of these, 29 were pending further information from applicants and 11 were being advertised for public comment.

In addition to the above, 257 building permits were issued during the month of August with an estimated construction value of \$36,003,773.

### **Issues and Options Considered**

Not applicable.

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

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

### **Strategic Community Plan**

**Key theme** Quality Urban Environment.

**Objective** Quality built outcomes.

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

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

Clause 82 of schedule 2 of the Regulations permits the local government to delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties. Development applications were determined in accordance with the delegations made under Clause 82 of schedule 2 of the Regulations.

All subdivision applications were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

### **Risk Management Considerations**

The delegation process includes detailed practices on reporting, checking and cross checking, supported by peer review in an effort to ensure decisions taken are lawful, proper and consistent.

### **Financial / Budget Implications**

A total of 96 development applications were determined for the month of August with a total amount of \$73,463.06 received as application fees.

All figures quoted in Report CJ142-10/21 are exclusive of GST.

### **Regional Significance**

Not applicable.

**Sustainability Implications**

Not applicable.

**Consultation**

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

**COMMENT**

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

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

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

- 1 development applications described in Attachment 1 to Report CJ142-10/21 during August 2021;**
- 2 subdivision applications described in Attachment 2 to Report CJ142-10/21 during August 2021.**

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1brf211005.pdf](#)

**CJ143-10/21****EXECUTION OF DOCUMENTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr James Pearson Office of the CEO
<b>FILE NUMBERS</b>	15876, 101515
<b>ATTACHMENT</b>	Attachment 1 Documents sealed by affixing the Common Seal during the period 31 August 2021 to 14 September 2021
<b>AUTHORITY / DISCRETION</b>	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to note the documents executed by means of affixing the Common Seal for the period 31 August 2021 to 14 September 2021.

**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 the Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 31 August 2021 to 14 September 2021, as detailed in Attachment 1 to Report CJ143-10/21.*

**BACKGROUND**

For the period 31 August 2021 to 14 September 2021, six documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Withdrawal of Caveat	3
Section 70A Notification	3

**DETAILS****Issues and Options Considered**

Not applicable.

**Legislation / Strategic Community Plan / Policy Implications****Legislation**

*Local Government Act 1995.*

**Strategic Community Plan**

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

**Risk Management Considerations**

Not applicable.

**Financial / Budget Implications**Current financial year impact

Not applicable.

Future financial year impact

Not applicable.

**Regional Significance**

Not applicable.

**Sustainability Implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

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

**VOTING REQUIREMENTS**

Simple Majority.

**RECOMMENDATION**

**That Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 31 August 2021 to 14 September 2021, as detailed in Attachment 1 to Report CJ143-10/21.**

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf211005.pdf](#)

**CJ144-10/21****LIST OF PAYMENTS MADE DURING THE MONTH OF AUGUST 2021**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBERS</b>	09882, 101515
<b>ATTACHMENTS</b>	Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of August 2021 Attachment 2 Chief Executive Officer's Delegated Municipal Payment List (Bond Refunds) for the month of August 2021 Attachment 3 Municipal and Trust Fund Vouchers for the month of August 2021
<b>AUTHORITY / DISCRETION</b>	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

**PURPOSE**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of August 2021.

**EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of August 2021, totalling \$24,082,000.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for August 2021 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 CJ144-10/21, totalling \$24,082,000.*

**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 August 2021. Lists detailing the payments made are appended as Attachments 1 and 2 to Report CJ144-10/21.

The vouchers for the month are appended as Attachment 3 to Report CJ144-10/21.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 111597-111612 & 111617 – 111632 & 111638 - 111672 & EF094410 – EF094640 & EF094646 & EF094647 & EF094650 – EF094944 Net of cancelled payments Vouchers 3111A – 3120A	\$19,529,845.23 \$4,531,674.87
	Bond Refund Cheques & EFT Payments 111596 & 111613 -111616 & 111633-111637 & 111675 – 111676 & EF094009 & EF094641- EF094645 & EF094648 – EF094649 Net of cancelled payments.	\$20,479.90
<b>Total</b>		\$24,082,000.00

### 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**

Changes in the treatment of bonds received and repaid, from being held in the Trust Fund to now being reflected in the Municipal Fund, have arisen from a directive by the Office of the Auditor General.

### **COMMENT**

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the *2021-22 Budget* as adopted by Council at its meeting held on 15 June 2021 (CJ092-06/21 refers) or has been authorised in advance by the Mayor or by resolution of Council as applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That Council NOTES the Chief Executive Officer's list of accounts for August 2021 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 CJ144-10/21, totalling \$24,082,000.**

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf211005.pdf](#)

**CJ145-10/21****FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 AUGUST 2021**

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

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**PURPOSE**

For Council to note the Financial Activity Statement for the period ended 31 August 2021.

**EXECUTIVE SUMMARY**

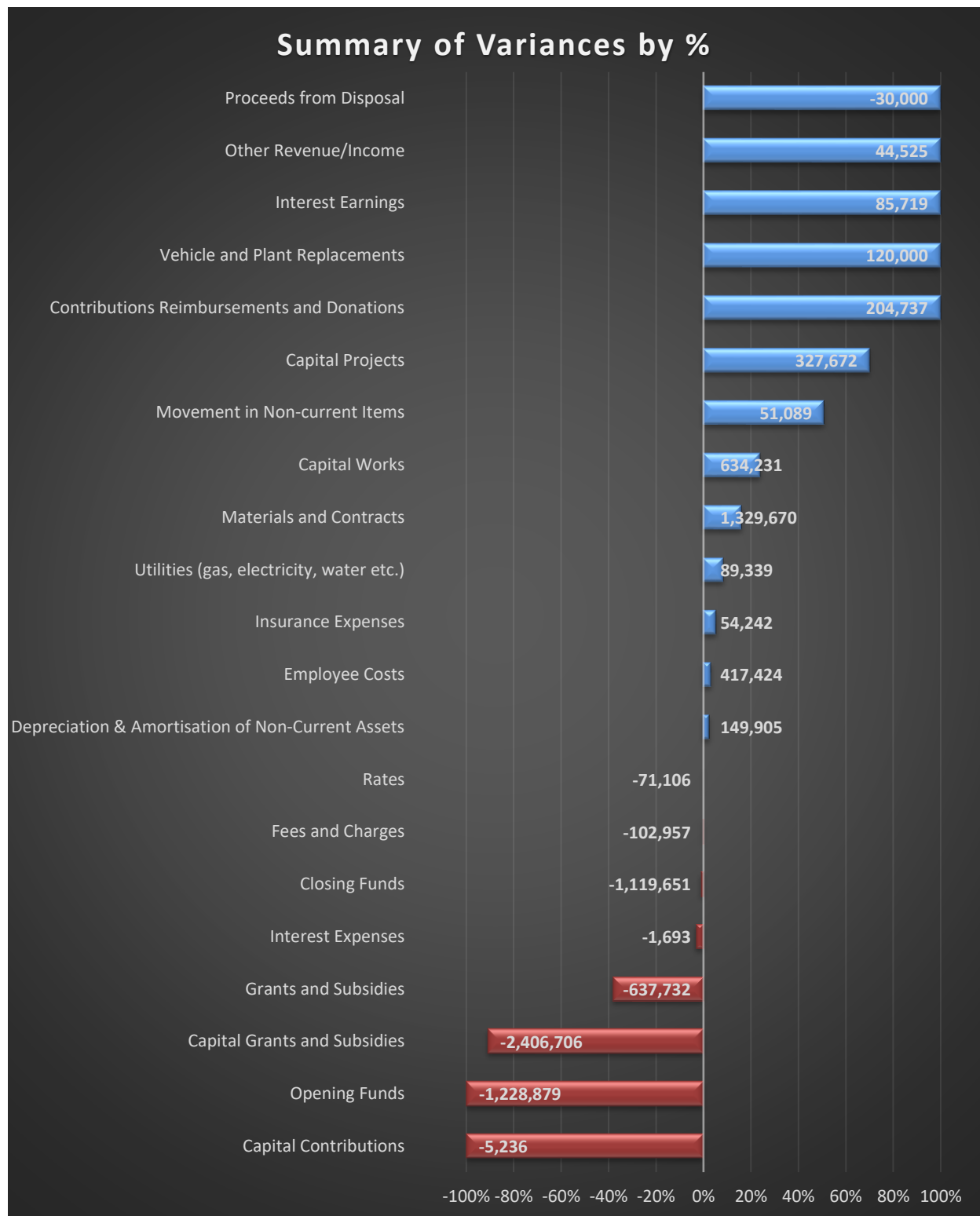
At its meeting held on 15 June 2021 (CJ092-06/21 refers), Council adopted the *2021-22 Annual Budget*. Council subsequently amended the budget at its meeting held on 17 August 2021 (CJ131-08/21 refers). The figures in the report are compared to the adopted budget (as amended).

The August 2021 Financial Activity Statement Report shows an overall unfavourable variance of (\$1,119,651) from operations and capital, after adjusting for non-cash items.

It should be noted that this variance does not represent a projection of the end of year position. It represents the year-to-date position to 31 August 2021 and results from a number of factors identified in the report, including the opening funds position which is subject to the finalisation of the *2020-21 Annual Financial Statements*.

There are a number of factors influencing the unfavourable variance, but it is predominantly due to timing of revenue and expenditure compared to the budget estimate in August and the finalisation of 2020-21 end of year process which has meant that the opening funds total is currently not included. The notes in Attachment 3 identify and provide commentary on the individual key material revenue and expenditure variances to date.

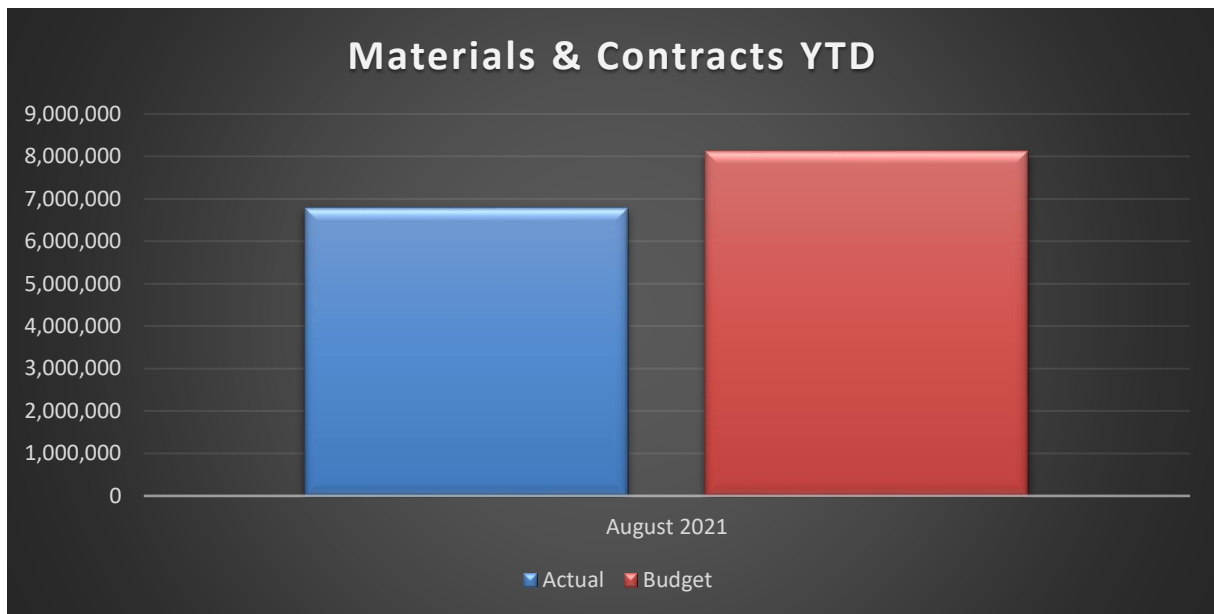
The key elements of the variance are summarised below:



The significant variances for August were:

**Materials and Contracts**

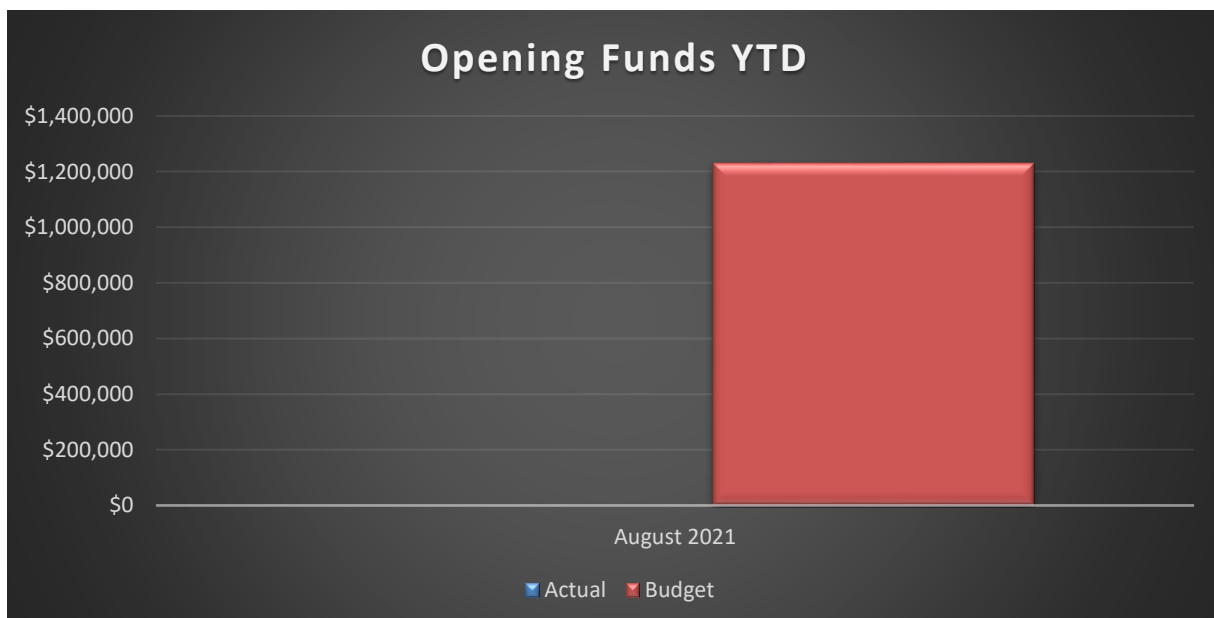
**\$1,329,670**



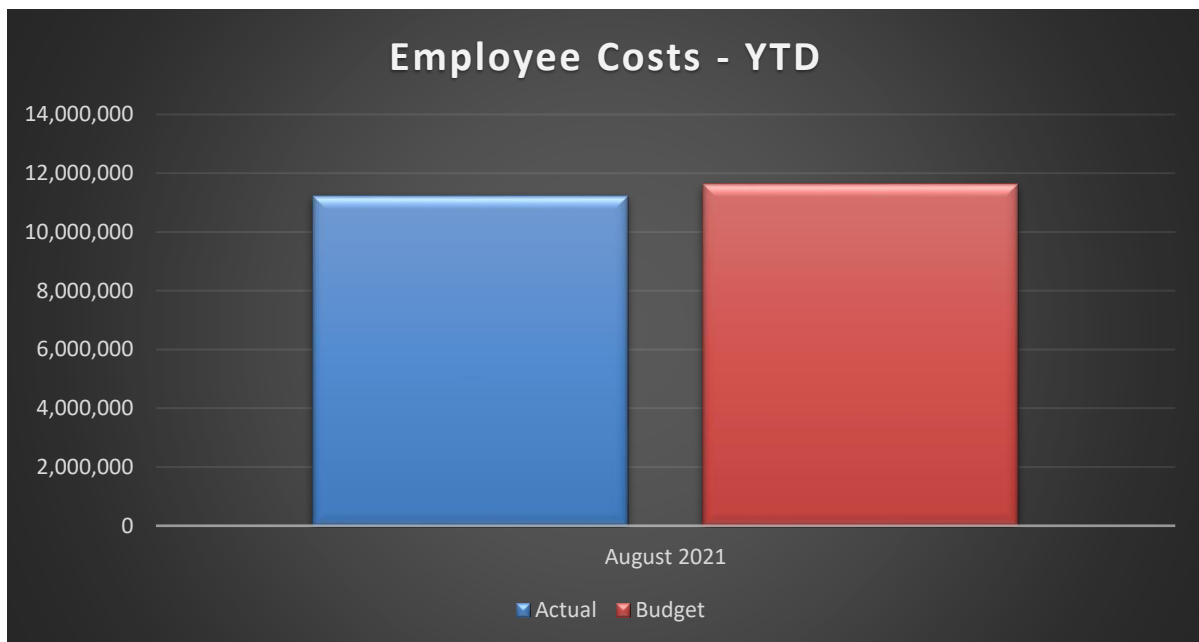
Materials and Contracts expenditure is \$1,329,670 below budget. This is spread across a number of different areas including External Service Expenses \$712,531, Other Materials \$125,173, Professional Fees and Costs \$91,692, Public Relations, Advertising and Promotions \$80,156, Travel Vehicles and Plant \$65,843 and Telephones and Communication \$63,221.

**Opening Funds**

**(\$1,228,879)**



Opening Funds for August 2021 is \$1,228,879 below budget. The variation in the Closing Funds for the period ended 30 June 2021 is prior to end of year adjustments being processed. The final balance will be available after the Financial Statements for 2020-21 have been audited.

**Employee Costs****\$417,424**

Employee Costs expenditure is \$417,424 below budget. Favourable variances predominantly arose from vacancies in various areas.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 August 2021 forming Attachment 1 to Report CJ145-10/21.*

**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 August 2021 is appended as Attachment 1 to Report CJ145-10/21.

**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

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

## Risk Management Considerations

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 Report CJ145-10/21 are exclusive of GST.

## Regional Significance

Not applicable.

## Sustainability Implications

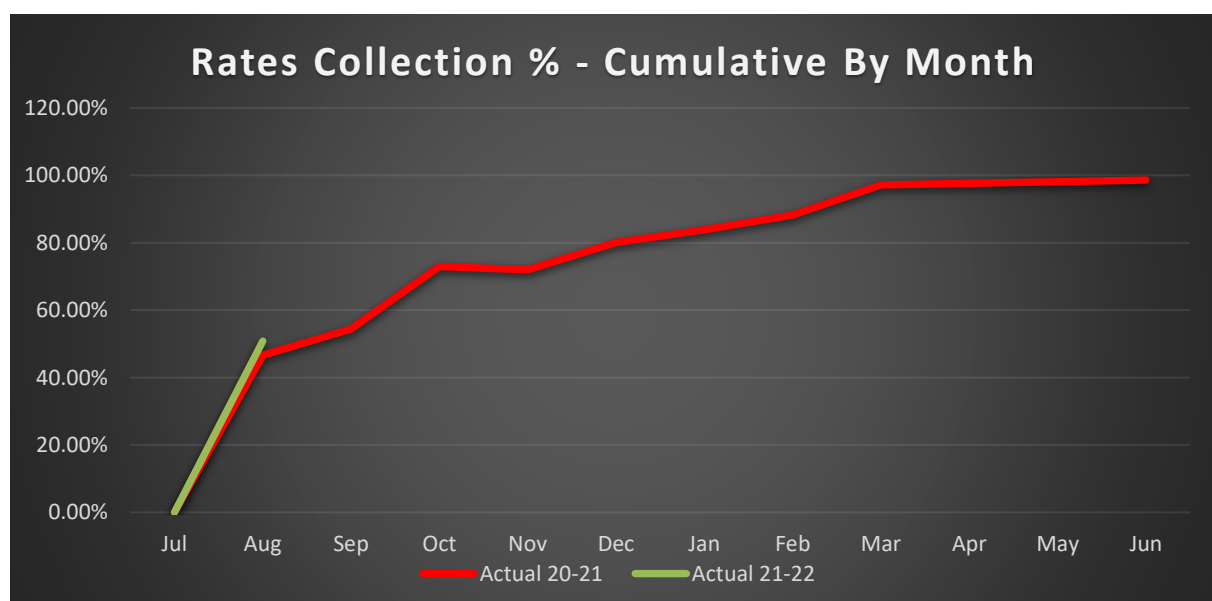
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

## Consultation

In accordance with section 6.2 of the *Local Government Act 1995*, the Annual Budget was prepared having regard to the Strategic Financial Plan, prepared under Section 5.56 of the *Local Government Act 1995*.

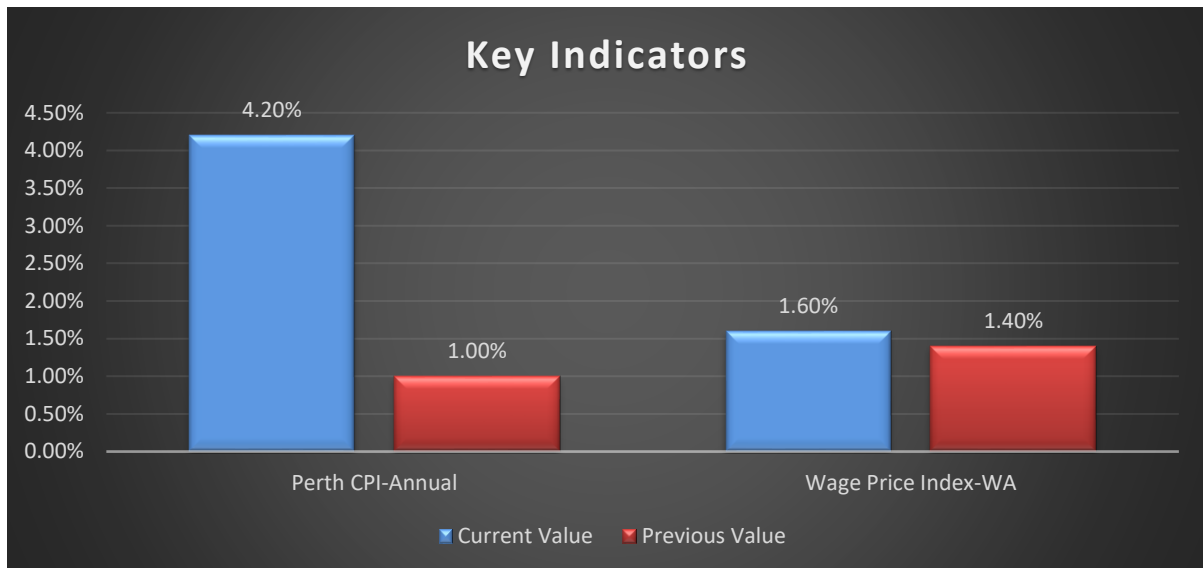
## KEY INDICATORS

### Rates Collection



Rates collections as a percentage of rates issued (debtors) is marginally higher than the prior year at the end of August.

### **Economic Indicators**



During July the Perth CPI for the second quarter of 2021 was released. This saw a significant rebound that has been reflected across all other capital cities, although this may be the effect of coming off a very low index for the corresponding period in the previous year. The index published in the next quarter is likely to provide a clearer indication of inflationary pressure. The latest wages data from the WA Treasury also shows a lift in the year-on-year WA Wage Price Index at the end of the first quarter.

### **COMMENT**

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the adopted *2021-22 Budget* (as amended) or has been authorised in advance by Council where applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

### **RECOMMENDATION**

**That Council NOTES the Financial Activity Statement for the period ended 31 August 2021 forming Attachment 1 to Report CJ145-10/21.**

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4brf211005.pdf](#)

**Disclosures of Interest Affecting Impartiality**

<b>Name / Position</b>	<b>Mayor Hon. Albert Jacob, JP.</b>
<b>Item No. / Subject</b>	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Mayor Jacob is vice-patron of the tenderer, Surf Lifesaving WA.

<b>Name / Position</b>	<b>Cr Russ Fishwick, JP.</b>
<b>Item No. / Subject</b>	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Fishwick is Senior Assessor for Surf Life Saving WA. Board Members and staff at Surf Life Saving WA are known to Cr Fishwick. Cr Fishwick is a member of Trigg Surf Life Saving Club and is Vice Patron of Sorrento Surf Life Saving Club.

<b>Name / Position</b>	<b>Cr Christine Hamilton-Prime, JP.</b>
<b>Item No. / Subject</b>	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime is a member of the Sorrento Surf Life Saving Club; Vice Patron of Sorrento Surf Life Saving Club (President); and endorsed by Ron Morris at the upcoming election.

<b>Name / Position</b>	<b>Cr Philippa Taylor.</b>
<b>Item No. / Subject</b>	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	An employee of the Surf Life Saving Club is known to Cr Taylor.

**CJ146-10/21****TENDER 017/21 PROVISION OF BEACH LIFEGUARD PATROL SERVICES****WARD**

North-Central  
South-West

**RESPONSIBLE DIRECTOR**

Mr Mat Humfrey  
Corporate Services

**FILE NUMBERS**

109589, 101515

**ATTACHMENTS**

Attachment 1 Summary of Tender Submission  
Attachment 2 Confidential Tender Summary

**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 Surf Life Saving Western Australia Incorporated for the provision of beach lifeguard patrol services.

## EXECUTIVE SUMMARY

Tenders were advertised on 31 July 2021 through state-wide public notice and published by Tenderlink for the provision of beach lifeguard patrol services. Tenders closed on 17 August 2021. A submission was received from Surf Life Saving Western Australia Incorporated.

The submission from Surf Life Saving Western Australia Incorporated represents value to the City. It demonstrated a thorough understanding and appreciation of the City's requirements. It has extensive experience providing similar beach lifeguard patrol services to various government agencies in Western Australia including the Department of Primary Industries and Regional Development (The Basin located at Rottnest Island, Meelup Beach and Bunker Bay), Town of Cambridge (City Beach) and Shire of Augusta-Margaret River (River Mouth Beach). It has been providing beach lifeguard patrol services for the City to beaches located in Sorrento, Hillarys Marina and Mullaloo since 2002. Surf Life Saving Western Australia Incorporated is well established with significant industry experience and proven capacity to provide the services to the City.

*It is therefore recommended that Council ACCEPTS the tender submitted by Surf Life Saving Western Australia Incorporated for the provision of beach lifeguard patrol services as specified in Tender 017/21 for the fixed lump sum of \$213,179 (excluding GST) for the first season and submitted schedule of rates for additional services, with any price variations in seasons two and three subject to the percentage change in the Perth CPI (All Groups).*

## BACKGROUND

The City has a requirement for the provision of beach lifeguard patrol services to the City's beaches located in Sorrento, Hillarys Marina and Mullaloo. The services include identification and demarcation of designated swimming areas, the patrol of those areas, provision of advice to beach patrons, dealing with emergency situations and reporting offences at the following three patrol areas and hours:

- Patrol Area 1 – Sorrento Beach (8.00am to 5.00pm).
- Patrol Area 2 – Hillarys Marina Beach / Boat Harbour (8.00am to 6.00pm).
- Patrol Area 3 – Mullaloo Beach (8.00am to 5.00pm).

Each patrol area must have two staff on duty during the specified patrol hours. The hours of patrol may be varied to meet particular needs subject to the agreement of both parties. Maximum number of hours: 3,472 per season (total of all three beaches).

The patrol days are to occur Monday to Friday (excluding public holidays) within the following date range periods:

- Season 1      Monday 6 December 2021 to Friday 4 March 2022.
- Season 2      Monday 5 December 2022 to Friday 3 March 2023.
- Season 3      Monday 4 December 2023 to Friday 1 March 2024.

The City had a contract in place with Surf Life Saving Western Australia for beach lifeguard patrol services 2020-21 summer season via a unique / specialist supplier process and it had been contracted under this process since 2014. A tender process was undertaken this time to test the market.

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 provision of beach lifeguard patrol services was advertised through state-wide public notice and published by Tenderlink on 31 July 2021. The tender period was for two weeks and tenders closed on 17 August 2021.

### **Tender Submission**

A submission was received from Surf Life Saving Western Australia Incorporated.

A summary of the tender submission including the location of the tenderer is provided in Attachment 1 to Report CJ146-10/21.

A confidential tender summary is provided in Attachment 2 to Report CJ146-10/21.

### **Evaluation Panel**

The evaluation panel comprised three members, being:

- one with tender and contract preparation skills
- two with the appropriate operational expertise and involvement in supervising contracts.

The panel carried out the assessment of the submission 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 offer for this requirement. Prior to assessment of the submission, a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the tenderer to satisfactorily deliver the services.

The standard minimum acceptable qualitative score for tenders at the City is 50%, but the specific circumstances of tender requirements may, from time to time, require the minimum score to be set higher than 50%, where the specification has complex design or technical requirements. Due to the simple nature of the proposed services, the predetermined minimum acceptable qualitative score for this tender was therefore set at 50%.

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

Qualitative Criteria		Weighting
1	Capacity	40%
2	Demonstrated understanding of the required tasks	30%
3	Demonstrated experience in providing similar services	25%
4	Social and economic effects on the local community	5%

### Compliance Assessment

The submission received was assessed as compliant and remained for further consideration.

### Qualitative Assessment

Surf Life Saving Western Australia Incorporated scored 85.9% in the qualitative assessment. It has extensive experience providing similar beach lifeguard patrol services to various government agencies in Western Australia including the Department of Primary Industries and Regional Development (The Basin located at Rottnest Island, Meelup Beach and Bunker Bay), Town of Cambridge (City Beach) and Shire of Augusta-Margaret River (River Mouth Beach). It has been providing beach lifeguard patrol services for the City to beaches located in Sorrento, Hillarys Marina and Mullaloo since 2002. It demonstrated a thorough understanding and appreciation of the City's requirements. Surf Life Saving Western Australia Incorporated is well established with significant industry experience and proven capacity to provide the services to the City.

Given the minimum acceptable qualitative score of 50%, Surf Life Saving Western Australia Incorporated qualified for stage two of the assessment.

### Price Assessment

The panel carried out a comparison of the lump sum prices offered by the tenderer and the previous contract rates for 2020-21 summer season in order to assess value for money to the City.

The lump sum price is fixed for the first season (first year of the contract) but is subject to a price variation in seasons two and three (years two and three of the contract) to a maximum of the Consumer Price Index (CPI) for the preceding year. For estimation purposes, a 2% CPI increase was applied to the rates in seasons two and three.

Tenderer	Year 1 (Season 1)	Year 2 (Season 2)	Year 3 (Season 3)	Total (Seasons 1, 2 and 3)
Surf Life Saving Western Australia Incorporated	\$213,179	\$217,443	\$221,792	\$652,414

During 2020-21, the City incurred \$202,097 for beach lifeguard patrol services. The City is expected to incur in the order of \$652,414 over the three-year contract period.

## Evaluation Summary

Tenderer	Weighted Percentage Score	Qualitative Ranking	Estimated Total Price (Seasons 1, 2 and 3)	Price Ranking
Surf Life Saving Western Australia Incorporated	85.9%	Not applicable	\$652,414	Not applicable

Based on the evaluation result the panel concluded that the tender from Surf Life Saving Western Australia Incorporated provides value to the City and is therefore recommended.

## Issues and Options Considered

The City has a requirement for the provision of beach lifeguard patrol services to the City's beaches located in Sorrento, Hillarys Marina and Mullaloo. 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 state-wide 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 \$250,000.

## Strategic Community Plan

**Key theme** Community Wellbeing.

**Objective** Community safety.

**Strategic initiative** Build a community that works in partnership with government and non-government organisations to achieve real and long-lasting improvements in safety and wellbeing.

**Policy** Not applicable.

## Risk Management Considerations

Should the contract not proceed, the risk to the City will be moderate as the City would have no lifeguard presence on the City's beaches during weekdays which may impact on the safety of beach patrons.

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

## Financial / Budget Implications

<b>Account no.</b>	443-A4408-3359-4020.
<b>Budget Item</b>	Beach Lifeguard Patrol Services.
<b>Budget amount</b>	\$ 206,138
<b>Amount spent to date</b>	\$ 0
<b>Proposed cost</b>	\$ 213,179
<b>Balance</b>	\$ (\$7,041)

The tender exceeds the budget amount of \$206,138. Additional funds to cover the funding gap will be sought at the 2021-22 Mid-Year Budget Review.

All amounts quoted in Report CJ146-10/21 are exclusive of GST.

## Regional Significance

Not applicable.

## Sustainability Implications

The provision of a mid-week beach lifeguard patrol service ensures the safety of beach patrons on City beaches.

## 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 Surf Life Saving Western Australia Incorporated represents value to the City.

The City provides a lifeguard patrol service at these beaches during the week to complement the service provided by surf club volunteers on weekends.

## VOTING REQUIREMENTS

Simple Majority.

## RECOMMENDATION

**That Council ACCEPTS the tender submitted by Surf Life Saving Western Australia Incorporated for the provision of beach lifeguard patrol services as specified in Tender 017/21 for the fixed lump sum of \$213,179 (excluding GST) for the first season and submitted schedule of rates for additional services, with any price variations in seasons two and three subject to the percentage change in the Perth CPI (All Groups).**

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5brf211005.pdf](#)

**Disclosure of Interest Affecting Impartiality**

<b>Name / Position</b>	<b>Cr John Logan.</b>
<b>Item No. / Subject</b>	CJ147-10/21 - 2021-22 Budget Amendment - Grant Funding for Capital Works.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Logan is a member of the Kingsley Amateur Football Club and is known to members of other sports and community groups who support installing an awning at Kingsley Memorial Clubrooms and new cricket nets at Barridale Park.

## CJ147-10/21                      2021-22 BUDGET AMENDMENT – GRANT FUNDING FOR CAPITAL WORKS

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBERS</b>	109072, 101515
<b>ATTACHMENT</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting, and amending budgets.

**PURPOSE**

For Council to approve amendments to the adopted *2021-22 Budget* reflecting new grants arising from 2021 State Government Election Commitments.

**BACKGROUND**

At the recent State Government election, the State Government made several funding commitments for various projects within the City of Joondalup.

Grant funding agreements have now been received from the Department of Local Government, Sport and Cultural Industries (DLGSCI) reflecting the commitment made to some of these projects. Initial and progressive grant payments will be received according to the milestones set out in each separate agreement. None of these projects are currently listed within the *2021-22 Adopted Budget*. It is therefore necessary to amend the budget to include these projects into the 2021-22 capital expenditure to ensure they are completed within the timeframe stipulated within the grant agreements.

**DETAILS**

The City has received five DLGSCI grant separate agreements in respect of the projects listed below. A review of the agreements indicates that only one of the projects will require a contribution from the City. The remaining projects are expected to be fully funded by the grants allocated to each project.

Project Name	Required Completion Date	Grant Allocated	COJ / Club Contribution	Project Type	Total Project Budget
Sorrento Football Club Facility Upgrade	15 June 2023	\$1,000,000	\$0	Capital Works	\$1,000,000
Mobile CCTV Cameras	15 June 2022	\$150,000	\$0	Capital Projects	\$150,000
Windermere Park Upgrade cricket training nets and lighting	15 June 2022	\$80,000	\$0	Capital Works	\$80,000
Barridale Park Installation of additional cricket nets	15 June 2022	\$30,000	\$0	Capital Works	\$30,000
Kingsley Football Club Awning	15 June 2022	\$60,000	\$15,000 – COJ \$18,182 - Club	Capital Works	\$93,182
<b>Total</b>		<b>\$1,320,000</b>	<b>\$33,182</b>		<b>\$1,353,182</b>

As indicated in the table above the Kingsley Football Club Awning project will require a small contribution from the City towards the project to build an undercover area onto the existing club rooms. The City contribution is due to a request by the City to incorporate improved stormwater capture into the footprint of the proposed covered area.

The Sorrento Football Club Facility Upgrade the grant funds both the design and construction of the project. The FIFA Women's World Cup 2023 is being jointly hosted by Australia and New Zealand, and the Sorrento Football Club has been included as a training venue for participating teams. The proposed construction is scheduled to commence in July 2022 with completion anticipated in March 2023 prior to the FIFA Women's World Cup in July 2023.

### Issues and Options Considered

#### Option 1 – Do not amend the adopted 2021-22 Budget

Council can choose not to amend the adopted 2021-22 Budget. This would restrict the City's ability to incur the necessary expenditure to complete these projects within the grant agreement timeframes.

This option is not recommended.

#### Option 2 – Amend the adopted 2021-22 Budget

Council can choose to amend the adopted 2021-22 Budget. This will allow the City to incur the necessary expenditure to complete the identified State Government Election Commitments within the grant agreement conditions.

This option is recommended.

## Legislation / Strategic Community Plan / Policy Implications

### Legislation

Section 6.8 of the *Local Government Act 1995*.

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - (b) *is authorised in advance by resolution\*;* or
  - (c) *is authorised in advance by the mayor or president in an emergency*
- (1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.*

\* *Absolute majority required*

### Strategic Community Plan

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

### Risk Management Considerations

The City’s ability to complete the designated projects within the grant agreement timeframes will be impacted in without the approval to incur the necessary expenditure. The amendment is essential to ensure the City is able to meet the grant funding requirements.

Any delays in progressing the Sorrento Football Club facility upgrade may jeopardise the use of the facility as a training option for the FIFA Women’s World Cup 2023.

### Financial / Budget Implications

The total additional expenditure required in 2021-22 for the designated projects is \$1,353,182 which comprises:

- \$1,203,182 to be added to *Capital Works Program* in the adopted *2021-22 Budget*
- \$150,000 to be added to *Capital Projects* in the adopted *2021-22 Budget*.

The value of grants approved to fund these projects is \$1,320,000. The remaining \$33,182 is a combination of a contribution of \$18,182 from the Kingsley Football Club and \$15,000 to be contributed by the City which is expected to be met by savings identified during the Mid-Year Budget Review.

### Regional Significance

Not applicable.



**Sustainability Implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The State Government has approved grants to be provided to the City for projects that were identified for support as part of state election commitments. The amendments proposed to the adopted *2021-22 Budget* will allow the City to incur the necessary expenditure to complete these projects as required under the grant agreements.

**VOTING REQUIREMENTS**

Absolute Majority.

**RECOMMENDATION**

That Council BY AN ABSOLUTE MAJORITY:

- 1 **AMENDS** the adopted *2021-22 Budget* by the addition of \$1,203,182 to the *Capital Works Program* for the following projects:

1.1	Sorrento Football Club Facility Upgrade	\$1,000,000;
1.2	Windermere Park Upgrade cricket training nets and lighting	\$ 80,000;
1.3	Barridale Park Installation of additional cricket nets	\$ 30,000;
1.4	Kingsley Football Club Awning	\$ 93,182;
  
- 2 **AMENDS** the adopted *2021-22 Budget* by the addition of \$150,000 for the following Capital Project:

2.1	Mobile CCTV cameras	\$ 150,000;
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- 3 **AMENDS** the adopted *2021-22 Budget* to add \$1,338,182 to Non-operating Grant, Subsidies and Contributions revenue;
  
- 4 **NOTES** that the City's contribution of \$15,000 towards the Kingsley Football Club Awning project will be met from savings / surplus funds to be identified during the 2021-22 Mid-Year Budget Review process.

## REPORTS - CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE - 28 SEPTEMBER 2021

### Disclosure of Financial Interest

<b>Name / Position</b>	<b>Mr James Pearson, Chief Executive Officer.</b>
<b>Item No. / Subject</b>	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of Interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Pearson holds the position of Chief Executive Officer.

### Disclosure of Interest Affecting Impartiality

<b>Name / Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No. / Subject</b>	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

**CJ148-10/21**

**CONFIDENTIAL - CHIEF EXECUTIVE OFFICER  
CONCLUDED ANNUAL PERFORMANCE  
REVIEW**

**WARD**

All

**RESPONSIBLE  
DIRECTOR**

Mr Jamie Parry  
Governance and Strategy

**FILE NUMBERS**

74574, 108783

**ATTACHMENTS**

Attachment 1 Chief Executive Officer KPI's for 2021-22.  
Attachment 2 Chief Executive Officer Confidential  
Concluded Annual Performance Review  
Report.

*(Please Note: The Report and Attachments are  
Confidential and will appear in the official  
Minute Book only)*

**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.

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

- *a matter affecting an employee or employees.*

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

**Disclosure of Financial Interest**

<b>Name / Position</b>	<b>Mr James Pearson, Chief Executive Officer.</b>
<b>Item No. / Subject</b>	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
<b>Nature of Interest</b>	Financial Interest.
<b>Extent of Interest</b>	Mr Pearson holds the position of Chief Executive Officer.

**Disclosure of Interest Affecting Impartiality**

<b>Name / Position</b>	<b>Mr Jamie Parry, Director Governance and Strategy.</b>
<b>Item No. / Subject</b>	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

**CJ149-10/21****CONFIDENTIAL - SALARY REVIEW - CHIEF EXECUTIVE OFFICER**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBERS</b>	74574, 108783
<b>ATTACHMENT</b>	Attachment 1 Salaries and Allowances Tribunal determination (distributed under separate cover)  <i>(Please Note: The Report and Attachments are Confidential and will appear in the official Minute Book only)</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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

- *a matter affecting an employee or employees.*

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

## URGENT BUSINESS

### MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

#### **NOTICE OF MOTION NO. 1 – CR HAMILTON-PRIME, JP – IMPLEMENT THE INSTALLATION OF WARNING SIGNS IN THE CITY OF JOONDALUP DURING MAGPIE SWOOPING SEASON**

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Hamilton-Prime has given notice of her intention to move the following Motion at the Council meeting to be held on 12 October 2021:

***That the Council REQUESTS the Chief Executive Officer to implement the installation of warning signs in the City of Joondalup during magpie swooping season, signs to be displayed in identified problem ‘hotspots’ to help residents to be informed and avoid dangerous incidents with magpies and potential injuries.***

#### REASON FOR MOTION

With recent injuries to residents and children from swooping magpies protecting their young, it is appropriate from a community safety standpoint to install signs warning of active swooping areas in suburbs for the duration of the swooping season, and the signs are to be removed at the conclusion of each season.

The intent is to allow signage to be installed in response to residents contacting the City administration identifying problem hotspot locations.

The installation of signage in other local government areas has proven to be effective in helping residents and children avoid dangerous incidents with magpies by alerting them to dangerous hotspots.

#### OFFICER'S COMMENT

Given the short nesting season of the magpies (approximately six to eight weeks per year, between the months of August and November) it has been the City's preference not to install magpie warning signs on the road reserve or within parks. The City, however, currently has 20 confluence signs which have been utilised in the past and as such this request can be supported.

It should also be noted that the City provides a “native fauna awareness” public notice on its website at the beginning of spring; [Native fauna awareness](#) and has recently implemented a “Swooping Magpies” information page [Magpies - Swooping](#).

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

**CLOSURE**



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

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

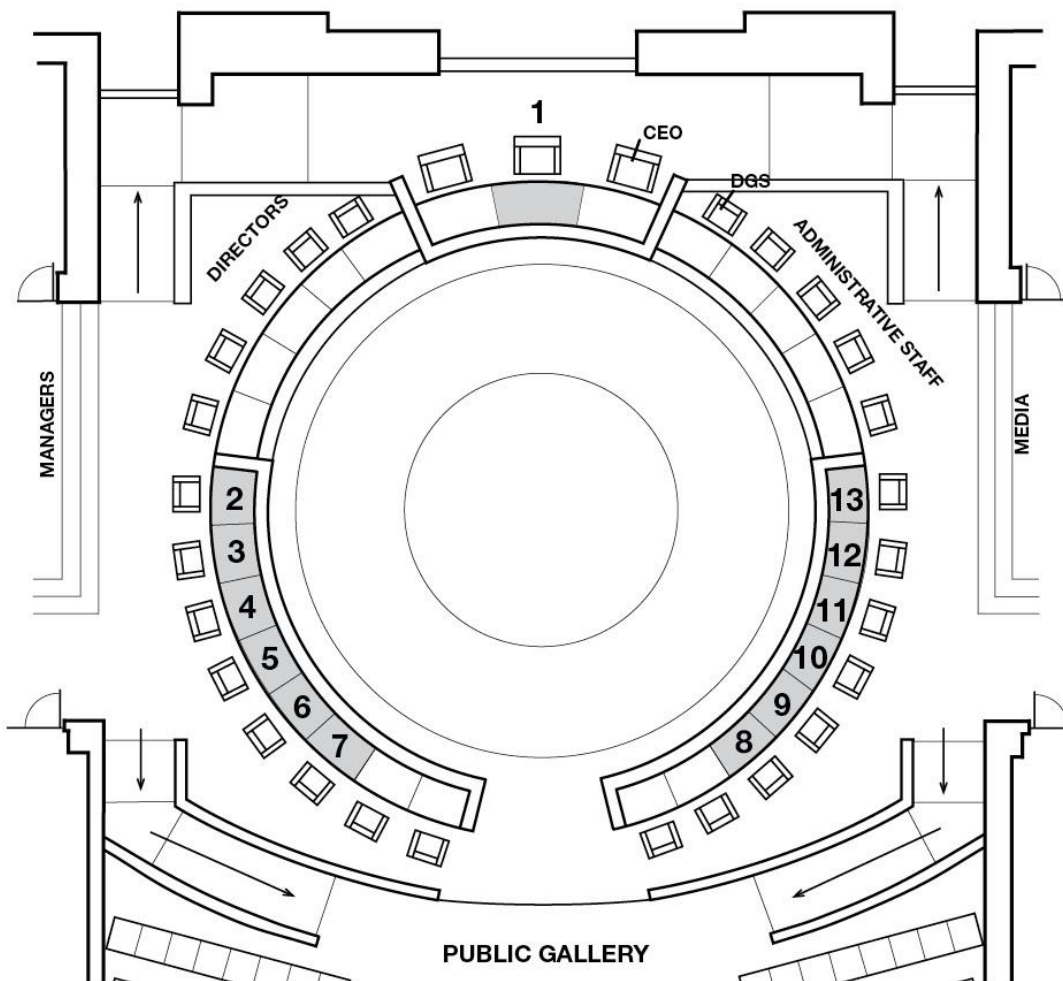
<b>Name / Position</b>		
<b>Meeting Date</b>		
<b>Item No. / Subject</b>		
<b>Nature of Interest</b>	Financial Interest * Proximity Interest* Interest that may affect impartiality*	<b><i>*Delete where not applicable</i></b>
<b>Extent of Interest</b>		
<b>Signature</b>		
<b>Date</b>		

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

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

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

## Council Chamber – Seating Diagram



### Mayor

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

### North Ward

- 2 Cr Kerry Hollywood (Term expires 10/21)
- 3 Cr Tom McLean, JP (Term expires 10/23)

### North-Central Ward

- 4 Cr Philippa Taylor (Term expires 10/21)
- 5 Cr Nige Jones (Term expires 10/23)

### Central Ward

- 6 Cr Christopher May (Term expires 10/21)
- 7 Cr Russell Poliwka (Term expires 10/23)

### South-West Ward

- 8 Cr Christine Hamilton-Prime (Term expires 10/21)
- 9 Cr John Raftis (Term expires 10/23)

### South-East Ward

- 10 Cr John Chester (Term expires 10/21)
- 11 Cr John Logan (Term expires 10/23)

### South Ward

- 12 Cr Russ Fishwick, JP (Term expires 10/21)
- 13 Cr Suzanne Thompson (Term expires 10/23)